



WWMD

STATEMENT UPR PRE-SESSION ON VIETNAM

GENEVA, 12 DECEMBER 2018

DELIVERED BY: CEPEW

Introduction

- **Center for Education Promotion and Empowerment of Women (CEPEW) has engaged in the 2nd and 3rd UPR cycles for Vietnam and participated in consultation process led by Ministry of Foreign Affairs of Vietnam**
 - **The process should be more inclusive**
- **The joint submission on gender equality and women's human rights was developed by 5 non-governmental organizations which focuses on 8 issues**
- **This statement addresses 3 critical issues**
 - 1) **Discrimination against women in laws and policies**
 - 2) **Women's participation in election process**
 - 3) **Gender responsive budgeting**

Discrimination against women in laws and policies

- **Viet Nam accepted 26 recommendations on equality and non-discrimination against women in the 1st and 2nd UPR cycles**
- **Viet Nam has taken a number of legislative and administrative actions to implement such recommendations**
- **However, discrimination on different grounds still remains in laws and policies**
 - **Lack of a comprehensive legal framework that prohibits all forms of discrimination against women in all grounds**
 - **The provision of non-discrimination in the Article 16 of the Constitution 2013 is incompatible with the scope of non-discrimination as expressed in UN-Human Rights Treaties**
 - **Lack of clauses on non-discrimination or a comprehensive definition of non-discrimination in national legal framework**
 - **Discriminatory clauses still exist and gender stereotype is reinforced in different laws and policies**

Discrimination against women in laws and policies

■ Recommendations:

- Amend the Article 16 of the Constitution 2013 to fully incorporate the principle of non-discrimination in human rights treaties to which Vietnam is a member;
- Adopt a Law on Anti-discrimination in accordance with the principles of non-discrimination in all of international human rights instruments to which Vietnam is party, including specific measures and punishment for violations;
- Revise all discriminatory laws and regulations to comply with international human rights standards.

■ Question:

- How many complaints and denunciations on discrimination against on different grounds received and addressed since 2014?

Women's participation in election process

- There was no recommendation on women's participation in election process in the last UPR cycles
- The Government of Vietnam has taken some legislative and administrative to higher number of female elected deputies at all levels
- However:
 - Law on Election does not require to check ID of voters before giving them the voting registration and during the voting process
 - The ballot counting were not done in public and preliminary results of each electorate were not published immediately
 - The ratio of National Assembly's female deputies is 26.8% which di not meet the expected target of 30% as set in National Strategy on Gender Equality and 35% as recommended by CEDAW Committee in 2015

Women's participation in election process

■ Recommendations:

- Introduce affirmative actions to ensure each gender of candidates in each electorate should be no less than 45% by 2021;
- Introduce measures to prevent proxy voting, including a protocol to check ID card together with voter registration and before cashing ballot, adopt the practice of ballot counting in public and immediately release the preliminary result at each electorate after the public ballot counting by 2021;
- Give legitimacy and space for civil society organizations working on gender equality and women rights to conduct voter education programs and monitoring election by 2021.

■ Question:

- How many civil society organizations working on voter education and election monitoring in Vietnam including those are working for gender equality and women's rights to participation in politics?

Gender responsive budgeting

- **There was no recommendation on gender responsive budgeting in the last UPR cycles**
- **Vietnam National Assembly adopted a provision to ensure gender equality in Law on State Budget**
- **However:**
 - **Lack of understanding of substantive gender equality concept among legislators, policymakers and government officials**
 - **Limited awareness of temporary special measures in order to accelerate the achievement of substantive equality between women and men**
 - **The most common way of understanding of gender responsive budgeting is to allocate a specific budget portions for activities targeting women such as budget for the affairs of women's advancement and for workshops, training on gender equality**
 - **Regulations and guidance stay focused on specific issues of women, but does not specify principles to ensure equity in public investment including gender equality nor preventing government-funded projects from reinforcing stereotypes or discriminations on any basis**
 - **The lack of gender-disaggregated statistics, budget estimates and budget settlements of budget spending units posed a great challenge to the monitoring of gender-responsive budgeting**

Gender responsive budgeting

■ Recommendations

- Provide technical training on developing, implementing, supervising and assessing gender responsive budgeting for elective representatives, civil servants in state finance and auditing sectors
- Implement the Decision No. 56/2011/QD-TTg to ensure that statistics in all sectors are gender disaggregated and publicize detailed data and explanations on the budget estimates and settlements of budget spending units;
- Formulate and promulgate legal normative documents guiding the development, implementation and supervision and evaluation of gender responsive budget

■ Question

- How many civil society organizations working for budget transparency and gender responsive budgeting in Vietnam?

THANKS FOR YOUR ATTENTION!