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*About: statement of the rights of  
orphans and disabilities*

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*Ha Noi, Jun 14<sup>st</sup> 2013*

**To: Office of the High Commissioner for Human Rights of  
the United Nations**

The Association of supporting Viet Nam handicapped (ASVHO) and orphans draft report on the results to ensure the rights of disabled people and orphans in the 3500/MTTW-BTT dispatch, dated *Mar 6<sup>th</sup> 2013* of the Standing Committee - the Central Committee of the Vietnam Fatherland Front as follows :

### **1. Disabilities people**

In Vietnam, according to the census of population and housing in 2009, the proportion of people with disabilities aged 5 years or older accounted for 7.7%, or 6.7 million people. In that there are about 1.1 million with severe disabilities, accounting for 21.5% of disability: 29% mobility disability, 17% mental, 14% visual disability, hearing disability 9%, 7% disability language, 7% and 17% of intellectual disability as other.

The cause of disability have 36% natural, 32% due to illness, 26% as a result of war and 6% due to labor accidents. Material and spirit of people with disabilities is more difficult. Up to 80% of people with disabilities in urban and 70% rural people with disabilities who rely on family, relatives and social assistance, 32.5% are poor (compared to twice with the poverty rate general), 24% live in temporary housing. And there are many other barriers affecting to ensure the rights of people with disabilities, such as barriers to transport, hard to reach people with disabilities, barriers to education education, training, vocational training, barriers to employment, employment ....

### **2. Policy, laws for the disabilities people**

Policy and legislation on people with disabilities and orphans of Vietnam is always a concern and complete each step. Article 67, 1992

Constitution stipulates that "disabled persons, orphans are received the State social assistance". Subsequently, the disabilities people Ordinance was enacted in 1998 and has been inherited, development and improvement in disability law, the National Assembly passed Jun 17th 2010. The government issued Decree 28 of CP (Oct 4th 2012) detailed regulations and guidelines for implementation of some articles of the Law on disability; QD's TT CP No. 1019 (Aug 5th 2012) approved aid schemes for disabilities people in period from 2012 to 2020 and many of the other procedures. The policy spirit, disability law is to ensure the rights of people with disabilities conventions, and solving problems: early detection, early intervention, surgery, orthopedics and provides tools to assist persons with disabilities to access assistance with education, vocational training, job creation employment; help access and use of buildings, assistance and access road; help access and use Information Technology and communication technology; legal Aid; supporting in culture activities, awareness raising, capacity care, disability people supporting. Vietnam's law for people with disabilities in line with the Convention on the Rights of Persons with Disabilities.

### **3. Activity to ensure the human rights of people with disabilities:**

The Association of supporting Viet Nam handicaped and orphans is a voluntary social organization was established on Apr 25th 1992 with the task of propaganda campaign contributions on physical and spiritual entities individuals, charitable organizations, local humanitarian and international contributions to the State to care, guarantee the rights of the disabled, orphans.

For over 20 years, ASVHO not only contribute to improving the quality of life, contribute to ensuring rights for the disabled, orphans, but also arouse, promote solidarity within each person, in communities, towards a more equitable society, more humane.

Society has mobilized nearly 700 billion to implement assistance programs, assistance to nearly 2 million people with disabilities and orphans in the country: vocational training, job creation and Orthopedic Surgery rehabilitation; donated wheelchairs, prosthetics and shaking, aids, orthopedics, eye surgery, cataract replacement; awarded scholarships, bicycles, livelihood support, build, support housing; supply school supplies .....

Society has organized workshops and seminars with the participation of many organizations and individuals with disabilities, opinions, in-depth article about the issues raised in the course of construction documents as legal such as Adoption law, the Law amending and supplementing a number of articles of the Law on Education, Law on the Red Cross, the Elderly Law, Disability Law...The Board participated in drafting decrees guiding the implementation of some articles of the Law persons with disabilities, decree of family support policies, individual foster children have special circumstances, the contribution of the draft scheme to assist persons with disabilities, the national program child protection in the period 2011-2015; consulted the laws are enacted, amended and supplemented under the jurisdiction of the Ministry of Labor, War Invalids and Social Affairs, Ministry of Health , Ministry of Education, Ministry of Transportation ....

In addition to sponsorship activities, the ASVHO was initiated and organized a series of promotional activities such as exchange programs live TV "One heart – One world" in 2004 and since then has organizing the 10th (organizing annual); Conference praised the disabled, orphans and patrons nationwide periodically typical 3 year / time (first held in 2013-IV), the written examination "Beyond destiny" 2nd 2006, has launched the 4th and many other activities both lobbying and contributions policy and legislation for people with disabilities and orphans.

From practical activities sponsored the disabled, orphans, ASVHO participated in the study, review, implement the scientific level of the "*Research modeling livelihood support for people with disabilities community*"; did speech and reported in a number of conferences and seminars with the theme "*Jobs for people with disabilities and improve policy recommendations*", "*Disability and the ability to rise up*", "*The Vietnam's achievements in ensuring the rights of people with disabilities*", "*The Role of the Association for the Protection of Viet Nam orphans and disabled people with the development and management of society - the real situation and solutions* ", "*The rights of vulnerable groups of children - some propose amendments and supplements to the 1992 Constitution* "...

Through these activities, ASVHO has contributed positively to ensure basic human rights for people with disabilities and orphans in accordance with

the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of Children them.

#### **4. Difficulties and challenges in ensuring human rights for people with disabilities.**

Although the system policy and legislation rather complete and sufficient to ensure the implementation of human rights for people with disabilities, however, to be made to systems, policies and laws that are facing many difficulties, challenges:

First of all there is awareness matter. Although policies and laws have been significant changes approach to humanitarian charity the right approach to ensure human rights for people with disabilities in the late 90s of last century, but so far this awareness has not yet changed much. About looking for people with disabilities still pitying eyes, no longer do anything, to raising social awareness .... this does not only exist in a small department that exist quite common among officials, including the people themselves, their families and people with disabilities in the majority of people with disability. From this awareness has led to support largely philanthropic, humanitarian, but do not create conditions, assistance to people with disabilities fully enjoy their rights.

Second, there is the budget, economic and social conditions for the implementation of policy measures and legislation to ensure the human rights of people with disabilities is poor, while ensuring their right to require must have a high budget, for example, for ensuring labor rights for people with disabilities require significant funding for literacy, vocational training and job creation suite, but also funding too tight .....

Third, specific mechanisms to implement policy measures and legislation for people with disabilities is very problematic. Persons with disabilities with different forms of disability, degree of disability is very different, but the mechanism set out in a resolution remains too broad to cover the implementation of difficult and invisible makes implementation difficult impact speed to ensure the human rights of people with disabilities,

**Summary:** With system policies, legislation about disability rather complete, the State is gradually implemented, creating favorable conditions for the voluntary social organizations to participate actively in ensuring human rights of people with disabilities. The rights of people with disabilities more

and better secured. However, practical implementation of organizational policies and laws exist also many, many barriers affecting ensuring the human rights of people with disabilities. In participation of ASVHO and other social organizations others have contributed to gradually overcome the existence, ensuring promoting human rights, the rights of people with disabilities a better day. /.

President

Signed

**Nguyen Dinh Lieu**