

To: Division for the Advancement of Women
Department of Economic and Social Affairs
Fax: (212) 963-3463

Hanoi, 29 April 2005

Dear Director,

Subject: Information in Vietnam relating to the General Assembly Resolution 58/185 of 18 March 2004 on “In-depth study on all forms of violence against women”

In reply to the UN document reference No. DAW/2005/002 dated 31 March 2005 and based on Vietnam response to UN questionnaires on 10-year review and appraisal of the Beijing Declaration and Plan for Action, as well as our response to General Assembly Resolution 57/179 of 18 December 2002 on working towards the elimination of crimes against women committed in the name of honor, Resolution 57/181 of 18 December 2002 on elimination of all forms of violence against women, Resolution 57/176 of 18 December 2002 on trafficking in women and girls, we would like update further information. In addition, please find enclosed herewith the implementation of Article 6 of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) that we have just submitted to CEDAW Committee.

Resolution No. 07/NQ-TW issued by the Executive Committee of Vietnam Women’s Union on some social issues related to women and girl children, of which enhancing measures to prevent and fight against trafficking in women and children, prostitution, HIV/AIDS, domestic violence against women and Vietnamese women’s marriage to foreigners.

In late March 2005, an International Mekong Sub-region Conference on Prevention and Fighting Against Trafficking in People was held in Hanoi. The conference approved an International Cooperation Plan on Prevention and Fighting Against Trafficking in People within 3 years.

National Plan of Action on prevention and fighting against trafficking in women and children 2004-2010 has been implemented by the Ministry of Public Security and Ministry of Defense and Vietnam Women’s Union. As a result, a cooperation mechanism was established and media campaigns are implemented and promoted.

With the approval of the Prime Minister, a launching workshop on the component on “Receiving and supporting women and children as trafficked victims, who return from abroad” under the National Plan of Action on anti-trafficking in women and children was held in Hanoi on April 18, 2005 by the Ministry of Labour, Invalids and Social Affairs (MOLISA) in collaborate with the National Committee for Population, Family and Children (CPFC) with support from UNICEF Vietnam.

A launching workshop of the ILO-IPEC project on “Prevention of Trafficking in Children and Women at a community level in Vietnam” was held in Hanoi on 26 April 2005 by International Labour Organization (ILO) in collaboration with the Vietnam Women’s Union (VWU).

The VWU, Youth Union and CPFC have active programs in place aimed at trafficking prevention and victim’s protection such as warning women and girls of these dangers, repatriation programs to help female returners and vocational training for teenage girls in communities who considered vulnerable to trafficking in persons.

The two ongoing projects on “Enhancing gender equality in family and preventing and fighting domestic violence” at 6 communes in Hanoi city and Thai Binh, Phu Tho provinces and at 12 communes in Quang Tri and Ha Tinh provinces have been being implemented by VWU. The aims of the project are to raise public awareness on gender equality and prevent and fight against domestic violence.

In 2004, VWU organized a workshop on sharing experiences on eliminating violence against women in Hanoi with the participation of civil society organizations. Many best practices were shared at the workshop not only for supported provinces but also other provinces.

Recently, a handbook “Information on Gender Equality in Family” was printed and distributed to target groups.

Best regards,

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Annex
Article 6

Suppression of all forms of trafficking in women and exploitation of women for prostitution

The traffic in women and exploitation of prostitution of women remain pressing issues that attract the attention of the entire society. The State of Vietnam reiterates its strong determination to eliminate these evils. The prevention of traffic in women and exploitation of prostitution of women is high on the agenda of all agencies and authorities. All measures taken in this connection are aimed at protecting the health and dignity of women, helping build a just, progressive and advanced society.

6.1. Law-making

Recently introduced documents:

- Ordinance on Sanctions against Administrative Violations, No.44/2002/PL-UBTVQH10, dated 02 July 2002, issued by the National Assembly's Standing Committee, entered into force on 01 October 2002. According to the Ordinance, prostitutes from 15 to 55 years of age shall be entered to clinics for special treatment for 03 to 18 months.

- Ordinance on Prevention and Suppression of Prostitution, No. 10/2003/PL-UBTVQH11, dated 17 March 2003, issued by the National Assembly's Standing Committee, entered into force on 01 July 2003. This is the first ever specific document on the prevention and suppression of prostitution, which strictly prohibits prostitution. The Ordinance provides for social and economic measures to prevent prostitution and punitive measures against customers, procurers and prostitution organizers. The prostitutes are considered as the victims and the State has put in place programs for the treatment, rehabilitation, reintegration of these victims. Vocational training and job creation have also been in focus.

- Decree No. 68/2002/NĐ-CP by the Government, dated 10 July 2002, on marriage and family relationships with foreign elements. The Decree prohibits the use of marriage and adoption as covers for the trafficking in, exploitation and sexual abuse of women and children material gains.

- Decision No.151/2000/QĐ-TTg, dated 28 December 2000, by the Prime Minister, approving the 2001-2005 Action Plan for the Prevention and Suppression of Prostitution. The Plan aims to prevent and gradually eradicate prostitution in the country.

- Directive No.25/2003/CT-TTg by the Prime Minister, dated 21 November 2003 on the implementation of the Ordinance on the Prevention and Suppression of Prostitution, with specific tasks assigned to relevant ministries, agencies and local authorities. "The Month of Actions to Implement the Ordinance on Prevention and Suppression of Prostitution" was also launched.

6.2. Implementation

The Government has been giving instructions to relevant authorities in the prevention and fight against crimes, including the trafficking in women and children. The Ministry of Public Security, in coordination with relevant ministries and agencies, has been implementing the National Program on the Prevention and Suppression of Crimes, one component of which is the prevention and suppression of trafficking in women and children. In September 2003, the Government convened a National Conference on Prevention and

Suppression of Trafficking in Women and Children to discuss and agree on measures to be taken to combat this crime and support the victims. Since then, positive results have been recorded. Thanks to the efforts of all relevant ministries, agencies and local authorities, with the public security forces playing the leading role, we have succeeded in halting the increase of this crime.

The Ministry of Labour, Invalids and Social Affairs has been implementing 2001-2005 Action Plan for the Prevention and Suppression of Prostitution; worked with the Ministry of Public Security, Ministry of Culture and Information, Ministry of Home Affairs and Ministry of Health to issue related guiding documents; collaborated with mass organizations like the Fatherland Front, Women's Union, Youth Union, Confederation of Labour and Veterans' Union, to launch campaigns with the participation of their members and the society as a whole to combat social vices, including prostitution and the traffic king in women and children. The Ministry of Labour, Invalids and Social Affairs recently conducted a review of the three -year implementation of this Action Plan, which revealed the following results:

- Communication and education was identified as one of the most important measures, which has helped raise the awareness, enhance the sense of responsibility of the people in the fight against these social vices. Over the past years, the media, the mass organizations at central and local levels, have devoted tremendous efforts to communicate the State's policy on the prevention of prostitution to the people (through articles, radio and TV programs, training courses, seminars...), forming strong public opinion against this crime, and at the same time, applauding good models and best practices. The Women's Unions at all levels have made it clear that women are always the victims and the most disadvantaged in prostitution-related activities, which impedes the achievement of gender equality and socio-economic development goals. Local Women's Unions have equipped women with needed tools and skills to recognize plots and attempts to traffic women for prostitution, and encouraged women to work with others in the community to prevent and fight against such attempts. Throughout the country, movements to build prostitution-free and drugs -free villages and communes have been expanded, and thus helped to prevent these evils from spreading.

- The handling of prostitution-related cases: In this connection, following are some figures provided by the Supreme People's Procuracy and Supreme People's Court, in the 2000-2002 period:

+ harbouring of prostitution: the Courts have tried 2,470 out of 2,932 cases, with 3,224 accused persons. 146 of them received sentences over 10 years of imprisonment; 7-10 years for 313; under 7 years for 2468, and probation for 292.

+ procuring: 358 out of 437 cases have been tried with 483 accused persons.

The punitive measures for prostitution-related offences have increased in severity. Vietnam is still working on improving its legal tools to prevent and suppress these crimes more effectively. According to Vietnamese laws, all prostitution-related activities are strictly forbidden, and all violations of the laws will be punished accordingly. Persons forced into prostitution are protected by the law, and anyone who forces others into prostitution shall be subject to criminal prosecution.

- Education, treatment and reintegration of prostitutes: From 2001 to the end of December 2003, the Labour, Invalid and Social Affairs Ministry and Departments have provided treatment and education for 14,839 prostitutes, and provided vocational training and created

jobs for 8,000. Apart from receiving regular education, these persons have also been diagnosed and treated for sexually transmitted diseases as well as other sickness. HIV/AIDS counselling has also been provided. The Vocational Training Centers have paid special attention to making the training programs better fit for former prostitutes, bearing in mind the characteristics and needs of these special students. But all programs aim to accelerate their reintegration and to help them find jobs. The State even provides 400,000 VND in allowance to these persons as they finish the re-education term and return home. The allowance, though small, reflects how much the authorities care for them, and also helps them in rebuilding their life in a healthier way. The local women's unions take the responsibility to receive them, facilitate their access to loans for economic activities, and encourage their participation in the unions' activities. In the community, the "once-prostitutes" are treated equally as other citizens. The local authorities and mass organizations have persuaded agencies and companies in their localities to recruit, provide vocational training and financial support to these persons. The women unions' anti-social-evils clubs have also been a place for these persons to go to, where they can learn more about social vices, health care, household economics and poverty reduction.

- International cooperation has been expanded in an effort to halt the spread of prostitution and trafficking in women. Over the past four years, Vietnam has taken part in some international projects, including two regional projects (Project on the Prevention of Trafficking in Women and Children in the Mekong Sub-region; ILO/IPEC project for community-based capacity building, awareness raising and job creation for women and children). These projects have helped facilitate better collaborations among countries in the fight against trafficking in women and children.

6.3. Outstanding problems and solutions

Despite all achievements, the fight against trafficking in women and children and prostitution is still faced with numerous difficulties.

The number of detected and investigated cases of trafficking is still small. Trafficking activities continue in a serious and complicated manner. The victims have not been educated on ways to protect themselves from being lured by the criminals. The readmission of the victims in the community remains to be improved.

Numerous difficulties still confront the fight against prostitution, including the increasing sophistication of prostitution-related activities, the income gap among the regions, unemployment, and the easy-going lifestyle of some.

In July 2004, the Prime Minister issued Decision 130/2004/QD-TTg approving the 2004-2010 Action Plan for the Prevention and Suppression of Trafficking in Women and Children, aiming to increase the awareness of and actions taken by government agencies, local authorities, mass organizations and the society as a whole in order to fight more effectively against trafficking in women and children, and reduce significantly the number of cases by 2010. The Prime Minister has tasked the Ministry of Public Security to work with relevant ministries and agencies, provincial and municipal authorities and organizations in implementing this Action Plan. The Prime Minister has also issued a Decision to establish a Steering Committee for the implementation of the Action Plan for the Prevention and Suppression of Trafficking in Women and Children, chaired by a Deputy Prime Minister. Sub-committees will be established at the provincial and municipal level. In December 2004, the Government convened a National Conference on the implementation of the Action Plan. At present, ministries, agencies and local authorities are taking active steps to realize tasks assigned by the Prime Minister.

To make the fight against prostitution more effective, relevant agencies will continue their work on the implementation of the Ordinance on the Prevention and Suppression of Prostitution. Comprehensive measures will be taken at all levels of government, with relevant agencies held more accountable for their responsibilities. Monitoring and evaluation will also be strengthened, while violations will be punished. Steps will be taken to provide more information, education and counselling to the communities, and build communes free of social vices. Employment and poverty reduction policies will be more effectively implemented to help the vulnerable groups. Relevant agencies will conduct reviews, draw lessons and replicate good models in accordance with Directive No.25/CT-TTg by the Prime Minister, which requires relevant agencies to communicate the Ordinance to the people from all stratas, encourage mass organizations and the people to take part in condemning and detecting all prostitution-related activities.