

Hanoi, June 22, 2018

REPORT
On ensuring the human rights of older persons
of Viet Nam Association of the Elderly
under the 3rd Cycle of the Universal Periodic Review on Viet
Nam of the United Nations Human Rights Council

As the major association for older persons in Viet Nam, the Viet Nam Association of Elderly (VAE) reports the following information:

A. Summary of regulations and policies for older persons in Viet Nam;

B. Overview of the VAE;

C. Introduction of main activities and achievements of the Association in protecting the human rights of older persons, care for and enhancement of the role of older persons in Viet Nam.

A. VIET NAM’S REGULATIONS AND POLICIES ON OLDER PERSONS

In the past years, Viet Nam has promulgated many legal instruments to gradually develop a rather comprehensive system of care policy to enhance the role of older persons, in particular:

1. The Constitution of the Socialist Republic of Viet Nam

The 2013 Constitution of Viet Nam provided under Article 37, Paragraph 3 as follows “*The elderly shall be respected and cared for by the State, family and society to promote their role for the cause of national construction and defense*” and Article 59, Paragraph 2 as follows “*The State shall create equal opportunities for citizens to enjoy social welfare, develop the social security system, and adopt policies to support elderly people, people with disabilities, poor people and other disadvantaged people*”.

2. Law on the Elderly

The Law on the Elderly (LoE) was adopted on 23 November 2009 and entered into force on 1 July 2010. Comprising 6 chapters and 31 articles, the LoE has institutionalized Viet Nam’s policies on older persons in a more systematic, complete and comprehensive manner to ensure their participation in the society and encourage social organizations and individuals to further care for and promote the

role of older persons. This step realizes the Government's commitment to the 2002 Madrid International Plan of Action and Political Declaration, in line with other countries' and the United Nations' common policy on older persons. In particular:

- The LoE protects the right of older persons to basic needs of food, clothing, shelter, transportation and medical care; the right to self-reliance and self-determination. The LoE ensures favorable conditions and opportunities for the elderly's participation in cultural, educational, exercise, entertainment, travelling and other recreational activities and in employment. The LoE also endorses exemption from financial contributions to social activities, except voluntary contributions; discount of fares and services charges for public transportations, tourism, etc., and priority in aid and health care in cases of natural disasters or other *force majeure* circumstances for them.

- The LoE ensures that older persons have the right to join the VAE in accordance with the Statute of the Association and other legislations.

- The LoE provides for the policies of State on care for and promotion of the role of older persons; their social protection; integration of policies in this regard, etc.

- The LoE places the responsibilities for respecting of and care for older persons upon institutions, organizations, families and individuals..

3. Bylaws to implement the LoE

To implement the LoE, the Government and Ministries have promulgated one Decrees and 8 Circulars detailing the implementation of provisions of the LoE, focusing particularly on primary health care of older persons in their residential areas; longevity congratulation, celebration and commendation for older persons; monthly social allowance, burial and funeral cost assistance, and admission of older persons to social protection facilities; and health care and health insurance for older persons.

4. Policies, programs and decisions on older persons

- In 1995, the Government approved the establishment of the VAE;

- In 2004, the Government established the Viet Nam National Committee on Ageing.

- In 2009, Working Departments on Ageing at municipality level were established under Circular No. 08/2009 of the Ministry of Home Affairs.

- In 2005, the Prime Minister signed Decision no. 301/2005/QD-TTg approving the National Plan of Action on Older Persons for the 2005-2010 period.

- In 2012, the Prime Minister signed Decision no. 1781/QD-TTg approving the National Plan of Action on Older Persons for the 2012 – 2020 period.

- On 25 April 2015, the Prime Minister adopted Decision no. 544/QD-TTg considering October every year the “*Month of action for the elderly*”.

- On 2 August 2016, the Prime Minister adopted Decision 1533/QD-TTg approving the Project on expansion of the Intergenerational Self-help Club (ISC) for the 2016-2020 period to implement the goal set out in the National Plan of Action on serving older persons that “*At least 50% communes, wards and towns have Intergenerational Self-help Clubs or other establishments which over 70% older persons in the area participate in and benefit from, in order to care for and promote the role of older persons*”.

B. ORGANIZATION AND FIELD OF OPERATION OF THE VAE

1. Organization and membership

The VAE, whose predecessor is the Union of the Elderly for National Salvation, was established on 10 May 1995 pursuant to Decision no. 523/TTg dated 24 September 1994 of the Prime Minister. After over 24 years of development, the VAE’s membership now is about over 90% the total number of older persons in Viet Nam at 8.6 million members.

Until 2017, the VAE has consolidated its organization in the whole country. At the moment, the Association’s 4-level organizational structure consists of a central level body; 63 provincial level affiliate agencies at all provinces and cities, 713 district level agencies, and 11,162 communal level agencies –the grass-root units directly managing VAE members. Additionally, there are 102,770 sub-levels of the VAE at villages to implement the activities of the VAE.

2. Functions of the VAE

- The VAE is a social organization representing older persons in Viet Nam, standing for their will, legitimate rights and interests.

- The VAE was organized on a voluntary basis, operating in accordance with Viet Nam’s Constitution, regulations and the Statute of the Association.

- The VAE has the function to unify and encourage older persons to participate in the activities of the Association, contributing to the implementation of socio-economic programs, education of younger generations, building of civilized lifestyles and civilized families, maintenance of political security and social order, development and protection of the nation.

- The VAE plays a core role in the nation’s movement on caring for and promoting the role of older persons.

- The VAE protects the legal rights and interests of older persons.
- The VAE studies the needs of older persons to make proposals to authorized state agencies.
- The VAE represents Viet Nam older persons in international organizations and people-to-people exchange activities for the benefits of older persons and the nation.

3. Tasks of the VAE at different levels

a) Central and municipality levels

- Provide guidance and assistance to the VAE at provincial, district, communal levels and sub-levels to implement VAE activities.
- Study issues concerning population ageing and older persons (health care, promotion of the role of older persons).
- Participate in drafting laws, policies; make recommendations to agencies and the governments on serving older persons.
- Promote and supervise the protection of the rights of older persons.
- Establish and support club mechanisms for older people at localities.
- Cooperate with national and international organizations in caring for and promoting the role of older persons.
- Mobilize resources in caring for and promotion of the role of older persons.

b) Communal levels

- Coordinate with local authorities to implement activities for the physical and mental health of older persons.
- Inform and promote government policies on serving older persons; supervise and protect the rights of older persons.
- Establish and support club mechanisms for older people at localities.
- Encourage older persons to enhance their roles in the society and make contributions to the community.
- Mobilize resources in caring for and promotion of the role of older persons.
- Organize longevity celebrations, provide financial support at the time of death for older persons.
- Organize visits to older persons in cases of sickness and other difficult situations.
- Coordinate with the medical sector to provide regular medical check-ups for older persons.
- Organize exercising and cultural activities for older persons.

- Establish and support club mechanisms for older people at localities (including the ISC).

To develop further the organization and capacity of the VAE, members of the VAE receive annual capacity-building training to better organize VAE activities.

C. ACHIEVEMENTS OF THE VAE SINCE 2017

1. Policy advocacy

With the reputation of the Association and individual members, the VAE has actively participated in providing feedback to governments at different levels, in particular:

- The VAE, as the representative of the older population, advocated the inclusion of “Population and Development” and “Older Persons” items into the Party’s Resolution no. 21/NQ-TW on 25 October 2017 and the Government’s Plan of Action dated 31 December 2017.

- The VAE made substantial contributions on the content and practicality of as well as helped identify shortcomings in many legal instruments on older persons such as the LoE Amendments, the draft Law on Population, the Law on Persons with Disabilities, the Law on Health Insurance, etc.

- The VAE contributed ideas and feedback to line ministries on relevant policies on older persons, such as those on social security, regulations on health care for older persons, etc.

- The VAE contributed to the draft Strategy on health care for older persons and Project on health care for older persons of the Ministry of Health.

2. Contribution to Programs and Projects

- The VAE at the central level has campaigned for funding and facilitations for “**Month of Action for the Elderly**” from the State and local authorities in most municipalities. As a result, the VAE has mobilized contributions from the whole community to provide gifts for older persons in difficult situations (this activity is carried out annually with different target each year). As of 2017, a total of 164.4 billion VND (in cash and in kind) has been raised for 648,266 elderly without family support, elderly in difficult situations, and to build hundreds of nursing homes for older persons.

- Since the end of 2016, the VAE at the central level has advocated for Government’s approval of the national Project on expansion of the ISC for the 2016-2020 period, and made annual plans of action to provide guidance for local authorities in implementing the Project at local level. By the end of 2017, more than

29 provinces have established ISCs, attracting nearly 100,000 elderly and young people.

- In 2017, the VAE at the central level signed an agreement with the General Office for Population and Family Planning to synchronize the Project on health care for older persons and the Project on expansion of the ISC. The agreement focuses on training and developing a group of volunteers for the ISC to assist on health care for older persons.

- The VAE continues to participate in the Program on “*Encouraging older persons to participate in environmental protection, development of new rural and civilized urban areas*”. The VAE has carried out information campaigns, encouraging the elderly to join in environmental cleaning, consecrate land of private use for constructions of public roads and other social welfare establishments, and participate in crime prevention groups to protect order at localities. Additionally, the elderly also actively participate in hosting civilized weddings, organizing funerals and celebrations. These practical activities of older persons and the VAE at local levels have contributed significantly in changing the outlook of rural areas, villages, towns, and wards, contributing in the overall success of the Program.

3. Care for and promotion of the roles of older persons

- The VAE continues to campaign with local authorities, sponsors and eye hospitals to implement the Program on “Bright Eyes for the Elderly”. Until the end of 2017, more than 3,600,000 elderly have received check-ups and advices on eye diseases, 541,571 elderly have received treatment or cataract operations to prevent blindness. The total value of the Program is 513 billion VND.

- The VAE at all levels have coordinated closely with local authorities to organize visits to elderly in cases of sickness. On average, each year, there are over 1 million elderly receiving longevity congratulations and celebrations; nearly 900,000 elderly receiving visits in cases of sickness and gifts in national holidays and celebrations. The VAE also advocates for assistance to clearance of temporary housing for 124,000 older persons in difficult situations.

- The VAE has coordinated with the medical sector, local clinics and hospitals to organize regular medical check-ups for older persons. Over 3 million elderly have been examined and provided primary health care; over 2.1 million elderly have been regularly examined and filed personal medical records.

- The VAE has assisted local authorities to carry out social welfare activities and give commendation to the elderly. In 2017, over 1.6 million elderly received

monthly social assistance, among whom nearly 60% older persons have medical insurance card (most are provided free of charge, nearly 20% are purchased voluntarily).

- In 2017, the VAE at all levels coordinated with the sport sector and local authorities to organize sport activities for older persons to enhance physical and mental health. There have been 1,382,716 elderly participating.

- To improve the mental health and promote the role of older persons, the VAE actively developed exercise activities among older persons. Throughout the whole country, there are over 74,000 clubs for older persons in many areas, attracting more than 3 million elderly.

- Particularly, the VAE have continuously made efforts to promote the role of older persons by encouraging elderly with good health, capacity, working experience and willingness to contribute to families, community and the society. At the moment, there are over 1.24 million elderly participating in the activities of the Party, the Government, the National Front and other organizations; nearly 2.5 million elderly participating in production generating income, in which over 99 thousand elderly owning farms, production and service facilities; and more than 357 thousand elderly owning good business. Additionally, the majority of older persons, albeit not directly participating in production work, have actively been disseminating experience, providing technical assistance and helping young generations in their work.

4. Protection of the rights and interests of older persons

- Other than contributing to drafting of policies, the VAE also joined in supervising the implementation of policies on older persons such as social security, longevity celebrations, financial assistance, etc. As a result, most policies for older persons are implemented comprehensively and timely.

- The VAE also actively participated in conferences to learn from specialists on the right to medical care, long-term care, etc.

- As a member of HelpAge International, the VAE actively participated in the activities of Age Demand Action and the Protection of Rights of Older Persons Campaign; coordinated with several local authorities to host Conferences on topics such as Autonomy and Independence, Long-term care and Palliative care for older persons.

- The VAE also participated in drafting documents of the Open-Ended Working Group – OEWG of the United Nations on fulfilment of the goals for

sustainable development. In the two years 2017 – 2018, the VAE has made submissions for drafting documents and instruments of the 8th and 9th OEWG meetings. The VAE has also coordinated in preparing contents for discussion, and asked the Ministry of Foreign Affairs to send representatives from the Viet Nam Delegations at the United Nations to speak at OEWG meetings.

This concludes the Report of Viet Nam Association of the Elderly.

To be submitted to the Office of the United Nations High Commissioner for Human Rights.

**PP. CENTRAL STANDING COMMITTEE
STANDING VICE CHAIRMAND**

(Signed)

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