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**Consideration of reports: reports submitted by States parties
in accordance with articles 16 and 17 of the Covenant**

**List of issues in relation to the combined second, third and
fourth periodic reports of Viet Nam****Addendum****Replies of Viet Nam to the list of issues***

[Date received: 17 September 2014]

I. General information**In response to question 1**

1. Article 6, paragraph 3 of the Law on the Conclusion, Accession to and Implementation of International Treaties stipulates that on acceptance of direct application of the whole or part of an international treaty, the National Assembly, the State President or the Government shall issue decisions on this, but Vietnam has not issued a decision on the direct application of this Covenant. However, Article 6, paragraph 1 of the Law stipulates that in cases where a legal document and a treaty to which the Socialist Republic of Vietnam is a party contain different provisions on the same matter, the provisions of the treaty shall prevail.

2. After its accession to the International Covenant on Economic, Social and Cultural Rights (ICESCR), Vietnam has promulgated a series of laws which reflect the Covenant's provisions: Constitution of the Socialist Republic of Vietnam (1992 Constitution, 2013 Constitution); Penal Code; Civil Code; Labour Code; Law on Marriage and Family; Law on Gender Equality; Education Law; Criminal Procedure Code; Civil Procedure Code; Law on Administrative Courts; Press Law; Law on Trade Unions; Land Law; Investment Law;

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Enterprise Law; Publication Law; Law on the Protection, Care and Education of Children; Law on the Universalization of Primary Education; Law on People's Healthcare; Citizenship Law; Law on National Assembly Elections; Law on People's Council Elections; Law on Legal Aid; Law on Law Dissemination and Education; Law on State Compensation Liability; Law on Medical Examination and Treatment; Law on the Elderly; Law on Food Safety; Law on Persons with Disabilities; Law on Adoption; Law on Enforcement of Criminal Judgments; Law on Administrative Procedures; Complaint Law; Denunciation Law; Law on Human Trafficking Prevention and Combat; Law on Water Resources; Employment Law; Law on Science and Technology; Law on Health Insurance; Law on Environmental Protection.

3. The provisions of the Covenant have been incorporated in domestic laws and legal documents issued by competent authorities, therefore direct invocations are rare. Up to now, there have been not any cases identified where the courts directly applied or invoked the Covenant in a legal proceeding.

In response to question 2

4. Regarding the impacts of measures taken to increase awareness of economic, social and cultural rights among the general public:

- In order to facilitate the legal dissemination and education, increase awareness of economic, social and cultural rights as acknowledged in Vietnam's Constitution and legal documents among the general public, the National Assembly has adopted the 2012 Law on Law Dissemination and Education, stipulating the citizens' rights to be informed of laws and responsibilities to inquire into and study laws; contents and forms of law dissemination and education; responsibilities of competent agencies, organizations and individuals; and conditions for ensuring law dissemination and education. The content of law dissemination and education includes: provisions of the Constitution and legal documents; international treaties to which the Socialist Republic of Vietnam is a party, international agreements; sense of law observance and execution; sense of law protection; benefits of law observance; examples of "good people and good deeds" on law enforcement.
- Through institutional measures and policy of law dissemination and education, the awareness and sense of law observance on economic, social and cultural rights have been promoted distinctly, contributing to ensure the observance of rights and strengthen state management capability.

5. Steps have been taken to ensure that human rights are an inherent part of the school syllabus: the Prime Minister of Vietnam has approved programs and projects on law dissemination and education in school as follows:

- Program on law dissemination and education in the 2008-2012 period, including the Scheme on "Improving the quality of law dissemination and education in school over the 2008-2012 period".
- Scheme on improving the quality of law dissemination and education in school during 2013-2016.
- 2012 Law on law dissemination and education stipulating that "Law education in educational units in the national education system shall be integrated in the school curriculum at various levels of education; shall become a content of secondary education, high school education, vocational education and higher education".

6. Implementing the Law on Law Dissemination and Education as well as projects on law dissemination and education in school over specific periods, the Ministry of Education and Training has focused on various activities, such as: improving textbooks and teaching

materials on law subjects or law education in school in accordance with the learners and levels of education; developing and standardizing the quality of law teachers.

7. Regarding the steps taken to ensure that human rights are an inherent part of the training of judges:

- The Covenant has been recognized in the Constitution and especially incorporated in specific provisions of laws and legal documents. Therefore, these rights have been ensured by the law in practice. The judges carry out their duties on behalf of the State and apply laws and regulations on specific cases; thus, the judges also contribute to ensure the enforcement of the rights.
- The participants of judge training courses must have a law university degree. Therefore, the training of judges before appointment does not aim to provide legal knowledge, but focuses exclusively on developing judging skills. However, during the training, the judge candidates also learn and exchange opinions on legal principles as well as human rights protection, including economic, social and culture rights as acknowledged in the Constitution and other legal documents.
- After being appointed, the judges are frequently informed of new laws through annually periodic training courses. The provision of information and laws on human rights and human rights enforcement to the Judges is carried out by the Supreme People's Court through organizing training courses, conferences, studying other countries' experience and publishing reference materials. In fact, the Supreme People's Court has arranged various training courses on human rights and human rights enforcement. Especially, the Supreme People's Court has also translated, published and issued to every judge the document "Human rights in justice enforcement: A Handbook on human rights for judges, public prosecutors and lawyers".

8. Regarding the steps taken to ensure that human rights are an inherent part of the training of prosecutors:

- The People's Procuracy is responsible for supervising the handling of legal proceedings to ensure strict and prompt legal compliance; ensuring that the human rights, including economic, social and cultural rights, are observed in a strict and uniform manner.
- To conduct the tasks and functions of the People's Procuracy as stated in law, in past years the following training courses for prosecutors have been carried out:
 - Training civil servants and public employees with the view to fulfilling two main tasks: training law graduates to select and appoint prosecutors for the People's Procuracy, and providing prosecution training as well as specialized training for public servants and prosecutors of the People's Procuracy.
 - Training prosecutors through fulfilling tasks and functions of the People's Procuracy in practice regarding prosecution and control of law observance in the investigation and adjudication of criminal cases; control of law observance in the custody and detention according to the functions of the People's Procuracy; control of law observance of the Courts, judgment-executing agencies, concerned organizations, units and individuals in the judgment execution.

In response to question 3

9. Regarding the accession to the Covenant, Vietnam's Declaration applies for both Article 48 of the International Covenant on Civil and Political Rights (ICCPR) and Article 26(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in relation to Vietnam's opinion on expanding the participation to the covenant for all countries on equal and unlimited terms. This does not contradict with the spirit and goals of the Covenant. However, Vietnam is willing to continue reviewing its declarations and reservations.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)**Article 2 (1) — Maximum available resources****In response to question 4**

10. Steps have been taken to prevent and combat corruption at all levels of public administration: Existing anti-corruption legislations only govern the public sector (2005 Anti-Corruption Law), as public administrative functions are mostly conducted by governments at all levels. Corruption prevention and combat at all levels of public administration include:

- The laws and regulations on corruption prevention and combat for governments at all levels: Vietnam has ratified the United Nations Convention against Corruption, promulgated the National Anti-Corruption Strategy towards 2020; the National Assembly has adopted the 2013 Constitution, which stipulates that “Agencies, organizations and individuals shall practice thrift and combat waste, prevent and combat corruption in socio-economic activities and state management” (Article 56); Direct laws on anti-corruption, including: 1999 Penal Code (amended and supplemented in 2009), 2005 Law on Corruption Prevention and Combat (amended and supplemented in 2007; 2012), 2012 Law on Anti Money-laundering, 2010 Inspection Law, 2008 Law on Cadres and Civil Servants, 2010 Law on Public Employees, 2011 Complaint Law, 2011 Denunciation Law, 2012 Law on Handling of Administrative Violations, 2009 Law on State Compensation Liability, 2003 Law on Supervisory Activities of the National Assembly (amended and supplemented in 2007), 2005 Law on State Audit; By-law documents, including the Government's resolutions and decrees, the Prime Minister's decisions on management and governance, administrative decisions and documents of the Ministries, branches, localities on the implementation of the Law on Corruption Prevention and Combat, and other guiding documents.
- Development of the coordinating mechanisms between relevant agencies to implement the legislations on anti-corruption; promoting legal dissemination and education on anti-corruption; organizing 12 anti-corruption dialogues between the Government of Vietnam and donors' community and international organizations.
- Realization of the solutions for corruption prevention: (a) Promoting disclosure and transparency in activities of agencies, organizations, units along with reforms in administrative procedures and democracy advancement; intensifying inspection, oversight, evaluation, detection and strict handling of violations; (b) Formulating and realizing regimes, norms, criteria; examining and overseeing the implementation of the regulations on regimes, norms, criteria; (c) Formulating and realizing codes of conduct, rules of professional ethics; changing working positions

of cadres, civil servants, public employees; (d) Promoting transparency of property and income; (e) Developing regimes on responsibilities of heads of agencies, organizations and units when letting corruption occur; (g) Reforming the administration, management technology and payment methods.

- Detection and handling of corruption: (a) Inspection, audit, examination and handling of complaints and denunciations about corruption behaviours have made remarkable progress, contributing to minimize the mistakes and violations in activities of state agencies and local governments, improve the efficiency of state management on finance, budget, public capital and property, prevent inefficiencies and waste, actively detect and handle corruption; (b) Investigation, prosecution and judgment activities: In the 2006-2012 period, a large number of corruption-related cases were detected and handled (1,458 corruption-related cases were initiated against 3,151 accused; 1,603 cases were prosecuted with 3,889 accused; 1,455 cases were brought for trial with 3,387 accused).

11. Regarding the negative effects of corruption on the enjoyment of economic, social and cultural rights:

- Negative effects on the economy: Corruption reduces the efficiency of state budget usage and directly affects the quality and quantity of public services, which in turn harms the socio-economic development. Corrupt behaviours cause losses and waste of the State, organizations and citizens' property. Corruption has increased the costs for the citizens to access public services, as well as widened the inequality gap in access to social services.
- Negative effects on the society and culture: Corruption in the appointment and selection of civil servants does not have clear economic implications, however it can cause negative political and social consequences as it perpetuates cronyism and opportunism, reduces people's confidence as well as directly affects the implementation effectiveness of socio-economic and state management policies; corruption also violates the traditional moral values of the nation, causing harm to society's spiritual foundation.

12. Regarding the prosecutions and judgements for high-level officials who have been found guilty of corruption:

- The 500kV North-South transmission line case: Some individuals in the purchases of 4,000 tonnes of steel in a roundabout manner obtained over 3.1 billion VND in illegal profits. As a result, in 1993 the Minister of Energy, a Deputy Minister of Energy and other relevant individuals were prosecuted.
- La Thi Kim Oanh's embezzlement case: La Thi Kim Oanh, director of the Agriculture and Rural Development Investment and Marketing Company deliberately embezzled assets and opposed State regulations, causing a loss of more than 100 billion VND. As a result, 2 Deputy Ministers of Agriculture and Rural Development were convicted in 2003.
- Mai Van Dau's bribery case: Mai Van Dau, Deputy Minister of Trade was sentenced in 2007 for 12 years in jail for taking a bribe of 6,000 USD in the allocation of textile export quotas.

13. Regarding the protection afforded to persons who report cases of corruption: Article 132 of the 1999 Penal Code stipulates the handling of those who abuse position and powers to obstruct the lodging of complaints, denunciations, the settlement of complaints, denunciations or the handling of those who are subject of complaints or denunciations; and those who take revenge on the complainants and denunciators. The 2012 amended Law on Corruption Prevention and Combat contains specific provisions on denunciations and

handling of denunciations. The 2012 Denunciation Law stipulates clearly on the protection of the denunciators, including not only the denunciators but also their relatives.

In response to question 5

14. On January 19, 2012, the Prime Minister of Vietnam approved the “Strategic Framework for mobilization, management and utilization of ODA and other preferential loans of donors in the 2011-2015 period” with the view to mobilizing and using in the most effective manner ODA and other preferential loans to meet the needs of national development and maintain sustainable public debt as Vietnam has become a middle-income country by following these orientations:

(a) The usage of ODA and other preferential loans must take into consideration the comparative advantage and complementary relations between these loans and other development investment sources to attain highest socio-economic achievements and ensure public debt safety.

(b) Promote the application of aid approaches and models such as program-based approach (PBA), general budget support (GBS) and targeted budget support (TBS) to assist the implementation of national targeted programs. Promote the division of labour and complementary relations based on comparative advantage between development partners.

(c) Facilitate the private enterprises’ access to ODA and other preferential loans in various forms such as line of credit, project participation, investment in infrastructure development under PPP, on the basis of profit- and risk-sharing between the State and private sector.

(d) ODA and preferential loans shall be mainly used to assist the fulfilment of development targets in the 5-year socio-economic development plan for 2011-2015 with the focus on achieving 3 breakthroughs set out in the 10-year socio-economic development strategy for 2011-2020.

Article 2 (2) — Non-discrimination

In response to question 6

15. Inheriting the 1992 Constitution, the 2013 Constitution continues to affirm: “All citizens are equal before the law”, while adding the equality of citizens in all areas, including political, civic, economic, cultural and social life: “No one shall be discriminated in his or her political, civic, economic, cultural and social life.”

16. The 2013 Constitution also reaffirms “In the Socialist Republic of Vietnam, human rights and citizen’s rights on political, civic, economic, cultural and social affairs are recognized, respected, protected and guaranteed in accordance with the Constitution and the law”, “Everyone has the duty to respect the other’s rights.”

17. The 2013 Constitution continues to assert the equality of ethnic groups, religions and gender.

18. The 2013 Constitution contains an additional provision regarding the equality in access to health care, social welfare and security.

19. To implement provisions of the 2013 Constitution on equal rights to the enjoyment of economic, social and cultural rights, these rights are also specified in laws and regulations.

In response to question 7

20. Regarding the rate of compliance with the requirement for enterprises to employ persons with disabilities, the 2012 Labour Code stipulates that the State shall protect the right of work and self-employment of persons with disabilities, have policies to encourage and provide incentives to employers to create jobs and employ persons with disabilities as prescribed by the Law on Persons with Disabilities. The Government shall have the policies for preferential loans from the National Work Fund to the employer to employ persons with disabilities.

- The 2010 Law on Persons with Disabilities prescribes: Enterprises employing many persons with disabilities are entitled to preferential policies such as: Enterprises employing persons with disabilities accounting for 30% or more of their total employees may receive support for improvement of their working conditions and environment suitable to persons with disabilities; exemption of enterprise income tax; borrow loans at preferential interest rates for production and business development projects; receive priority in land, ground and water lease and reduction of rents on land, ground and water surface to serve production and business activities in proportion to the percentage of employees with disabilities, the degree of their disabilities and the size of enterprises.
- In addition, the State also formulates policies to ensure that persons with disabilities are employed, such as: the State shall create favorable conditions for persons with disabilities to have their working functions rehabilitated, to receive free job advice, to be employed and perform jobs suitable to their health and characteristics; agencies, organizations, enterprises and individuals may neither refuse to recruit persons with disabilities who fully satisfy the recruitment conditions nor set recruitment criteria in violation of law in order to restrict working opportunities of persons with disabilities; arrange jobs and ensure the working conditions and environment suitable to these persons; provide vocational training and job advice as well as job recommendation; persons with disabilities may borrow loans at preferential interest rates for production and business activities. (Article 33 of the 2010 Law on Persons with Disabilities).

21. Regarding the updated information on the impact of Employment Fund for Persons with Disabilities: Government Decree 81/1995/ND-CP stipulates that: “Provinces and municipalities shall establish the employment fund for persons with disabilities to assist them in functional rehabilitation and job generation.” After that, the provisions of Decree 116/2004/ND-CP on amending and supplementing Decree 81/ND-CP; Joint Circular 19/2005/TTLT/BLDTBXH-BTC-BKHDT of the Ministry of Labour, Invalids and Social Affairs — Ministry of Finance — Ministry of Planning and Investment specify: Enterprises in every economic sector are required to recruit 2-3% persons with disabilities in their total employees. Their failure to receive adequate persons with disabilities shall lead to an amount of compensation paid to the Employment Fund for Persons with Disabilities in that province.

Article 3 — Equal rights of men and women**In response to question 8**

22. The handling of women’s overrepresentation in the informal economy has been set out in Objective 2 of the 2011-2020 National Strategy on Gender Equality (henceforth to be called “the Strategy”): “To narrow gender gap in the economic, labour and employment domains; to increase access of rural poor women and ethnic minority women to economic resources and labour market”. The following are specific indicators on the percentage of

female labourers: Annually, at least 40% of the total number of people given new jobs will be assured for each sex; The rate of female entrepreneurs will reach 30% by 2015 and 35% or higher by 2020; The rate of female rural labourers aged under 45 with vocational training will reach 25% by 2015 and 50% by 2020; The rate of female labourers in poor rural areas or ethnic minority regions who wish to borrow preferential loans from employment or poverty alleviation programs and official credit sources will reach 80% by 2015 and 100% by 2020.

23. The promotion of women's access to higher education has been set out in Objective 3 of the Strategy: "To raise the quality of female human resources, gradually ensure equal participation in the education and training between men and women" with the following specific indicators: The rate of literate men and women aged between 15 and 40 in remote, ethnic minority and extremely difficult regions will reach 90% by 2015 and 95% by 2020; The percentage of women holding master's degrees will reach 40% by 2015 and 50% by 2020; The percentage of women holding doctorate degrees will reach 20% by 2015 and 25% by 2020.

24. The measures promoting reconciliation of professional, family and personal life have been set out in Objective 6 of the Strategy: "To ensure gender equality in family life, gradually eliminating gender-based violence" with the following specific indicator: To curtail women's time of involvement in household duties by two times by 2015 and 1,5 times by 2020 as compared to that of men and following measures: (i) Promoting the building of "cultural families" with the focus on the criterion of gender equality in families; (ii) Attaching importance to building models of clubs of happy, equal and violence-free families, attracting men's active participation in such activities.

25. The temporary special measures in public administration have been set out in Objective 1 of the Strategy: "To intensify women's participation in managerial and leading positions in order to gradually narrow gender gap in the political field" with the following specific indicators: To strive for the percentage of 25% or higher of women participating in Party committees in the 2016-2020 term; the rate of 30% or higher of female deputies elected to the National Assembly and People's Councils at all levels in the 2011-2015 term and over 35% in the 2016-2020 term; To strive for the targets that by 2015, 80% and by 2020, over 95% of Ministries, ministerial-level agencies, government agencies and People's Committees at all levels will have female leaders; To strive for the targets that by 2015, 70% and by 2020, 100% of Party and State agencies and socio-political organizations with the number of female public servants, civil servants and public employees making up 30% or higher will have women holding key leading positions.

26. The set of solutions to achieve Objective 1 includes: (i) Reviewing the regulations on training, retraining, promotion, appointment and retirement age ranges. Determining shortcomings and disadvantages against women when these regulations are implemented for further amendment and supplementation in line with the Law on Gender Equality; (ii) Devising long-term planning on female managers and leaders with specific criteria and solutions for implementation; (iii) Promoting propagation on gender equality in the mass media. Diversifying images of women with different roles and occupations; (iv) Strengthening the inspection and examination of the implementation of legal regulations on gender equality, primarily those on age ranges for training, retraining, promotion and appointment; (v) Supporting the improvement of capacity for young female leaders through capacity building programs and projects.

II. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 — The right to work

In response to question 9

27. See annex for statistics on employment in the 2009-2013 period by year, gender, age group, urban/rural residence.

In response to question 10

28. The system of job brokerage in Vietnam operates under 02 forms:

- Job service centers: By the end of 2014 there have been 130 job service centers, among which 64 centers belong to the network of job service centers in the Labour, Invalids and Social Affairs branch, with more than 120 job transaction offices/branches/locations, 82 authorised offices to receive unemployment registration forms and 44 job transaction floors placed at the job service centers. Annually there are on average 750-800 job transaction sessions; in each session on average there are 40-50 participating enterprises, 650-750 participating job seekers, of which 350-450 are short-listed and interviewed; every year, the Centers provide job consultancy and recommendations for about 1,150 thousand people.
- Enterprises engaged in job service activities: As of now there are more than 100 enterprises engaged in job service activities, mostly focusing on the segment of highly skilled workers to provide skilled and experienced human resources to enterprises including private enterprises, joint-venture enterprises and 100% foreign-owned enterprises.

29. To improve the system of labour market, Vietnam is implementing synchronously solutions on: investing to increase the capacity of the labour market data integration center; developing and upgrading labour market softwares; improving the mechanisms and policies on collecting, reporting and providing information about the labour market; researching, analysing and forecasting the fluctuations of labour market variables; developing professional expertise; inspecting, collecting and summarizing information about the labour market; diversifying methods of information dissemination; entering global cooperation on issues related to the development of the National Center for Labour Market Information and Forecast.

In response to question 11

30. During the implementation of the 2003 Land Law, on the compensation, support and resettlement issues in cases where the State recovers land, the Government and line ministries have issued 17 legal documents: 06 Government's Decrees (including Decree 197/2004/ND-CP on compensation, support and resettlement when the State recovers land in replacement of Decree 22/1998/ND-CP on compensation for damage when the State recovers land for use in purposes of national defence, security, national interests and public interests), 02 Prime Minister's Decisions, 09 Circulars and Joint Circulars of the Ministry of Finance and Ministry of Natural Resources and Environment.

31. In general, the guiding documents on the implementation of Land Law on the compensation, support and resettlement issues have been promptly issued; the policies on compensation, support and resettlement are gradually improved and basically in accordance with the reality, accommodate harmoniously the interests of the State, the land users and

the investors, facilitating the process of land recovery and compensation for ground clearance.

32. The regulations on land recovery, compensation, support and resettlement are observed strictly in every stage and in most of the localities. The interests of the State, the persons whose land is recovered and the investors are guaranteed; the policies on resettlement, training, job changing, employment seeking and other social policies for the persons whose land is recovered are more and more clarified, contributing to shorten the time for land recovery and compensation for ground clearance compared to the situation prior to the 2003 Land Law.

Article 7 — The right to just and favourable conditions of work

In response to question 12

33. Measures to increase the capacity of the labour inspectorate to monitor conditions of work are: the Prime Minister Decision dated 11/11/2013 on approving the Scheme on improving the capacity of inspectors of Labour, Invalids and Social Affairs branch up to 2020; Cooperating with the International Labour Organization (ILO) to assess the needs of the labour inspectorate in Vietnam to serve as the foundation for improving the capacity of the labour inspectorate.

34. The number of inspectors of Labour, Invalids and Social Affairs branch in the country as of April 2013 amounts to 471 public servants (including 55 Ministry Inspectors). In the 2008-2013 period, the labour inspectorate in the whole country conducted inspection on 42,796 enterprises, detected 198,660 violations and proposed to the competent authorities to sanction against administrative violations with a fine of 82,017,897,000 VND. On average every year 7,132 enterprises are inspected, amounting to 2,6% of the total number of enterprises in the whole country.

35. In the 2008-2013 period, there were 2,213 complaints, 194 denunciations on labour issues, on average every year 346 complaints and denunciations are addressed, amounting to 14.37% of the total number of complaints and denunciations on labour issues.

In response to question 13

36. Impact of measures: In Vietnam, the right to just and favourable conditions of work for persons working in both formal and informal economy are guaranteed by the law. According to the 2013 Constitution: Citizen has the right to work and select career, job and workplace. Worker shall be provided equal and safe conditions of work and shall be paid with salary and enjoy break policy. Discrimination, forced labour and employment of worker under minimum age of labour are strictly prohibited. According to the 2012 Labour Code: The salary paid to the employee is based on the labour productivity and work quality. The employer must guarantee to pay equally without gender discrimination for the employee performing work with the same value. Therefore, in the salary policy Vietnam does not discriminate between male and female workers.

- In practice, most of the persons working in the informal economy in Vietnam are women, mainly in rural areas. They are self-employed or engage in household business with no or low pay, precarious and disadvantaged conditions of work. To reduce gender inequality and gender gap in economic, labour, employment areas, to improve the access of poor women in rural areas and ethnic minority women to economic resources and labour market, in recent years the Government has carried out various policies and solutions through formulating and adjusting policies on social assistance and vocational training as well as encouraging to formalize informal production and business activities, including the Scheme on support for

women in vocational training and employment in the 2010-2015 period and National Target Program on employment and vocational training in the 2012-2015 period. After more than 3 years of implementation, the scheme and program have provided vocational training for nearly 890 thousand workers in the rural areas with the rate of employment after vocational training reaches 73%, of which 70% is female; created more opportunities for the women to participate in vocational training and employment, improved the quality and competitiveness of female workers, helped women seek employment with stable income, contributed to poverty alleviation and improvement of women's position.

37. The new Enterprise Law and the new Investment Law address the barriers to job creation in the formal economy: Article 51 of the 2013 Constitution stipulates that: All economic sectors are important constituents of the national economy. Actors of different economic sectors are equal, cooperate and compete in accordance with the law.

38. The 2013 Constitution also prescribes that: The State encourages and creates favourable conditions for organizations and individuals to create jobs for workers; the State shall protect lawful rights and interests of the workers and employers and provide favourable conditions for construction of progress, harmonious and stable labour relationship.

39. The draft Enterprise Law (amended) has been commented by the National Assembly and is scheduled to submit to the National Assembly for adoption at the end of 2014. The draft Enterprise Law (amended) is considered to create an equal business environment for all enterprises regardless of their economic structure and forms of ownership. The draft has a separate chapter on state-owned enterprises to address the stagnation and shortcomings of the leading state economic sector.

40. The National Assembly has also adopted the 2014 Law on Public Investment, which regulates the management and usage of public investment capital; state management of public investment; rights, responsibilities and duties of agencies, organizations and individuals related to public investment activities. The 2014 Law on Public Investment is expected to improve public disclosure and transparency as well as increase the effectiveness in managing state-funded investment projects.

In response to question 14

41. Protection of migrant workers' labour rights: According to the Law on Vietnamese People Working Abroad under Contracts, the State encourages and creates favourable conditions for Vietnamese citizens to work abroad in order to solve employment problem and improve income for the workers, while protecting the lawful rights and interests of workers, enterprises and non-business organizations sending workers abroad, an enterprise sending workers abroad is responsible for the management of workers it sends abroad and protection of their rights and interests as well as settlement of disputes regarding its workers.

42. The guest worker under contract with a service enterprise has the following rights: to receive training on job and foreign language skills to meet the requirements of the labour contract; to be entitled to borrow capital from a credit institution in accordance with law to work abroad; to enjoy compensation in cases where the service enterprise breaches the contract; to have the labour contract extended or sign a new labour contract in accordance with the law of the host country (Article 46).

43. The Ministry of Labour, Invalids and Social Affairs shall take responsibility before the Government for performing the state management of guest workers. Ministries and ministerial-level agencies shall, within their tasks and powers, coordinate with the Ministry of Labour, Invalids and Social Affairs in performing the state management of guest workers

under the Government's assignment, People's Committees at all levels shall perform the state management of guest workers under the Government's decentralization. In addition, foreign-based Vietnamese diplomatic missions and consulates are responsible to protect the lawful rights and interests of guest workers.

Article 8 — Trade union rights

In response to question 15

44. The Law on Trade Unions was adopted by the National Assembly and took effect on 1/1/2013 (Law on Trade Unions 2012). This law recognizes the rights to establish, join and operate trade unions by workers; the conditions and procedures to establish a trade union, the fundamental rights of trade unions and responsibilities of the State, State agencies, organizations/units/enterprises, the guarantees of trade union operation in terms of material conditions, time; protection of union officials; inspection; the settlement of disputes and punishment for violations of trade union rights, etc.

45. The Law stipulates the rights and responsibilities of trade unions to represent and protect the legal and legitimate rights and interests of workers which cover the provision on the right of Trade Unions to organize and lead strikes in compliance with the law.

- The Decree .43/2013/ND-CP by the Government provides that “The grassroots trade unions of enterprises, organizations that sign labour contracts with employees have the following rights and obligations: seek opinions from the whole staff to call a strike as prescribed by the laws on labour; make the decision on the strike and announce the time when the strike begins; withdraw the decision on the strike if the strike does not take place; organize the strike as prescribed by the laws on labour; comply with the regulations on the cases in which strikes are prohibited, suspended, and terminated as prescribed by the laws on labour; request the Court to declare the strike to be legal as prescribed by law.”
- The Law on Trade Unions 2012 provides that “At the agencies, organizations, enterprises where trade unions have not been established, the upper-level trade unions has rights and responsibilities to represent and protect the legal and legitimate rights and interests of these workers at their requests”. This assures the workers' rights including the right to go on strike even where there are no trade unions.

Article 9 — The right to social security

In response to question 16

46. Information on the impact of measures: after more than 20 years of implementing the health insurance policy and at least after 4 years of enforcing the Law on Health Insurance 2008, Vietnam has taken steps to reach the goal of universal coverage and has made important achievements:

- The system of legal documents guiding the implementation of health insurance has been consolidated with a number of important mechanisms and policies having impact on promoting the implementation process of universal coverage of social health insurance.
- The State management on health insurance has been reinforced, the advocacy activities have been conducted at in-depth level witnessing reform on the types of

activity, which have mobilized the participation and engagement of the whole political system.

- Until 30/12/2013, 61.67 million people had health insurance throughout the country, accounting for 69% of the population coverage. The rights of the health insurance of the insured are protected; the organization of medical care for the insured and payment for medical care fees under the scope of health insurance benefits have been improved. The poor, social policy beneficiaries, people with merits and under-six children get health insurance cards supported by the State budget. Members of near-poor households are backed by the State budget at 70-100% of the premium rate; and 30% is applied for pupils and students. Much attention has been paid to the beneficiaries of policy in terms of approaching, benefiting the health care service from the grassroots health care level.
- The State has policies on developing the network of medical examination and treatment from the grassroots level to in-depth health centers; invests in and improves infrastructure, facilities and equipment; conducts capacity and management strengthening training for health staffs; enhances technical assistance for the lower levels to better meet with the people's demand for health care. The frequency of using the health service by the insured and payment done by health insurance funds have been rapidly increasing in recent years.
- The financial mechanism, health service price have been adjusted and gradually change from the State subsidy mechanism via direct investment in the health care establishments to the mechanism of supporting people to buy health insurance. The Health Insurance Fund has met more than 50% of the total health expenditure of the whole society, to which the Health Insurance Fund contributes nearly 20%.
- The National Assembly adopted the Law amending and supplementing a number of articles of the Law on Health Insurance in 2014. Accordingly, there are provisions on: form of compulsory insurance; encouragement of citizens getting health insurance by household; the State mechanism on directly using State budget to support certain groups of citizens getting health insurance and mechanism on the rates of health services aiming at enhancing universal coverage of health insurance; extension of the rights of the insured; the Health Insurance Fund shall pay 100% of the medical examination and treatment expenditures for the poor, the ethnic minorities; socially sponsored people, family members of people with merit, citizens living in the particularly difficult areas, island communes and districts via giving medical examination and treatment free of charge under the scope of health insurance; decrease the co-payment level from 20% to 5% in case of family members of people with merit, members of near-poor households.

47. The level of payment by health insurance in the case of medicines: the Health Insurance Fund will pay the medicine expense for the insured in accordance with the promulgated medicine list. Currently, the List of medicines that shall be paid by the Health Insurance Fund is very diversified and various in terms of types and numbers such as medicines for treating cancer, antibiotics, cardiology, otorhinolaryngology, ophthalmology, dermatology, virus, tuberculosis, neurology, vitamin, perfusion, flu, etc. and it has met the treatment demand of all health care levels. It might be said that Vietnam is one of a few countries in the world providing a quite adequate, wide and comprehensive list of medicines applied for the insured.

In response to question 17

48. The percentage of unemployment beneficiaries/ people getting unemployment insurance during the period of 2010-2013: 2.18% in 2010; 3.63% in 2011; 5.09% in 2012 and 5.32% in 2013.

49. Impact of measures implemented to enhance voluntary participation in social insurance: Voluntary social insurance is stipulated in the Law on Social Insurance passed in 2002, accordingly voluntary social insured are Vietnamese citizens, within working ages and are not subject to compulsory insurance ranges. The policy on voluntary social insurance has given a huge number of laborers who are not subjects of compulsory insurance (under-3-month-contract laborers, self-employed laborers, etc.) the chance to get social insurance in order to enjoy benefits on retirement or death. According to the statistics provided by Vietnam Social Insurance, till December end 2013, the number of voluntary social insured was 173,584, accounting for 0.25% of the labor force.

50. The orientation of the voluntary social insurance policy in the coming time: the project on the Law on Social Insurance (amended) has been submitted to the National Assembly for consideration, comments on proposals for overcoming drawbacks, limitations of the current voluntary social insurance policies while increasing the attractiveness of the social insurance regime, encouraging and expanding the coverage of social insurance. For example, expand the subjects of social insurance with no limit on the ceiling age of the insured; decrease the minimum income as a basis for voluntary contribution of social insurance; supplement the methods of contributing voluntary social insurance; issue the policy on supporting voluntary social insurance contribution so as to encourage citizens' participation in social insurance, etc.

Article 10 — Protection of the family, mothers and children

In response to question 18

51. The implementation of the National Action Program on the Elderly, policies and regimes on the elderly have gained certain achievements. Vietnam issued a legal system and corridor regulating the rights, obligations, responsibilities, policies, measures on looking after and promoting the role of the elderly. At the same time, the establishment of the operational and financial mechanism, resource mobilization, appraisal on activities related to the elderly have been in shape.

52. The number of the elderly receiving social allowance, health insurance cards has been dramatically increased in terms of both quality and quantity. There were 1.5 million people receiving social allowance (the elderly without anyone looking after, the 80-year-old elderly without pension or social insurance allowance). The elderly also enjoy ticket discounts when using public transportation or entertainment, etc. They could also participate in inter-generation clubs, exercise clubs, poem and song clubs, sport and culture clubs, etc. As a result, the spiritual and material life of the elderly has been gradually enhanced.

Article 11 — The right to an adequate standard of living

In response to question 19

53. The Prime Minister issued the Decision 09/2011/QĐ-TTg setting norms on poor and near-poor households for the 2011-2015 period. Accordingly, a rural poor household is a household with each member earning an average income of up to VND 400,000 per month (or VND 4,800,000 per year), an urban poor household is a household with each member

earning an average income of up to VND 500,000 per month (or VND 6,000,000 per year). Therefore, in comparison with the income level to determine poverty standard during the period of 2006-2010 (VND 200,000 per month per capita in rural areas and VND 260,000 per month per capita in urban areas), the level has been increased 2 times.

54. Such adjustment is seen as strictly in line with the context of increase in prices of essential commodities like food, health, etc. and high rate of inflation, which means not removing poor households from the list of social beneficiaries.

55. According the above Decision, a near-poor rural household is a household with each member earning an average income of between VND 401,000 and VND 520,000 per month and a near-poor urban household is a household with each member earning an average income of between VND 501,000 and VND 650,000 per month.

56. The mentioned standard of poor and near-poor household provides basis for implementing social security and socio-economic policies.

In response to question 20

57. Over the past years, the State has issued a number of directives, policies in order to actively prevent, respond and mitigate natural disasters such as: the National Strategy for natural disaster prevention, response and mitigation to 2020; the Program on population distribution in the period of 2006-2010 and towards 2015. With a view to continue implementing natural disaster prevention and response measures, the Prime Minister approved the Program on population distribution in the period of 2013-2015 and towards 2020 to stabilize distribution of population, improve the living standard of citizens and restrain the damage caused by natural disasters at the minimum level. In addition to measures on building works like stone embankments for rivers, springs; coast surroundings, rescue routines; residents in areas facing high risks of suffering natural disasters have been moved to safe residence areas at localities.

58. The National Assembly adopted the Law on Natural Disaster Prevention and Response in 2013 to enhance the responding capacity to 19 types of natural disasters. The national disaster prevention and response activities provided by the Law involve 3 stages: prevention, response and remediation of consequences of natural disasters. At each stage, there are also appropriate measures to mitigate the damage caused to humans, properties, environment, etc.

In response to question 21

59. Groups of residents are the target of the privileged credit system and price support scheme. According to a number of documents including: the Decision 366/2012/QĐ-TTg on approving the National Target Program on Rural Clean Water and Environmental Hygiene during the period of 2012-2015; the Decision 62/2004/QĐ-TTg on credit to implement the Strategy on Rural Water Supply and Environmental Hygiene; the Decision 18/2014/QĐ-TTg on amending and supplementing the Article 3 of the Decision 62/2004/QĐ-TTg; the beneficiaries from the Program include all groups of residents living in rural areas, of which high priorities are set for the poor, the ethnic minorities, the policy households, the vulnerable individuals, women and residents living in the areas suffering from drought, flood, natural disasters and areas facing difficulties in terms of water source or polluted water source.

60. Measures applied for removing financial burdens for certain groups of residents: as for groups that do not have or are not be able to build centralized water supply works, the State will support building small and separate works for households from 2 sources of finance: the National Target Program on Rural Clean Water and Environmental Hygiene and the privileged credit, in details:

- As for the centralized water supply works: the central budget will support less than 90% of estimation of the works in the disadvantaged communes, ethnic and mountainous areas, coastal and island areas, border communes in accordance with Prime Minister's regulations; support less than 60% of estimation of the works approved by the competent agencies in the plain areas; support less than 75% of estimation of the works in other rural areas.
- As for small and separate water supply works, the State budget only supports less than 70% of the cost price of the works for the poor, the policy households and 35% for the near-poor households.
- Privileged credit: the subjects enjoying privileged credit (as specified by the Decree 18/2014/QĐ-TTg) include: households with legal residence in rural areas without clean water or with water which is below standard or not hygienic; households with desire to borrow more to build, renew or upgrade the clean water and environmental hygiene works which have been in use for ages, are broken or degraded after paying for the previous loan. Those subjects can borrow the privileged loans from the Social Policy Bank of VND 6 million/household per work at the current rate of 0.8% per year.

In response to question 22

61. Regarding preservation of agricultural land: the 2013 Constitution regulates that the land use rights are protected by law, reclamation of land must be public, transparent and be compensated in accordance with law; the State can requisition land only in necessary cases or in case of war, emergency of preventing natural disasters. The Land Law 2013 details the guarantees of the State for land users; responsibilities of the State in terms of residential land, agricultural land for ethnic minorities; responsibilities of the State in building and providing information on land and responsibilities of the local land officials at commune, ward and town level.

62. The Government issued the Decree 42/2012/ND-CP on management and use of rice-farming land which provides that transferring the use purpose of rice-farming land must meet certain conditions and must be decided by the competent agencies.

63. Regarding rights of resettlement people: the Land Law 2013 provides details on land recovery, compensation and resettlement support which must be done in a public and transparent manner; on the right of the people that their lands are recovered, land recovery, compensation, resettlement support the law stipulates: "The State only recover land of projects whose investment policy is approved by the National Assembly; approved or decided by the Prime Minister and in some cases where the provincial-level People's Councils approve the policy of land recovery."

64. The Prime Minister issued documents including: the Decision 34/2010/QĐ-TTg issuing regulations on compensating, supporting and resettling irrigation and electricity projects; the Decision 1776/2012/QĐ-TTg on approving the Program on distributing population in areas which face natural disasters, which are disadvantageous, border, island, immigration free, specific forests in the period of 2013-2015 and towards 2020. Ministry of Agriculture and Rural Development issued Circular 03/2014/TT-BNNPTNT guiding implementation of the Decision 1776/2012/QĐ-TTg.

65. The contents covered by the above documents indicate that the subjects of resettlement have been granted a lot of privileges such as: support in terms of capital, vocational training, housing, etc.

In response to question 23

66. The subjects receiving housing support in accordance with the Decision 167/2008/QĐ-TTg must meet all following 3 conditions:

- Are poor households (in line with poverty standard specified in the Decision .70/2005/QĐ-TTg on poverty standards applied in the period of 2006-2010) living in the non-urban areas across the country, are enlisted by the communal-level People's Committee at the time this Decision took effect;
- Do not have houses or have houses which are in temporary conditions, broken, leaking and stand the risk of collapsing and they can't improve such houses by themselves;
- Do not fall in the subjects of being supported by the Decision 134/2004/QĐ-TTg on a number of policies supporting production land, housing land, houses and water for poor ethnic minorities with difficult life or in accordance with other housing support policies.

67. Regarding the achieved results: till now, the whole program has supported more than 531,000 households reaching 107% of the total households approved at the beginning of the Program. The total mobilized capital: 12,391 billion VND including 4,254 billion VND central budget, 796 billion VND local budget; 3,817 billion VND borrowing from the Social Policies Bank; capital: 3,524 billion VND mobilized from other sources. As a result of implementing the policy, a lot of poor households have safe, stable houses so that they can focus on working, developing their household economic conditions and escape from poverty, which contributes to realization of hunger eradication, poverty reduction and social security assurance goals. During the period of 2004-2012, the average square area of houses per capita in rural areas has been drastically improved, increasing from 12.8m² in 2004 to 18.4m² in 2012.

Article 12 — The right to physical and mental health**In response to question 24**

68. The Health Care Fund for the poor has been established under the Decision 139/2002/QĐ-TTg of the Prime Minister on the healthcare for the poor. Accordingly, the people's committee of provinces and cities under the management of central Government established the Health Care Fund for the poor in order to support them to buy health insurance cards or with direct reimbursements of health care costs in hospital at communal level; support for part of hospital fee for those who are in sudden difficulties because of fatal diseases, and have to pay high costs of medical care in Government hospitals, poor people, and wanderers in accordance with provisions in the Decision.

69. In order to align the Health Care Fund for the poor with socio-economic development, the Prime Minister issued Decision 4/2012/QĐ-TTg on the amendment and supplementation of support policies used the Health Care Fund for the poor based on Decision 139/2002/QĐ-TTg. Accordingly, several new provisions prescribe that the poor and ethnic minority people using the health care services in inpatient hospitals will receive the following aid: (1) allowance for foods while in inpatient government hospitals for health care treatment applied from the district level and above; (2) transportation allowance from home to the hospital and vice versa, transfer between different hospitals for those who are in inpatient hospitals run by the government from the district level and above, for emergency cases, fatal diseases and for uninsured patients who want to travel back home; (3) support for part of health care co-payment according to the Health Insurance Law and

related guiding documents; (4) support for part of health care fees for the uninsured patients in the government hospitals.

70. Ministry of Health and Ministry of Finance promulgated joint Circular 33/2013/TTLT-BYT-BTC guiding the implementation of Decision 14/2012/QĐ-TTg of the Prime Minister, accordingly: continue to provide health insurance cards to the poor and children under 6 years old for free; support the near-poor households to buy health insurance cards based on the Health Insurance Law and Decision 797/2012/QĐ-TTg on the increase of allowance for the near-poor households to buy health insurance cards from 50% stated in the Decree 62/2009/NĐ-CP to 70%, aiming at the universal health insurance in 2014; the appropriate mechanisms and policies to mobilise community resources in combination the government and international support.

71. Currently, Vietnam has implemented a number of measures to provide appropriate treatment to HIV/AIDS patients as well prevention of HIV/AIDS such as: build legal documents, implement the ARV and Methadone treatment programs, voluntary HIV examination and consultation programs for pregnant women, prevention of mother-to-child transmission, etc. Details include:

- Concerning construction and implementation of legal documents and policies: the Prime Minister issued the Decision 1008/2014/QĐ-TTg assigning MMT treatment quota to provinces; currently the Prime Minister's Directive on Methadone is being built. Relevant governmental agencies are building nine documents guiding knowledge and professional skills. Those documents are expected to be issued by the end of 2014. The situation is being assessed to develop the strategic framework on investment in preventing and controlling HIV/AIDS in the period of 2015-2020, which will be the basis for determining contents of proposals to The Global Fund supported project on HIV/AIDS in the period of 2015-2017.
- ARV care and treatment activities: there are 318 ARV treatment points throughout the country now (147 points at hospitals and 20 at HIV/AIDS prevention and control centers; 143 points at ward/district health centers and 8 points at other establishments). Those treat 84,457 patients, witnessing an increase of 1,770 patients in comparison with end of 2013. The 2.0 treatment model has been piloted and gradually expanded to the commune/ward level.
- Methadone Program: as of June 30, 2014, there are 101 Methadone treatment establishments in 32 provinces/cities treating 18,157 patients, witnessing an increase of nearly 2,000 patients in comparison with end of 2013. It's very effective and has good impact on health, security, social order and economy.

72. Voluntary HIV consultation and test: currently, there are 485 voluntary HIV consultation and test clinics. A number of establishments have well implemented the mobile consultation and test activities so as to increase the access to HIV testing in difficult areas. Till end of Quarter I/2014, 97,112 persons have been consulted and examined to detect HIV, of whom 3,157 cases were HIV+ (the positive rate is 3.3%). The HIV test: currently there are 94 HIV test clinics in 58 provinces and cities, only 5 provinces do not have yet.

- Intervention to mitigate damage: during QI/2014 only, 4 million clean syringes were distributed (witnessing a decrease of 38% compared to that same period of 2013); 68% of syringes were distributed via peer advocates, the rest were via voluntary HIV consultation and tests, drug stores and permanent syringe boxes. In the first 6 month of 2014, 4.8 million condoms were distributed free of charge (31% decrease compared to the same period of the previous year).

- Education and Communication (E&C): during the first 6 months of 2014, E&C has been conducted to 5 million persons of which the high-risk group accounted for 13%; diversified E&C activities were also conducted at communities, HIV infected person network, groups of drug addicted persons, female sex workers, gays, etc. Support and consultation have been also disseminated aiming at changing the behaviors of the HIV infected persons and high-risk groups of HIV infection.

73. Monitoring and evaluation: during the first 6 months of 2014, provinces have been guided to supervise HIV focal points, focusing on the 3 groups of drug addicted persons, female sex workers, gays; ARV treatment software and MMT software have been built and are expected to be implemented tentatively by the end of 2015; expand the HIV-INFO software to the district level; enhance the quality of HIV/AIDS reporting data.

In response to question 25

74. In 1998 the Prime Minister approved the National Target Program on Caring, Protecting the Mental Health for the Community. The key approach of this Program was to implement the management on the model for community-based mental health care at commune/ward health clinics. The Program implemented such activities as: building professional guidelines on screening, diagnosis, treatment; organizing short-term training courses for officials and staffs; organizing screening and diagnosis on mental diseases; managing treatment on mental diseases at communal health clinics via examining, providing medicines free of charge to patients periodically; building PR materials on mental diseases, reducing discrimination and prejudice. At the same time, supervision and technical assistance from the district, provincial level to the communal health clinics have been also implemented; the quality of health care service for mental patients at communities has been much improved.

75. At the same time, the Ministry of Labour, Invalids and Social Affairs is implementing Project 1215 on social support and functional recovery for psychiatric and mental disorder patients (in accordance with the Decision 1215/QĐ-TTg approving the Project on social support and functional recovery for psychiatric and mental disorder patients based on the community for the period 2011-2020). One of the objectives of the Project is to formulate groups of social workers cooperating with health staff to support and rehabilitate for psychiatric patients at commune levels.

Article 13 & 14 — The right to education

In response to question 26

76. The implementation measures include:

- Policy system that guarantees the right to education dedicated to ethnic minorities and underprivileged people: Article 10 of Education Law 2005 states clearly that “Learning is the right and obligation of every citizen. Every citizen, regardless of ethnic origins, religions, beliefs, gender, family background, social status or economic conditions, has equal rights of access to learning opportunities.” This orientation is applied in many government policies, such as tuition fee waiver/discount policy, scholarship, student loan, the master plan for education development until 2020.
- Implementation mechanism: the ethnic cultural training and education activities for students in schools located in the ethnic minority regions have diversified forms and contents but still ensure the ethnic features. They are suitable for ethnic students, training context, student’s mind and soul as well as society demand and humanity development, etc.

- Content and form of ethnic cultural training and local knowledge: building training materials of ethnic culture and local knowledge and engaging these materials into the education activities in specialized schools.
- Teaching of ethnic minority language: the teaching is carried out according to Decree 82/2010/NĐ-CP on teaching and learning ethnic minority languages in general and continuing educational institutions.

77. Impacts of implemented measures:

- The training scale is expanded, the education system develops strongly and gradually meets the learning demand of citizens, especially underprivileged people; the platform of ethnic minority boarding high schools and ethnic minority day boarding high schools has developed, the gap of opportunities to access to high school education among groups of ethnic minority has been narrowed.
- The tuition fee waiver/ discount, scholarship, student loan policies, etc. have provided numerous pupils and students of policy clients, poor households and near-poor households with the chance of school access and education maintenance. The number of disabled children increased; almost provinces and cities have integrated classes for disabled children and create the education environment in the integrated class, semi-integrated class and specialized class.

Article 15 — Cultural rights

In response to question 27

78. The Decision 33/2007/QĐ-TTg of the Prime Minister provides the support to ethnic minority people during period 2007-2010 in acquiring permanent dwelling, developing production and reducing poverty which contributes to forest and ecology protection, the maintenance of political security and social order.

79. The provinces have taken immediate actions to realize the Decision and promulgated implementation guiding documents; investigated and conducted surveys to define the emigrant households; built the permanent dwelling projects, etc.; implemented advocacy activities to publicize the policy to the local government and people. The provinces are authorised to do the survey and design the project. The policy implementation contributes to the social & political stability and security order, and the hunger eradication and poverty reduction for ethnic minority areas.

80. In line with the implementation of policy supporting emigrant households and acquiring permanent dwelling for ethnic minorities according to Decision 33/2007/QĐ-TTg, the Government also carries out many policies, programs and cultural activities to maintain the beliefs, customs and habits and develop the traditional values of ethnic minorities.

81. The Directive 06/2008/CT-TTg is on “Promoting the role of ethnic minority reputed people in the construction and defence of the homeland.” Reputed people, the elderly, village heads have become the major force and served as the “bridge” to effectively engage government policy into life, spread out the impacts in the community of the ethnic minorities.

In response to question 28

82. The measures were implemented to ensure the access to the Internet, including:

- Building legal platform: The government promulgated the Decree 21/1997/NĐ-CP on “the temporary regulations on the management, provision and use of Internet

services in Vietnam”, which created the first legal foundation for Internet activities in Vietnam. In recent years, many other legal documents have been issued to catch up with the development of the Internet and meet the demand of using Internet services in the society, including: Decree 55/2001/NĐ-CP replacing Decree 21/CP on the management, provision and use of Internet services in Vietnam; The Telecommunications Law 41/2009/QH12; Decree 72/2013/NĐ-CP replacing Decree 97/2008/ND-CP on the management, provision and use of Internet services and online information.

83. To date, Vietnam has basically completed the legal framework on telecommunications, created the conditions for business organizations and individuals of all economic sectors to invest and develop the infrastructure and provide Internet services to citizens all over the country.

- Market development: On 19/11/1997, Vietnam officially connected with global Internet and on 1/12/1997, Internet services were provided in Vietnam by 5 companies. The telecommunications infrastructure as well as Internet services in Vietnam have been improved and developed fruitfully in terms of multiple connections domestically and internationally, diversified access to Internet with high speed, broad coverage over the mountainous areas, islands, and regions in difficult socio-economic conditions. At present, the form of indirect access to Internet by number dialling with low speed has been replaced completely by broadband Internet and modern technology, such as cable technology, 3G broadband, and satellite. To the end of 2012, Vietnam has 57 companies providing Internet services; the number of Internet users reached more than 31 million people, accounting for 35% of population, in which the number of broadband Internet users are more than 4.3 million people.

84. The development of information on the Internet: in Vietnam, the online information media, including online newspapers, social networks has grown considerably. To 31/7/2014, 98 online newspapers and journals obtained certification to operate, more than 1,607 websites, 270 of which belong to the newspapers, journals, radio and broadcasting stations have obtained certificates to operate, and 420 social networks have registered for operation. Besides, there are other thousands of internal websites of organizations, enterprises and a great number of personal blogs, which contribute to the development of information on Internet. In addition, such many other services as online music, games, movie and online applications have developed strongly in Vietnam in recent years.

Annex

Statistics on employment in the 2009-2013 period by year, gender, age group, urban/rural residence

(Source: Bureau of Employment, Ministry of Labour, Invalids and Social Affairs)

| <i>Year</i> | <i>Classification</i> | | <i>Employed (thousand persons)</i> | <i>Average working hours of a worker per week (hour) (*)</i> | <i>Sources</i> |
|-------------|-----------------------|--------|--|--|--|
| 2009 | Country | | 48,014.9 | 47 | |
| | Gender | Male | 24,694 | 47.8 | |
| | | Female | 23,320.9 | 46.2 | |
| | Residence | Urban | 13,328.7 | 48.7 | |
| | | Rural | 34,686.2 | 46.4 | |
| | Age group | 15-19 | 3,310 | | |
| | | 20-24 | 5,309.8 | | |
| | | 25-29 | 6,343.3 | | |
| | | 30-34 | 6,224.1 | | |
| | | 35-39 | 6,040.5 | | |
| | | 40-44 | 5,530.1 | | |
| | | 45-49 | 5,492.5 | | |
| | | 50-54 | 4,141.4 | | |
| | | 55-59 | 2,634.9 | | |
| | | 60+ | 2,988.1 | | |
| | | | | | Report on Labour Force Survey, General Statistic Office 2009 (*): yearly statistics |
| 2010 | Country | | 49,493.7 | 45 | |
| | Gender | Male | 25,535.6 | 45.8 | |
| | | Female | 23,958.1 | 44.1 | |
| | Residence | Urban | 13,654.2 | 47.3 | |
| | | Rural | 35,839.5 | 44.1 | |
| | Age group | 15-19 | 3,217.1 | | |
| | | 20-24 | 5,493.8 | | |
| | | 25-29 | 6,681.6 | | |
| | | 30-34 | 6,384.7 | | |
| | | 35-39 | 6,285.7 | | |
| | | 40-44 | 5,840.3 | | |
| | | 45-49 | 5,444.3 | | |
| | | 50-54 | 4,404.9 | | |
| | | 55-59 | 2,672.7 | | |
| | | 60+ | 3,068.6 | | |
| | | | | | Report on Labour Force Survey, General Statistic Office 2010 |
| 2011 | Country | | 51,685.4 | 45.6 | |
| | Gender | Male | 26,582.9 | 46.5 | |
| | | Female | 25,102.5 | 44.6 | |

| <i>Year</i> | <i>Classification</i> | | <i>Employed (thousand persons)</i> | <i>Average working hours of a worker per week (hour) (*)</i> | <i>Sources</i> |
|-------------|-----------------------|--------|--|--|--|
| 2012 | Residence | Urban | 15,273.1 | 47.6 | (*): yearly statistics |
| | | Rural | 36,412.3 | 44.7 | |
| | Country | | 51,931.0 | 45.2 | |
| | | | | | |
| | Gender | Male | 26,774 | 46 | Report on Labour Force Survey, General Statistic Office 2012 |
| | | Female | 25,157 | 44.3 | |
| 2013 | Residence | Urban | 15,684 | 46.7 | (*): yearly statistics |
| | | Rural | 36,247 | 44.5 | |
| | Country | | 52,793.1 | 44.3 | |
| | | | | | |
| | Gender | Male | 27,164.9 | 45.3 | Report on Labour Force Survey, General Statistic Office 2013 |
| | | Female | 25,628.2 | 43.3 | |
| | Residence | Urban | 15,814.9 | 46.5 | (*): yearly statistics |
| | | Rural | 36,978.2 | 43.4 | |