

UN CRC	Ratification Date	Care-Related Concluding Observations
	28 Feb 1990	<p>CRC/C/VM//CO/3-4            22 August 2012  <a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fVNM%2fCO%2f3-4&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fVNM%2fCO%2f3-4&amp;Lang=en</a></p> <p><b>III. Main areas of concern and recommendations</b></p> <p><b>A. General measures of implementation (arts. 4, 42 and 44, para. 6, of the Convention)</b></p> <p><b>Data collection</b></p> <p>19. The Committee remains concerned at the absence of a central system of data collection covering all areas of the Convention, despite the State party's intent to introduce new regulations on data collection on children as envisaged in the amendment of the 2004 Law on the Protection, Care and Education of Children. The Committee also expresses its concern about the limited data available on the enjoyment of children's rights, notably disaggregated statistics on the social sector, child protection, children in street situations, children in situations of exploitation, and children in rural areas.</p> <p>20. The Committee encourages the State party to pursue its plan to establish regulations on data collection on children with a view to monitoring the implementation of all the rights of children. The Committee reiterates its recommendation to the State party to adopt a central data collection system with standardized child rights indicators shared across all relevant ministries and agencies. The data collected should be analysed as a basis for assessing progress and for the development of policies and programmes to implement the Convention. In doing so the State party is recommended to ensure that the data collected is disaggregated by age, gender, place of residence, ethnic origin and socio-economic background to facilitate</p>

		<p>analysis on the situation of all children in the State party. The Committee further urges the State party to focus on collecting statistics in sensitive areas such as violence against children, situations of child abuse and exploitation, including sexual and economic exploitation, children in street situations, and children in remote and rural areas.</p> <p><b>Training</b></p> <p>23. Despite information on some training provided to professionals working with and for children, the Committee regrets that this training remain dispersed and not delivered systematically to all professional groups working for or with children.</p> <p><b>24. The Committee reiterates its recommendation to ensure a systematic, mandatory and ongoing training on child rights for all professionals working with and for children, in particular, law enforcement officers, prosecutors, judges, lawyers, teachers, health personnel, and personnel working in all forms of alternative care.</b></p> <p><b>C. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37 (a) of the Convention)</b></p> <p><b>Corporal punishment</b></p> <p>45. The Committee is concerned about the prevalence of corporal punishment in the home and that many parents still find it appropriate to use slapping as a means of discipline. While noting the State party's declaration during the dialogue that it intends to include a provision on corporal punishment in the amendment to the 2004 Law on Protection, Care and Education of Children, the Committee remains concerned that the State party has not yet passed legislation explicitly prohibiting all forms of corporal punishment in all settings, including in the home, despite the Committee's previous recommendation (CRC/C/15/Add.200, 2003 para. 34(e)).</p> <p><b>46. The Committee recommends that the State party its reform domestic legislation, including the envisaged amendment to the 2004 Law on Protection, Care and Education of Children, to ensure the explicit prohibition of all forms of corporal punishment in all settings, taking into account the Committee's</b></p>
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		<p>general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, and general comment No. 13 (2011) on the right of the child to freedom from all forms of violence. The Committee further recommends that the State party raise awareness among parents and the general public on the negative impact of corporal punishment on the well-being of children, and on positive alternative methods of discipline in accordance with the rights of the child, also through the effective implementation of the National Program on Child Protection for 2011-2015.</p> <p><b>D. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)</b></p> <p><b>Children deprived of a family environment</b></p> <p>47. The Committee is concerned about the lack of reliable information on children deprived of their family environment, whether they are in street situations, orphans, abandoned children or displaced children, including information on the identification of children in such situations, on preventive measures to limit the number of these children, and on efforts to improve their situation and reintegrate the children with their families.</p> <p><b>48. The Committee recommends that the State party:</b></p> <p>(a) Undertake a comprehensive survey on all children deprived of a family environment and create a national register of all such children;</p> <p>(b) Include children deprived of a family environment in the National Program on Children Protection 2011-2015;</p> <p>(c) Develop and implement, with the active involvement of the children concerned, a comprehensive policy which should address the root causes in order to prevent and reduce the occurrence of children</p>
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		<p>deprived of a family environment;</p> <p>(d) Create an outreach program for children in such situations with adequate services that are easily accessible to the children; and</p> <p>(e) Support family reunification programmes, when it is in the best interests of the child, or community-based alternative care and services.</p> <p><b>Alternative care</b></p> <p>49. The Committee welcomes the progress made towards the deinstitutionalisation of care for children deprived of a family environment including the development of specific social assistance policies. Nevertheless, it is concerned at the high prevalence of institutionalisation of children, in particular children with disabilities, children with HIV, children whose both parents or one of them is deceased, as well as abandoned and unwanted children.</p> <p>The Committee is further concerned about the unreliable data related to the magnitude of child institutionalisation in the State party. While being aware of the development of National Minimum Standards of Care in residential facilities, <b>the Committee is highly concerned about: the lack of adherence to the Convention's principles in most of the residential care facilities; reports of physical abuse and sexual exploitation of children in residential institutions; and the long periods during which children deprived of family environment are placed in institutions.</b></p> <p>50. The Committee recommends that the State party:</p> <p>(a) Develop a strategy for the deinstitutionalisation of children with a clear time frame and budget, which includes the reintegration of children with their families, while taking into account the best interests and the views of the child as far as possible;</p> <p>(b) Ensure that all residential institutions for children are well financed and equipped with adequate human and technical resources, registered and officially authorized to exert as alternative care institutions, and ensure their strict adherence to the National Minimum Standards of Care;</p>
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		<p><b>(d) Provide information concerning the implementation by the State party of the recommendations of the above-mentioned study in its next periodic report, particularly those highlighted by the Special Representative of the Secretary-General on violence against children, namely:</b></p> <p><b>(i) The development in each State of a national comprehensive strategy to prevent and address all forms of violence against children;</b></p> <p><b>(ii) The introduction of an explicit national legal ban on all forms of violence against children in all settings; and</b></p> <p><b>(iii) The consolidation of a national system of data collection, analysis and dissemination, and a research agenda on violence against children;</b></p> <p><b>(e) Ensure that administrative measures reflect Government obligations to establish policies, programs, monitoring and oversight systems required to protect the child from all forms of violence; and</b></p> <p><b>(f) Cooperate with the Special Representative of the Secretary-General on violence against children and seek technical assistance, inter alia, from the United Nations Children’s Fund (UNICEF), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the World Health Organization (WHO), the International Labour Office (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Office on Drugs and Crime (UNODC), and NGO partners.</b></p> <p><b>E. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) and 33 of the Convention)</b></p> <p><b>Children with disabilities</b></p> <p>54. The Committee notes the State party’s intent to ratify the Convention on the Rights of Persons with Disabilities. However, the Committee is highly concerned about the alarmingly disadvantaged position children with disability suffer from with regards to their right to education, whereby 52% of children with</p>
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		<p>disabilities have no access to school, and the vast majority do not finish primary school. The Committee further notes with concern the lack of trained teachers to teach children with learning or developmental delays and the lack of adequate teaching equipment and materials, as well as the regional disparities in the provision of specialist teachers in schools. The Committee is moreover concerned that the barriers preventing children with disabilities exercising their rights are regarded as a consequence of their disability, rather than an issue arising from the social and economic structure of the society that impedes their social inclusion, <b>resulting also in a high rate of institutionalisation of children with disabilities.</b></p> <p><b>55. The Committee recommends that the State party:</b>  <b>(a) Expeditiously undertake the ratification of the Convention on the Rights of Persons with Disabilities to provide legal protection for children with disabilities;</b>  <b>[...]</b>  <b>(d) Raise public awareness, and include children with disabilities in these awareness-raising and social change interventions, to address widespread stigma and discrimination. In addition reduce the trend to institutionalise children with disabilities and seek community-based child care solutions;</b></p> <p><b>HIV/AIDS</b></p> <p>60. The Committee notes with appreciation the progress made with regards to HIV/AIDS prevention, however remains concerned about the weak enforcement of HIV/AIDS related laws, and <b>that children infected with HIV/AIDS are stigmatized, more vulnerable to institutionalisation</b> and tend to drop-out from school to a greater extent. The Committee is moreover concerned at the unreliable information concerning the magnitude of HIV in the State party resulting in fragmented policies and prevention mechanisms.</p> <p><b>61. In light of its general comment no. 3 (2003) on HIV/AIDS and the rights of the child, the Committee recommends that the State party take into account the Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37, annex I), and: [...]</b></p> <p><b>(b) Launch awareness-raising programs including campaigns to combat stigmatizing of children with HIV/AIDS, and foster an environment that enables families with children affected by HIV/AIDS to keep them in their family environment and not to send them to institutions, inter-alia, by establishing community-based child care and assistance services;</b></p>
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Country Report		
		CRC/C/VNM/3-4 25 November 2011 <a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fVNM%2f3-4&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fVNM%2f3-4&amp;Lang=en</a>
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
	20 Dec 2001	
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
	20 Dec 2001	
ICCPR	Accession Date	Care-Related Concluding Observations
	24 Sept 1982	
ICESCR	Accession Date	Care-Related Concluding Observations
	24 Sept 1982	
CEDAW	Ratification Date	Care-Related Concluding Observations
	17 Feb 1982	
CRPD	Ratification Date	Care-Related Concluding Observations
	N/A	
UPR	Date of	Link to Page

	Consideration	
	8 May 2009	<a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/VNSession5.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/VNSession5.aspx</a>
Hague Intercountry Adoption	Accession Date	Link to Country Profile
	1 Nov 2011	<a href="http://www.hcch.net/index_en.php?act=states.details&amp;sid=230">http://www.hcch.net/index_en.php?act=states.details&amp;sid=230</a>

#### **Acronyms and Abbreviations:**

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review