

GENDER-BASED VIOLENCE

Issue Paper



Common Goals, Collective Action



Gender-Based Violence

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FOREWORD

“Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women... violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.”

-The UN Declaration on the Elimination of Violence against Women, 1993

Gender-based violence is a global problem. It occurs in every society and takes many forms, such as domestic violence (DV), sexual assault and rape, trafficking and sexual harassment at school and in the workplace. Although men and boys are also affected, it is predominantly women and girls who suffer from gender-based violence. While the harm and suffering caused by violence is immeasurable, it has significant, known costs in terms of health care, damage to household property, loss of income and family breakdown. Estimates in both developing and developed countries suggest that these costs add up to several tens of millions of dollars annually at the national level and possibly more, which is ample evidence that violence acts as a break on economic as well as human development.

Gender-based violence, or “GBV”, is a complex problem with roots in attitudes and behaviours that are deeply engrained in culture and hard to change. The fundamental cause of GBV is gender inequality, the persistent attitudes and beliefs that see women as inferior to men and less deserving of rights and control over their own lives and choices. While other factors, such as alcoholism, drug abuse and economic pressure do increase incidence of violence, in the end it is these inequalities of power, voice and control

between men and women that support and perpetuate violent behaviour. Preventing and ending violence is an effort that all members of society must make together and each one of us has a responsibility to speak out.

Viet Nam has become more proactive in addressing the problem of GBV and policy frameworks are in place. But more still needs to be done to address the issue and implement the laws that exist to prevent it. It is essential to develop a broader perspective that looks beyond a focus on DV, to address GBV in all its forms. More also needs to be done to persuade men and boys to accept their role in preventing violence and in protecting and respecting women. A minimum package of services including prevention initiatives and services for survivors and perpetrators needs to be put in place, and there needs to be greater coordination among all stakeholders working to prevent and address violence.

The United Nations is committed to preventing and addressing the consequences of GBV in partnership with the Government of Viet Nam, donor countries and civil society. In 2009, the UN commissioned a review of current issues relating to gender-based violence in Viet Nam and this paper is designed to inform planning, policy and programmes to prevent it and to support survivors. While the paper reflects the views of the United Nations, Government, donors, academic and civil society stakeholders were also consulted in the development of this study as well as in refining and finalising its recommendations. We hope that this paper will help to take these efforts forward and will inform the understanding and response by the Government of Viet Nam, Viet Nam’s development partners and the United Nations.



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ACRONYMS

AED	Academy for Education and Development
CCIHP	Centre for Creative Initiatives in Health and Population
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEFACOM	Research Centre for Family Health and Community Development
CEPEW	Centre for Education, Promotion and Empowerment of Women
CEPHAD	Centre for Public Health and Community Development
CIHP	Consultation of Investment in Health Promotion
CPRGS	Comprehensive Poverty Reduction and Growth Strategy
CSAGA	Centre for Studies and Applied Sciences in Gender, Family, Women, and Adolescents
CWD	Centre for Women and Development
DSEP	Department of Social Evils Prevention
DV	Domestic Violence
DVL	Law on Domestic Violence Prevention and Control
DOVIPNET	Domestic Violence Prevention Network
FAO	Food and Agriculture Organization of the United Nations
GAP	Gender Action Partnership
GBV	Gender-based violence
GE	Gender Equality
GEL	Law on Gender Equality
Gencomnet	Gender Community Network
GSO	General Statistics Office
HHD	Hanoi Health Department
ICRW	International Centre for Research on Women
IDU	Injection Drug User
IEC	Information, Education and Communication
ILO	International Labour Organization
INGOs	International Non-Governmental Organizations
ISDS	Institute for Social Development Studies
IOM	International Organization for Migration
LMF	Counselling Centre for Psychology, Love, Marriage and Family
MDGs	Millennium Development Goals
MOET	Ministry of Education and Training
MOF	Ministry of Finance
MOJ	Ministry of Justice
MOH	Ministry of Health
MOCST	Ministry of Culture, Sports and Tourism
MOLISA	Ministry of Labour, Invalids and Social Affairs
MPI	Ministry of Planning and Investment
MPS	Ministry of Public Security
MSM	Men who have Sex with Men
NSGRHC	National Standards and Guidelines on Reproductive Health Care

NCAFAW	National Committee for the Advancement of Women
NEW	Network for the Empowerment of Women
NGOs	Non-Governmental Organizations
NPA	National Plan of Action
PLHIV	People Living with HIV/AIDS
RAFH	Institute for Reproductive and Family Health
RCO	Resident Coordinator's Office
SDC	Swiss Agency for Development and Cooperation
SEDP	Socio-Economic Development Plan
SEDS	Socio-Economic Development Strategy
SIDA	Swedish International Development Agency
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNIFEM	United Nations Development Fund for Women
UNODC	United Nations Office on Drugs and Crime
UNSW	University of New South Wales
VFU	Viet Nam Farmer's Union
VWU	Viet Nam Women's Union
VYU	Viet Nam Youth Union
WB	World Bank
WHO	World Health Organization

EXECUTIVE SUMMARY

Purpose of the paper

This paper was commissioned by the UN Gender Programme Coordination Group (Gender PCG)¹ to provide a summary of current issues relating to GBV in Viet Nam. Its purpose is to inform strategic planning, visioning and priority-setting for GBV in research, programming, planning, monitoring and evaluation. The audience is the UN system as well as the Government of Viet Nam. Over the next two years, several important strategic planning documents will be developed, providing rich opportunities to apply the lessons learned from research, policy development and programming from the past five years, to the next phase of policy development and implementation.

Types of GBV

GBV is under-reported and under-researched in Viet Nam. One national study and several small-scale studies have been conducted that provide important data. However, methodologies are not consistent. Viet Nam is currently implementing a nationally representative study on women's health and DV, and is using the "WHO Multi-country Study on Women's and Health Domestic Violence against Women" that will provide findings in late 2010.

Physical violence is the most frequently reported type of GBV in Viet Nam, with 16 to 37% of women reporting that they have experienced physical abuse (Vung et al. 2008, Luke et al. 2007; UNFPA 2007; Loi et al. 1999). However, some studies also indicate that emotional violence occurs at higher rates, with prevalence at 19 to 55% (Vung et al 2009; UNFPA 2007; Thi and Ha 2006). Sexual violence in Viet Nam includes a wide range of crimes that are barely spoken about. There is little research on rape and the concept of rape within marriage is still not largely understood in Viet Nam. Sexual harassment was often mentioned in interviews for this paper, but little research has been done on it.

Thousands of Vietnamese women and girls are

also trafficked to China and Cambodia annually for sexual exploitation, with some trafficked through Cambodia to third countries (Regional Thematic Working Group 2008:105). Yet trafficking is often addressed in Viet Nam as a social problem with more attention going to its negative effects on social morals and security rather than as a serious human rights violation (Vijeverasa 2009; Marshall 2006). This promotes stigma and discrimination and raises serious barriers for survivors seeking services and justice.

The socio-economic context for GBV in Viet Nam

Since 1930, the Vietnamese Communist Party has promoted GE and women's liberation, and indicators on GE and women's status portray a country that is well ahead of most others with similar income levels. Yet while Government policies formally advance GE and a woman's right to advancement, they still do so within the context of traditional constructs of gendered identities, including the ideal of the "happy family". In this context, preventing violence against women is largely viewed as a way of maintaining and preserving traditional roles for women as wives, mothers and custodians of family harmony.

Doi moi, or "renewal", the shift from a planned economy to a market economy that Viet Nam began in 1986, has brought many positive changes, including economic opportunities for women and men. However, it is now well-established that one negative impact of open borders is increased trafficking of women and children.

The legislative and policy context

Viet Nam is a 1982 signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and numerous other international global human rights treaties and conventions that relate to GBV as well as other commitments with the exception of those relating to trafficking in persons. GE and GBV have been

addressed in several pieces of legislation since 1992. The 2006 Law on Gender Equality (GEL), with implementation coordinated by the Ministry of Labour, Invalids and Social Affairs (MOLISA), provides for GE in all areas of life and details the responsibilities of organizations, institutions, families and individuals in ensuring these principles. The 2007 Law on Domestic Violence Prevention and Control (DVL), implementation coordinated by the Ministry of Culture, Sports and Tourism (MOCST), provides explicit protection from violence within the family and covers a wide range of acts. The 2004-2010 National Plan of Action against the Crime of Trafficking in Children and Women (NPA) also supplements earlier policy documents to strengthen efforts to combat human trafficking, although Viet Nam has yet to pass a law explicitly on trafficking.

The Government has also issued decrees, circulars and national plans of action that outline roles and responsibilities in implementation, monitoring, reporting, coordination and budgeting for GBV. However, implementation of these will require more clear monitoring and evaluation guidelines, a high-level, multi-sectoral coordination mechanism and funding allocated specifically for this.

Addressing GBV in Viet Nam: A brief analysis

According to international literature, a comprehensive approach to GBV should:

- be based on a human rights framework
- be multi-sectoral
- include strategies for making an impact at multiple levels, including individual, family, service provider/organization, community and national levels
- include multiple interventions that ensure laws and policies, that challenge gender norms and that provide for services, skills, education, training, community awareness raising and mass-media campaigns

Challenges to achieving this in Viet Nam include the typically small scale of interventions on GBV, limited multi-sectoral collaboration, the need for a legal framework that provides clearer and more effective guidance, insufficient financial resources, gender-insensitive attitudes, a tradition of "reconciliation" that often promotes family harmony over women's rights, insufficient

numbers of qualified counsellors or social workers, limited knowledge about laws and legal aid, stigma toward GBV, discrimination and stigma that leads to marginalization of sex workers and people living with HIV/AIDS, fear of corruption and male power in the courts and challenges to involving men as partners

Recommendations

A broad recommendation of this paper is for Viet Nam to develop a multi-sectoral coordination mechanism that is embedded in existing GE mechanisms with the overarching goal of achieving GE. Within this content, an additional nine recommendations are made:

1. Advocate for adequate state budget allocation to prevent GBV and offer treatment, protection, justice and support for survivors of violence.
2. Strengthen and/or establish a unified data collection system and a planning, monitoring and evaluation framework.
3. Revise or develop new policies and legislation to include types of violence currently not covered and to include support for marginalized populations.
4. Strengthen capacity among police and the judiciary to implement GBV policies and legislation.
5. Integrate GBV into the education system to transform young people's understanding of GE and ensure that teachers and administrators can support basic counselling or refer young people to services.
6. Ensure that a minimum package of GBV prevention, treatment, protection and support services is available and that these services are accessible and affordable for every person in the country through a multi-sectoral response.
7. Raise awareness and change norms to promote GE and to eliminate GBV, including establishing a national behaviour change communication strategy.
8. Empower women to address violence in their lives through life skills training, self-help groups, education and job training as well as through legal and financial support.
9. Develop a research agenda to build an evidence base for programming to address GBV that is relevant to Viet Nam.

¹ The Programme Coordination Groups (PCGs) represent the mechanism through which the Government and the UN will jointly deliver the results committed to in the Joint Government-UN One Plan. The PCGs are a modality to foster joint programming, and the objective is to facilitate the delivery of results in the Joint Government-UN One Plan in a more coordinated and effective manner.

CHAPTER I INTRODUCTION



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