

Information on the protection and promotion of human rights of ethnic minorities in Viet Nam

According to the 2014 Population Census, more than 12.3 million people are of ethnic minorities, accounting for 14.3% of Viet Nam's 90-million population. The ethnic minorities are living mainly in the mountainous areas, especially the North-western region, the Central Highlands and the South-western region. The ethnicities of Viet Nam have the tradition of solidarity, mutual assistance in the fight against foreign invasion, in the conquest of nature, and in nation-building. Each and every ethnicity has its own cultural identity that enriches the unified yet diversified culture of Viet Nam.

Rights of minorities in Viet Nam are ensured by laws and policies. Complementarily, national programmes have been designed and implemented to assist minority communities, especially in the areas of poverty reduction, education, health care, employment, and in particular, preservation of their cultural, linguistic, and customary identities. Despite recent limited State's overall budget, investment and assistance for socio-economic development for communities of ethnic minorities and those in remote and mountainous areas always remains a high priorities.

1. Laws and policies

Viet Nam attaches special importance to the assurance of equal rights among all ethnicities, as enshrined in Article 5 of the 2013 Constitution: "The Socialist Republic of Vietnam is a unified nation of all ethnicities living together in the country of Viet Nam. All the ethnicities are equal and unite with, respect and assist one another for mutual development; all acts of discrimination against and division of the ethnicities are prohibited. The national language is Vietnamese. Every ethnic group has the right to use its own spoken and written language to preserve its own identity and to promote its fine customs, practices, traditions and culture. The State shall implement a policy of comprehensive development and create the conditions for the minority ethnicities to draw upon their internal strengths and develop together with the country". The 2013 Constitution also asserts the fundamental and overriding principle of non-discrimination, as embodied in its Article 16 that reads: "All citizens are equal before the law. No one shall be discriminated against in his or her political, civil, economic, cultural or social life."

The above-mentioned principle of the Constitution has been elaborated throughout the entire legal system of Viet Nam, and institutionalized and embodied by laws, including the Law on National Assembly Election, the Law on Nationality, the Criminal Code, the Criminal Procedure Code, the Civil Code, the Civil Procedure Code, the Labour Code, the Law on Education, the Law on Protection of People's Health, the Law on Compensation Liability of the State, and many other legal documents. In the last ten years, the National

Assembly of Viet Nam has adopted 151 laws, of which 38 are related to the rights and obligations of ethnic minorities.

Institutionally, the Ethnic Council elected by the National Assembly is responsible for conducting studies and making recommendations to the National Assembly on ethnic affairs, and for supervising the implementation of ethnic policies, socio-economic development programmes and plans in mountainous areas, and those with ethnic minorities. The Chairman of the Ethnic Council is entitled to attend the sessions of the Government to discuss the implementation of ethnic policies. When issuing regulations for implementing ethnic policies, the Government has to consult the Ethnic Council. Within the structure of the Government, there is also a ministerial agency responsible for ethnic affairs, the Committee on Ethnic Minorities Affairs.

As provided for in Articles 27 and 28 of the 2013 Constitution, Vietnamese citizens of ethnic minorities fully enjoy the right to participate in the political system, in the management of the State and the society, and to stand for election to the National Assembly and People's Council. For example the ratio of deputies from ethnic minorities in the National Assembly is always higher than that in the population. In the last four tenures of the National Assembly, deputies from ethnic minorities make 15.6% - 17.2% of the total number of deputies, while ethnic minorities themselves make 14.3% of the total population. Ethnic minority people elected to People's Councils at the provincial, district and communal levels in the 2011 – 2016 tenure made 18%, 20% and 22.5% of the total membership of these Councils, respectively. In national and local elections, including the recent National Assembly elections in 2016, measures have been taken to assist citizens in mountainous areas and from ethnic minorities to exercise their rights. Turnouts among those citizens were high, reaching above 90% nationwide, with some provinces nearly reaching turnouts rate of 100% among constituents in mountainous areas and from ethnic minorities.

2. Socio-economic and cultural development

Viet Nam places high priority on implementing policies for socio-economic development in ethnic minorities communities in order to improve their living standards, in both material and spiritual terms. The State supports communities in narrowing the development gaps among various ethnicities so that they can attain the general level of development of the country. As of December 2014, the State had promulgated 187 legal documents, including 44 Decrees of the Government, 6 Decisions of the Prime Minister on policies concerning regional socio-economic development, 97 decisions of the Prime Minister on sectoral socio-economic development (production, education, public health, or culture). There are notably effective programmes, such as the Government Action Program 122 on ethnic affairs, the Resolution 30a/2008/NQ-CP of the Government on sustainable poverty reduction, the Programme 135 (Phase 2) on the socio-economic development in extremely underprivileged communes of ethnic minorities and in mountainous areas; the Programme 327 on forestation

and environment protection in mountainous areas, the Prime Minister's Decision 132 on prioritizing investment in infrastructure development, allocation of lands for production and shelter for ethnic minorities; the Prime Minister's Decision 167 on housing facilitation for ethnic minorities, etc. There are also other operative programmes and policies on education, training, and employment and health care for ethnic minorities, focusing on education universalization, expanding boarding schools, promoting participation of ethnic minorities students in universities or vocational schools, upgrading public health centres to provide free medical treatment to needy ethnic people or assisting ethnic people to access to cultural activities and information, etc.

In the period of 2016 – 2020, the National Target Programme on poverty reduction dedicated 900 million US dollars (18,745 billion VND) for ethnic minorities, and the above-mentioned Programme 135 has the budget of nearly 800 million US dollars (15,936 billion VND).

12 ethnicities with particularly small population also receive further assistance. A 90-million-USdollar (1,800 billion Vietnamese dong) programme has been designed specifically to support these ethnicities, whose communities spread in 194 villages in 12 provinces, in the period of 2016 – 2025.

Viet Nam's policies on ethnic minorities affairs has yielded significant achievements, allowing better assurance of the rights of ethnic minorities and improvement of their living standards. Since 2007, 118,530 underprivileged households of ethnic people have been provided with credits, 33,969 households have been assisted in production expansion, and 80,218 households have been supported to expand their husbandry. The poverty rate among households of ethnic minorities has been reduced to 16.8% in 2015, from 35% in 2011.

In the health care area, 100% of the communes have public health centres and medical staff, 100% of the district have district healthcare centres with medical doctors. Malnourishment rate among children of ethnic minorities under five has been reduced to under 25%. Various policies has been endorsed to allow free medical check and treatment, health insurance for the ethnic people in underprivileged areas. Malaria, goitre, TB, leprosy, etc., which had once been popular in ethnic minorities communities, have now been effectively prevented. Remarkable progresses are made in control of malnutrition, maternal health care and child health care. As an outcome of the above mentioned Decision 134 alone, 213,466 households of ethnic minorities now have access to clean water.

Education and training for ethnic minority communities also improved. Schools at all levels have been expanded and concretized. Since 2012, 100% of communes have met the target of primary education universalization, with many of them attaining secondary education universalization. The nation-wide enrolment rate is about 98%, and that of ethnic minorities is 95%. All provinces with ethnic minorities have vocational schools, colleges or training schools in the fields of agriculture, economic management, finance, education or medicine. Various forms of boarding schools, semi-boarding schools, pre-university

schools specifically designed for ethnic minorities students at all levels have been developed and supported by the State to encourage their participation.

Preservation of spoken and written languages for ethnic minorities is a priority in the educational policy of Viet Nam. Government's Decree No. 82/2010/ND-CP was issued in 2010 to regulate and promote teaching and learning spoken and written languages of ethnic minorities in general education facilities and continuous learning centres. Recently, the Ministry of Education and Training, in cooperation with UNICEF, launched a pilot project on bilingual education based on mother tongues of ethnic minorities in 3 provinces of Lao Cai, Tra Vinh, and Gia Lai, with initial encouraging outcomes.

The Radio Voice of Viet Nam and the Viet Nam Television have constantly increased air time and expanded their coverage throughout the country to reach remote and mountainous areas. 90% of households of ethnic minorities are now within the coverage of the Radio Voice of Viet Nam, and 80% are within that of the Viet Nam Television. Together with these two broadcasters, provincial radio and TV channels are now broadcasting in 26 languages of ethnic minorities.

Viet Nam pursues a policy to develop a unified and diversified culture in the community of Vietnamese ethnicities, to preserve and to promote traditional cultural identity of all ethnic groups. Cultural features that are typical of ethnic minorities are preserved, promoted and recognized as the world cultural heritages, such as the "Space of Gong Culture in the Central Highlands", the "My Son Sanctuary," or the "Dong Van Karst Plateau".