

**ASSESSMENT AND ANALYSIS OF THE SITUATION OF CHILDREN WITHOUT PRIMARY CAREGIVERS  
IN VIET NAM**

**RESEARCH PROBLEM**

**Background and Context**

Viet Nam's economy has grown steadily since the end of the 1990s. The Gross Domestic Product has risen dramatically, while poverty has diminished significantly. However, as a result of the transition to a market-oriented economy, some public services that had been provided at the local level, including public daycare centres for pre-school aged children, are no longer operating. A study on Children in Especially Difficult Circumstances (CEDC) conducted by the Ministry of Labour, Invalids and Social Affairs (MoLISA) (2000) found that there were over 8,000 children in government-run orphanages and social protection centres. Additionally, non-governmental institutions house thousands more. The main reasons for the institutionalization of children include poverty, the death of parents, abandonment, divorce, disability, children in conflict with the law, drug use, and prostitution..

According to the information collected from the local level Department of Labor, War Invalids and Social Affairs (DOLISA) in 2003, the number of children who were deprived of the care of their biological parents was 126,309; the number of children living in institutions was 14,574 or 11.5 per cent of the total child population without parental care.

The total annual government budget for the care of CNSP is approximately US\$ 6.73 million, of which more than 92 per cent (or US\$ 6.2 million) comes from local government budgets and the remaining 8 per cent from central government. The total budget for institutional care programmes is about US\$ 5.16 million.

In Viet Nam, there are currently institutional care programmes for orphans/abandoned children, street children, children with physical and/or mental disabilities, children in conflict with the law, sexually exploited/abused girls, child and adolescent commercial sex workers and drug users, as well as care of HIV/AIDS-infected children. In total, around 30% of the orphan/abandoned children receive some care and support (through institutional care or social subsidies). UNICEF has initiated discussions with relevant Ministries on the need for government policies for the care and education of Children in Need of Special Protection. However, a lack of familiarity with alternative forms of care and the relative complexity of these systems have slowed progress. There is an urgent need for policy development and models to increase the promotion of alternative care and to develop an effective monitoring system that secures children's rights.

**Research Objectives**

The primary objective of this study was to provide an overview of institutional and alternative care for Children in Need of Special Protection. In line with the United Nations guidelines to the Convention on the Rights of the Child, the study was designed to assist and encourage the government of Viet Nam to develop policies and programs and to channel more resources to support family and community-based care.

**METHODOLOGY**

Four methods of data collection were adopted for this study which included literature reviews and document analysis, qualitative and quantitative questionnaires, interviews, as well as field

visits and observation. The interviews were conducted with key informants from various government agencies, as well as with different categories of institutional staff throughout 61 Vietnamese provinces. Interviews were also conducted with children living in institutional care. A total of 100 children (10 from each of the 10 institutions studied) between the ages of 8 and 18 were interviewed for the study and all discussions were tape-recorded and later translated into English. Interviews were also conducted with 12 foster children and 14 foster parents. Questionnaire results were obtained from both government officials and both government and non-government institutional staff and representatives. Finally, field observations were carried out to closely observe the situation of the institutions and to collect data from directors, staff and children.

## **FINDINGS**

### **Nature and Prevalence of Institutional Care**

- Only a minority of institutions adhered to the Convention on the Rights of the Child's principle of periodic reviews of the placement of children. When such assessments were performed, the focus was often on material conditions, such as clothing, shelter and food.
- Poverty was a major cause of children's entry into institutional care. Poor families with limited resources used institutional care as a means to ensure that their children had access to food, education and medical care. It was not uncommon for children to have living relatives who were involved in the admissions procedure.
- Parents visited their institutionalized children only once or twice a year, if at all.
- Most children were aware of the reasons for their institutionalisation. When the children thought about their future, their dreams (both present and future) and expressed their concrete expectations about their life at the institution, few were able to formulate their ideas.
- Out of the 61 provinces that were surveyed, 32 provinces had regulations for periodically assessing the general conditions of the children in the centres, as well as the child's particular need to continue to live in the institution.

### **Living Conditions and Participation in Decision-Making**

- The interviews showed that many children entered institutions as babies and remained there until they reached legal maturity at the age of 18. However, the majority of the children in the sample had been living in institutions between 5 and 12 years.
- Children with mental disabilities and children previously involved in commercial sex work were punished severely when they broke the institutional rules or 'made mistakes'.
- There was no evidence of sexual abuse in the studied institutions. However, it was observed that physical punishment was not unusual.
- Some of the children maintained that they were beaten both at the institution and at the communal schools because they were 'naughty', 'disobedient' or 'stubborn'.
- Some children infected by HIV/AIDS were isolated from other children and not allowed to attend public school. However, the majority of the caregivers appeared to be aware of respecting the rights of infected children. Nonetheless, a vast amount of discrimination came from other children living in the institution. More than 60% of the child respondents maintained that they were afraid of AIDS/HIV-infected children, had prejudices about them and did not play with them if they found out they were infected.

- 36 centres replied that they had some mechanism for child participation in the decision-making processes at the centres, but only 12 of them (14%) mentioned that children could make recommendations.

### **Services, Educational and Vocational Training**

- In the majority of the cases, it was the caregivers who decided the direction of education, vocational training or future occupational careers of the children. Although the children were consulted in some cases, options offered by the centres were often limited and children had no other choice but to comply.
- Children attended public schools outside the institutions.
- Nearly all the institutions focused almost exclusively on the children's education, while other aspects of the child's holistic development were largely neglected.
- 58 institutions in the sample offered some kind of vocational training and in 27 (32%) of them, the children were obliged to take part in the vocational training. More than half of the centres offered vocational training in tailoring, 18% in motorbike repair, 13% in electrical training and 12% in carpentry. Yet, many of the vocational training programs that were offered at the institutions did not really assist in the development of their skills for improved employment opportunities.
- 22 institutions sold the products made by the children and paid them some kind of wage.

### **The Children's Feelings**

- Almost all the children maintained that they were happy to live at the institution. They appreciated the material support they received and did not want to lose the opportunities that living at the institutions offered them. However, no child in the whole sample replied that s/he would entrust his/her private feelings to the staff.
- The children showed a very strong sense of solidarity and duty towards their parents and other relatives despite the fact that these relatives had abandoned the children and rarely visited them.
- Children lacked close affectionate relationships with the staff at the institutions, and were intellectually under-stimulated in any existing relations.

### **Institutional Personnel**

- The standards for the selection and employment of staff pertained to the degree of enthusiasm, love of children, high moral standards (in other words non-verifiable standards) and level of education/training. The study showed that nearly 95% of the institutions had access to personnel who have gained a college or university education; only 7% of the institutions had staff with no formal education.
- On average, there were 12 staff members per institution, with a ratio of 1 staff member per 3.15 children. As well, of all 61 provinces, 21 (34.4%) had a set of minimum standards for the selection and employment of staff.
- Only 53% of the centres had offered their staff in-service training.

### **Guardianship, Adoption and Fostering Care**

- While alternative care programs, including adoption, guardianship, sponsorship and daycare, were available in 47 of Viet Nam's 61 provinces, these programs were not sufficiently regulated by law and offered only limited support to children and families. Only two provinces provided limited support to the foster/guardian families.
- The majority of these children were adopted or taken into foster care by relatives (grandparents, aunts, uncles). However, most of these adoptive or foster parents had their own children and faced severe economic hardships themselves.

- No system of publicly regulated fostering (with or without financial support for the foster parents) exists in Viet Nam.

### RECOMMENDATIONS/LESSONS LEARNED

#### **Policy Recommendations for the Vietnamese Government, the United Nations, Multilateral Agencies, and International Non-Government Organizations**

- Include the principle of the ‘best interest of the child’ as stipulated in the Convention on the Rights of the Child in all legislation concerning children and families, and introduce the same principle to the staff of the institutions and local authorities, including members of the People’s Committees.
- Establish local Child Rights’ Departments which are responsible for carrying out measures that protect the rights of children and adolescents at risk of social exclusion.
- Strengthen efforts to develop a comprehensive family policy, implement social initiatives directed towards families in crisis, and support early interventions to prevent child abuse and neglect.
- Promote a rights-based approach based on the idea that receiving care and protection is an individual human right of all children and not an act of generosity and charity, through information campaigns in communities, and by organizing workshops and discussions for policy-makers and the staff of the institutions.
- Establish a forum for in-depth discussions among service providers, government representatives, NGOs and donors concerning the purpose of alternatives to institutionalization and their inherent values, strategies and applications.
- Increase the self-sufficiency of vulnerable families through income generation projects, micro-credit schemes and vocational training. It is most likely that if the basic needs of food, health and educational services are met, most families would not opt for placing their children in orphanages.
- Create modern social services by a) creating departments of social work at universities and colleges to educate a qualified cadre of professionals who can implement social welfare policies, and b) develop a nationwide social safety net that provides support to individuals and families in their home communities.
- Provide support to foster parents, such as support for income generating activities, job training, payment of school fees, emergency food supply, medical care, and encouragement and training in childcare.
- Establish group homes for orphans. A group home is a gathering of children who live together in a family-like situation with a permanent caretaker or staff. The group home provides security and interaction. A good group home requires that criteria be set up for selecting a caretaker or permanent staff to remain with the children at all times.

#### **Programming Recommendations**

- Develop a uniform set of criteria and minimum standards of care with an easily applicable monitoring system.
- Investigate and create alternative welfare models based on economic incentives.
- Establish minimum qualifications for caregivers.
- Improve record-keeping, data collection, and monitoring systems, and periodically review child placements in the institutions at all levels.
- Create tools and regulations for the assessment and systematic monitoring of foster families.

### **IMPACTS, INFLUENCES AND PUBLICATIONS EMANATING FROM THE RESEARCH**

- The study results have been widely disseminated to high level officials and technical people from MOLISA and other key ministries; and used as an advocacy tool and have sparked national dialogues on alternative forms of care.
- The results are also proving useful to policy-makers and practitioners involved in the development of the National Plan of Action (NPA) for Supporting Children in Especially Difficult Circumstances (CEDC) 2005-2010, a plan which primarily aims at assisting CEDC to re-integrate into society.
- The study and approval of the NPA has enabled UNICEF to provide increased technical support to MOLISA to improve capacity of the Government to plan and implement the NPA 2005-2010, including development of alternative care guidelines and models for CEDC and children in needs of special protection. At present, UNICEF and MOLISA have developed standards for social protection centres; and draft guidelines on foster care and social houses for children in needs of special protection
- A national workshop for stakeholders was organized in Hanoi on 23 August 2004 to share results and elicit feedback from nearly 60 policy-makers and practitioners representing various ministries and provinces.