

VIETNAM COMMITTEE ON HUMAN RIGHTS
COMITÉ VIETNAM POUR LA DÉFENSE DES DROITS DE L'HOMME
Ủy ban Bảo vệ Quyền làm Người Việt Nam



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Statement by Mr. VO VAN AI

**President of the Vietnam Committee on Human Rights and FIDH Vice-Chairman
to the Committee for the Elimination of Discrimination against Women**

Fifth and Sixth Combined Periodic Reports from the Government of the Socialist Republic of Vietnam
United Nations, New York, 15 January 2007

Thank you, Madame Chairperson, for giving me this opportunity to speak before the Committee. I am Vo Van Ai, President of the Vietnam Committee on Human Rights and Vice-Chair of the FIDH. My Committee has submitted a "Shadow Report" to the CEDAW Committee expressing in detail our concerns on discrimination against women in Vietnam.

On paper, the Vietnamese government has undertaken many legal commitments to promote gender equality and combat discrimination. In practice, however, despite the previous concerns expressed by the CEDAW Committee in this regard, the rights ensured *de jure* in Vietnam's legislation are not enjoyed *de facto* by women in Vietnam, especially in the social, economic and political areas.

Today, widespread discrimination against women persists in Vietnam. Domestic violence, trafficking of women and girls, prostitution, the growing problem of HIV/AIDS, violations of reproductive rights are serious problems, yet they frequently go unacknowledged or unpunished by the authorities. This discourages women from denouncing abuses, and also sends the message that such forms of discrimination are socially acceptable in Vietnam.

Vietnam's policy of *doi moi* – economic liberalization without political reforms – has negatively impacted women. With the abolition of State subsidies, education and health care have become paying commodities, leaving the poorest women deprived of access, especially in the rural areas.

Trafficking of women and girls for sexual exploitation is growing under *doi moi*, with the involvement, directly or indirectly, of Communist Party and state officials, who are rarely brought to justice. According to State figures, 70% of men using prostitutes are state officials. In 2003, Vietnam adopted an Ordinance providing fines for state employees found using prostitutes or abusing their authority to protect prostitution. But this is a purely administrative measure, with no criminal sanctions. The men's families are will even not be informed. Such legislation is totally ineffective.

Tens of thousands of Vietnamese women have been trafficked as brides to East Asia and other countries and subjected to servitude or forced labour in appalling conditions. Some women trafficked to China, for example, are sold in remote areas to poor farmers who pool their money buy one wife to share between the whole village. The Vietnamese press reports that these women are treated like

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animals. Those who try to escape have their tendons cut to prevent them walking.

Prostitutes, drug users and HIV/AIDS carriers are classified as perpetrators of “*social evils*” and stigmatised by the regime. When international gatherings such as the SEA Games (2003), the ASEM Summit (2004) of the recent APEC Summit (November 2006) take place, the authorities routinely launch campaigns to “sweep the streets clean” and arbitrarily detain prostitutes, homeless girls and street children in “Social Protection Centres” where they are subjected to deplorable conditions and deprived of all due process of law.

Official power abuse and State confiscation of land has seriously penalized rural women. Despite amendments to the Land Law adopted in 2003, which require that both men and women’s names be mentioned on Land Use Rights Certificates, women are routinely denied their rights because of lack of information, corruption and gender-biased concepts of all-powerful local officials.

Hundreds of rural women, known as the “Victims of Injustice” – *dan oan* – demonstrate daily in Mai Xuan Thuong Park in Hanoi, hoping desperately to meet a government official who will solve their grievances. The Vietnam Committee on Human Rights has received literally hundreds of appeals from these “*Victims of Injustice*” calling for help from the international community. Instead of seeking to solve their grievances, Vietnam passed Decree 38 in March 2005 prohibiting demonstrations outside public buildings in Vietnam.

Vietnam claims that poverty and the growing income gap are the major obstacles to gender equality. But in fact the political structure of the one-Party State, with its lack of transparency and political freedoms, and the pervasive control of the Communist Party of Vietnam (CPV) are severely impeding the realization of women’s rights. There are no independent women’s civil society movements, no free trade unions, no free press, no independent judiciary nor any other mechanisms outside the framework of the Communist Party of Vietnam. International human rights organizations are not permitted to operate in Vietnam, nor even visit the country for human rights monitoring. Vietnamese women’s only representative is the Vietnam Women’s Union, a para-governmental “*mass organisation*” controlled by the Communist Party.

Recommendations

We believe that CEDAW cannot be fully implemented unless Vietnam implements an urgent process of political reforms to ensure that all women may participate in the process of economic, social, political and cultural development. Independent women’s NGOs, a free press and independent trade unions should be established to protect women against the negative impacts of economic liberalization, and ensure their basic rights.

We refer the CEDAW Committee to the recommendations in our Shadow Report (page 29-30) in which we also urge Vietnam to urgently address the issue of “Victims of Injustice”, and sanction corrupt officials; take stronger measures to combat trafficking of women and girls; establish agreements to rescue and protect women in countries where overseas workers are exploited and women are victims of trafficking; cease the practice of “administrative detention” of women and hold an independent investigation into the conditions in “Social Protection Centres”, and many other issues.

Given the lack of available means to women to seek remedies for abuses of their rights, we urge Vietnam to promptly ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women in order to provide women with alternative mechanisms of complaint.

Thank you for your attention.