

On-line Appendix: Introduction letter to local authorities and households

*MINISTRY OF LABOR –
INVESTMENT AND SOCIAL AFFAIRS
INSTITUTE OF LABOR AND SOCIAL
SCIENCES*

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, November 2017

*No .: / KHLĐ-TCHC
Study on gender equality
in Viet Nam*

Dear Sirs/Madams,

With the consent of the local authorities at all levels, the Institute of Labor Science and Social Affairs under the Ministry of Labor, Invalids and Social Affairs conducted a public awareness assessment on gender equality in Hanoi. Collect comments from people for the evaluation and improvement of the Law on Gender Equality and the Law on Domestic Violence Prevention and Control.

Participants: Men under 70 years old

The Institute of Labor Science and Social Affairs would like to receive comments, comments, assessments and suggestions on the contents of the Law on Gender Equality and the Law on Domestic Violence Prevention and Control attached and sent. Institute before 15/12/2017. Your participation is extremely important, a valuable resource for the evaluation and finalization of the Law on Gender Equality and the Law on Domestic Violence Prevention and Control in the coming time.

If you have any comments or questions, please contact Mr. Hoang Manh Cam, Institute of Labor Science and Social Affairs, 2 Dinh Le, Hanoi. Tel: 0973.735.345; Email: hoangmanhcam90@gmail.com.

Special thanks./.

On behalf of Director
Deputy Director

Lê Ngự Bình

Introduction to households

The Law on Gender Equality was passed by the National Assembly in 2006 and came into effect in 2007; The Law on Domestic Violence Prevention and Control was passed by the National Assembly in 2007 and came into effect in 2008. Over the past 10 years of implementation, besides the results achieved, the two Laws also show limitations, shortcomings and Incomplete with real life.

In order to have a scientific basis to amend and supplement the law in line with the realities of life, the Institute of Labor Science and Social Affairs under the Ministry of Labor, Invalids and Social Affairs is conducting a review of 10-year implementation of the Law on Gender Equality and the Law on Domestic Violence Prevention and Control.

The Institute of Labor Science and Social Affairs would like to invite you to make comment on some of the main contents of the above mentioned Laws as well as to propose amendments which, in your opinion, are reasonable. (attached documents). Comments should be sent to the Institute of Labor Science and Social Affairs before 31/10/2017 (by post). Comments can be handwritten or typed.

The Institute of Labor Science and Social Affairs adheres to the opinions expressed in his personal opinion in the article, only for the purpose of research to serve the amendment and supplement of the Law and not to share with anyone.

Participation in writing is voluntary. However, his/her participation is of great importance, contributing positively to the evaluation and improvement of the Law on Gender Equality and the Law on Domestic Violence Prevention and Control in the coming time.

Thank you for your participation and look forward to receiving valuable comments from you!

Appendix 2: Legal documents

THE NATIONAL ASSEMBLY -

Số: 73/2006/QH11

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

Ha Noi, 29/11/2006

Law on gender equality

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10 of December 25, 2001, of the Xth National Assembly, the 10th session;

This Law provides for gender equality.

Chapter I

GENERAL PROVISIONS

Article 1.

Scope of application

This Law provides principles of gender equality in all aspects of social and family life, measures to guarantee gender equality, and responsibilities of agencies, organizations, families and individuals in exercising gender equality.

Article 2.

Subjects of regulation

1. Vietnamese state agencies, political organizations, socio-political organizations, socio-political professional organizations, social organizations, socio-professional organizations, economic organizations, non-business units, units of people's armed forces, families and citizens (hereinafter collectively referred to as agencies, organizations, families and individuals).

2. Foreign agencies and organizations and international organizations operating in Vietnamese territory, and foreigners residing in Vietnam.

Article 4.-

The goals of gender equality are to eliminate gender-based discrimination, create equal opportunities for men and women in socio-economic development and human resource development, strive to reach genuine equity between men and women, establish and strengthen cooperative and supportive relations between men and women in all aspects of social and family life.

Article 5.-

In this Law, the terms below are construed as follows:

1. Gender refers to the characteristics, positions and roles of men and women in all social relationships.
2. Sex refers to biological characteristics of men and women.

3. Gender equality means that men and women have equal positions and roles, are offered conditions and opportunities to bring into play their capabilities for the development of the community and families, and to equally benefit from this development.
4. Gender prejudice is unfair and negative perceptions, attitudes and assessments of the characteristics, positions, roles and capabilities of men or women.
5. Gender discrimination is the restriction, exclusion, non-recognition or disregard of the roles and positions of men and women, causing inequality between men and women in various aspects of social and family life.
6. Measure for promoting gender equality is a measure set forth by a competent state agency to guarantee genuine gender equality in cases where exists a big difference between men and women in terms of position, role, conditions and opportunities to bring into play capabilities and enjoy benefits of development and the application of the same regulations to men and women fails to reduce this difference. A measure for promoting gender equality will be implemented within a given period and end when the gender equality goals are achieved.
7. Integration of gender equality in the process of formulating legal documents is a measure to achieve the gender equality goals by identifying gender issues, forecasting the impacts of legal documents on gender, responsibilities and resources for dealing with gender issues in the social relations governed by these legal documents.
8. Gender equality activities are activities carried out by agencies, organizations, families and individuals to achieve the gender equality goals.
9. Gender development index (GDI) is general data reflecting the real situation of gender equality, which are computed on the basis of average life expectancy, educational level and per capita income of men and women.

Article 6.-

1. Men and women are equal in all aspects of social and family life.
2. Men and women are not discriminated in terms of gender.
3. The application of measures for promoting gender equality is not regarded as gender-based discrimination.
4. Policies on motherhood protection and support are not regarded as gender-based discrimination.
5. Gender equality issues are ensured to be integrated in the process of law formulation and enforcement.
6. Exercising gender equality is the duty of agencies, organizations, families and individuals.

Article 7.-

1. To ensure gender equality in all fields of politics, economy, culture, society and family; to support and create conditions for men and women to bring into play their abilities and provide them with equal opportunities to participate in the process of development and benefit from development.

2. To protect and support mothers during pregnancy, delivery and raising of their babies; to create conditions for men and women to share housework.
3. To apply appropriate measures to abolish backward customs and habits that impede the achievement of the gender equality goals.
4. To encourage agencies, organizations, families and individuals to participate in promoting gender equality.
5. To support gender equality activities in deep-lying, remote and ethnic minority areas and areas with extremely difficult socio-economic conditions; to support necessary conditions for increasing the gender development index in sectors, fields and localities with a gender development index lower than the national average level.

Article 10.-

1. Obstructing men and women in exercising gender equality.
2. Gender discrimination in all forms.
3. Violence for gender reasons.
4. Other acts forbidden by law.

Chapter II

GENDER EQUALITY IN ALL FIELDS OF SOCIAL AND FAMILY LIFE

Article 11.-

1. Men and women are equal in taking part in the management of the State and in social activities.
2. Men and women are equal in taking part in formulating and implementing village codes or community conventions or rules and regulations of agencies or organizations.
3. Men and women are equal in self-nominating as candidates or nominating candidates to the National Assembly and People's Councils; in self-nominating as candidates and nominating candidates to leading bodies of political, socio-political, socio-political professional, social or socio-professional organizations.
4. Men and women are equal in professional qualifications and age when they are promoted or appointed to the same managerial or leading posts in agencies or organizations.
5. Measures for promoting gender equality in politics include:
 - a/ To ensure a proper proportion of female National Assembly and People's Council deputies in accordance with the national gender equality goals;
 - b/ To ensure a proper proportion of women appointed to hold titles in state agencies in accordance with the national gender equality goals.

Article 12.-

1. Men and women are equal in setting up enterprises, carrying out production and business activities, and administering business, in accessing information, capital, market and labor sources.

2. Measures for promoting gender equality in economy include:

a/ To give tax and financial incentives to enterprises employing large numbers of female laborers in accordance with law;

b/ To provide credit support, agricultural, forestry or fishery extension to female laborers in rural areas in accordance with law.

Article 13.-

1. Men and women are equal in criteria and age when they are recruited, and are equally treated at workplaces in terms of jobs, pay, reward, social insurance, labor conditions and other working conditions.

2. Men and women are equal in criteria and age when they are promoted or appointed to hold titles in sectors and professions that have title criteria.

3. Measures for promoting gender equality in labor include:

a/ To set the proportions of men and women to be recruited;

b/ To provide training and retraining to raise female laborers' capacity;

c/ Labor users shall create labor hygiene and safety conditions for female laborers working in heavy and dangerous sectors and occupations or in contact with toxic substances.

Article 14.-

1. Men and women are equal in schooling, training and retraining age.

2. Men and women are equal in choosing professions or occupations for learning and training.

3. Men and women are equal in accessing and benefiting from education and professional training and retraining policies.

4. Female cadres, state employees and servants who bring along under-36-month children when attending training or retraining courses shall be provided with supports under Government regulations.

5. Measures for promoting gender equality in education and training:

a/ To set the proportions of men and women participating in learning and training;

b/ To support female laborers in rural areas in their vocational training in accordance with law.

Article 18.-

1. Wife and husband are equal in civil relations and other relations related to marriage and family.

2. Wife and husband have equal rights and duties in owning common property, and are equal in using their common income and deciding on family resources.

3. Wife and husband are equal in discussing and deciding to choose and use appropriate family planning measures; and use their leaves to take care of their sick children in accordance with law.

4. Sons and daughters are equally taken care of, educated and provided with opportunities by their families to learn, work, play, entertain themselves and develop.
5. Female and male family members have the duty to share housework.

Chapter IV

RESPONSIBILITIES OF AGENCIES, ORGANIZATIONS, FAMILIES AND INDIVIDUALS IN REALIZING AND GUARANTEEING GENDER EQUALITY

Article 33.-

1. To create conditions for family members to raise their awareness and knowledge about and participate in activities related to gender equality.
2. To educate their members to share and divide housework among themselves in an appropriate manner.
3. To take care of reproductive health and create conditions for women to practice safe motherhood.
4. To equally treat and create equal opportunities for sons and daughters in their study, labor and participation in other activities.

Article 34.-

Male and female citizens have the following responsibilities:

1. To study in order to improve their knowledge and awareness about gender and gender equality;
2. To adopt and guide other persons to adopt proper behaviors related to gender equality;
3. To criticize and prevent acts of gender discrimination;
4. To oversee the exercise and guarantee of gender equality by the communities, agencies, organizations and citizens.

Chapter V

INSPECTION, OVERSIGHT AND HANDLING OF VIOLATIONS RELATED TO GENDER EQUALITY

Article 40.-

1. Acts of violation of the law on gender equality in politics include:
 - a/ Obstructing on the grounds of gender prejudice men or women in self-nominating as candidates or nominating candidates to the National Assembly or People's Councils, leading bodies of political, socio-political, socio-political professional, social or socio-professional organizations;
 - b/ Failing to appoint, or obstructing the appointment of, men or women to hold managerial or leading posts or professional titles on the grounds of gender prejudice;
 - c/ Imposing and implementing village codes or community conventions or regulations or rules of agencies or organizations that contain gender-based discrimination provisions.

2. Acts of violation of the law on gender equality in economy include:

a/ Obstructing men or women in setting up enterprises or conducting business activities on the grounds of gender prejudice;

b/ Running commercial advertisements that place at disadvantage enterprise owners or traders of one certain sex.

3. Acts of violation of the law on gender equality in labor include:

a/ Applying different conditions in the recruitment of male and female laborers to the same job though they have the same qualifications and abilities, unless in the case of application of measures for promoting gender equality;

b/ Refusing to recruit, or recruit limited numbers of, laborers or dismiss laborers in the gender-based grounds or for their pregnancy, delivery or raising of small children;

c/ Assigning jobs based on gender discrimination resulting in different incomes or paying different wages to male and female laborers having the same qualifications and capability;

d/ Failing to implement the provisions of labor law exclusively applicable to female laborers.

4. Acts of violation of the law on gender equality in education and training include:

a/ Prescribing different training and enrolment ages between men and women;

b/ Advising or coercing other persons to drop out of school for gender reasons;

c/ Refusing to recruit qualified persons to training or retraining courses or for their pregnancy, delivery or raising of small children;

d/ Providing career-oriented education, compiling and disseminating textbooks containing gender discrimination knowledge.

5. Acts of violation of the law on gender equality in science and technology include:

a/ Obstructing men and women in participating in scientific and technological activities;

b/ Refusing to admit persons of one certain gender to scientific and technological training courses.

6. Acts of violations of the law on gender equality in culture, information, physical training and sports include:

a/ Obstructing men and women in composing or criticizing cultural and art works, performing and participating in cultural activities on the grounds of gender prejudice;

b/ Composing, circulating, authorizing the publication of works under any genre or form to encourage, propagate gender inequality and gender prejudice;

c/ Spreading thought, conducting by oneself or inciting other people to conduct backward practices and customs of gender discrimination nature under all forms.

7. Acts of violation of the law on gender equality in the field of health include:

a/ Impeding, inciting or forcing other people not to participate in the activities of health education for gender prejudice reasons;

b/ Choosing gender for the unborn babies under all forms or inciting and forcing other people to have an abortion because of the unborn baby's gender.

Article 41.-

1. Impeding members in the family who have all qualifications as provided by law from participating in the determination of assets under common ownership of a family for gender reasons.
2. Not allowing or impeding members in the family from contributing their opinions to the use of common assets of the family, conducting income-generating activities or satisfying other needs of the family for gender prejudice reasons.
3. Unequally treating members in the family for gender reasons.
4. Constraining the schooling of members in the family or forcing members in the family to drop out of school for gender reasons.
5. Imposing the performance of family work and the taking of contraceptive measures as though these are the responsibilities of members of one certain gender.

Article 42.-

1. Those who commit acts of violation of the law on gender equality shall, depending on the nature and severity of their violations, be disciplined, administratively handled or examined for penal liability.
2. Agencies, organizations or individuals that commit acts of violation of the law on gender equality and cause damage shall pay compensations therefore in accordance with law.

Law on domestic violence prevention and control

(No. 02/2007/QH12)

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10;

The National Assembly promulgates the Law on Domestic Violence Prevention and Control.

Chapter I

GENERAL PROVISIONS

Article 1. Governing scope

1. This Law provides for domestic violence prevention, protection of and support for domestic violence victims; responsibilities of individuals, families, agencies and organizations in domestic violence prevention and control; and handling of violations concerning domestic violence prevention and control.

2. Domestic violence means an intentional act by a family member which causes or potentially causes physical, spiritual and financial damage to other members of a family.

Article 2. Acts of domestic violence

1. Acts of domestic violence include:

a/ Persecuting, maltreating, beating or other intentional acts that harm another family member's health or life;

b/ Reviling or other intentional acts that offend another family member's honor or dignity;

c/ Isolating, driving away or frequently imposing psychological pressures that cause serious consequences;

d/ Obstructing the exercise of rights and fulfillment of responsibilities concerning family relationships between grandparents and grandchildren; parents and children; wives and husbands; and among siblings;

e/ Forcing sex;

f/ Forcing early marriage; forcing marriage or divorce, or obstructing voluntary and progressive marriage;

g/ Appropriating, destroying, breaking or other intentional acts that damage private property of other family members or common property of family members;

h/ Forcing family members to overwork or make financial contributions beyond their capacity; controlling family members' incomes in order to create financial dependence;

i/ Committing illegal acts to force family members to leave their abode.

2. Acts of domestic violence specified in Clause 1 of this Article also apply to family members of divorced or cohabiting couples.

Article 3. Domestic violence prevention and control principles

1. To combine and implement comprehensive measures for domestic violence prevention and control, considering prevention essential, and attaching importance to family communication and education, counseling and conciliation in conformity with Vietnamese cultural traditions and fine customs and habits.

2. Acts of domestic violence must be promptly detected, stopped and handled in accordance with law.

3. Domestic violence victims must be promptly protected and assisted in a manner suitable to their conditions and the country's socio-economic conditions; to prioritize protection of lawful rights and interests of children, the aged people with disabilities, and women.

4. To bring into play the role and responsibilities of individuals, families, communities, agencies and organizations in domestic violence prevention and control.

Article 4. Obligations of people committing acts of domestic violence

1. To respect the lawful interference of the community; to immediately stop acts of domestic violence.

2. To observe decisions of competent agencies and organizations.

3. To promptly take their victims to hospital for first aid and medical treatment; to take care of domestic violence victims, unless refused by victims.

4. To pay compensation to domestic violence victims at request and according to law.

Article 5. Rights and responsibilities of domestic violence victims

1. Domestic violence victims have the following rights:

a/ To request competent agencies, organizations or individuals to protect their health, life, dignity and other lawful rights and interests;

b/ To request competent agencies or individuals to apply measures on stoppage, protection and ban from contact under this Law;

c/ To receive healthcare, and psychological and legal counseling services;

d/ To be given temporary shelter, to have their temporary shelter and other information kept secret according to this Law;

e/ Other rights according to law.

2. Domestic violence victims are obliged to supply information on domestic violence to competent agencies, organizations and individuals at their request.

Article 6. State policies on domestic violence prevention and control

1. The State annually allocates funds for domestic violence prevention and control.

2. To encourage agencies, organizations and individuals to participate in and finance domestic violence prevention and control activities; to develop models of domestic violence prevention and support domestic violence victims.
3. To encourage research into and literature and art creation about domestic violence prevention and control;
4. To organize and support training of domestic violence prevention and control workers.
5. People who directly engage in domestic violence prevention and control and gain achievements are entitled to commendation. If suffering health damage, life or property loss, they are entitled to prescribed policies.

Article 8. Prohibited acts

1. Acts of domestic violence specified in Article 2 of this Law.
2. Forcing, inciting, instigating and assisting other people to commit acts of domestic violence.
3. Using and disseminating information, images and sound in order to incite domestic violence.
4. Revenging or threatening to revenge people assisting domestic violence victims or people detecting, reporting and stopping acts of domestic violence.
5. Hindering the detection, reporting and handling of acts of domestic violence.
6. Taking advantage of domestic violence prevention and control activities for self-seeking purposes or commitment of illegal acts.
7. Tolerating, covering up, failing to handle acts of domestic violence or handling them in contravention with law.

Chapter III

PROTECTION OF AND SUPPORT FOR DOMESTIC VIOLENCE VICTIMS

Section 1. MEASURES TO PROTECT AND SUPPORT DOMESTIC VIOLENCE VICTIMS

Article 18. Detecting and reporting domestic violence

1. Persons who detect domestic violence shall promptly report it to the nearest police office or the commune-level Another family member's Committee or community head of the locality when it occurs, except for the cases prescribed in Clause 3, Article 23 and Clause 4, Article 29 of this Law.
2. Police offices, commune-level People's Committees or community heads who detect or are reported on domestic violence shall promptly deal with it or propose to and request competent agencies or persons to deal with it; keep secret the identity of persons detecting and/or reporting domestic violence and, when necessary, apply measures to protect these persons.

Article 19. Stoppage and protection measures

1. Stoppage and protection measures to be promptly taken to protect domestic violence victims, stop acts of domestic violence and reduce their consequences include:
 - a/ To force prompt termination of acts of domestic violence;

- b/ To give first aid to domestic violence victims;
- c/ Stoppage measures under the laws on handling of administrative violations or criminal procedures applied to those committing acts of domestic violence;
- d/ To ban persons committing acts of domestic violence from approaching their victims and using telephones or other communication devices to commit acts of domestic violence to their victims (below referred to as ban-from-contact measure).

2. Persons present at the place where domestic violence occurs shall, depending on the nature and severity of acts of domestic violence and their capacity, take measures specified at Points a and b, Clause 1 of this Article.

3. The competence of and conditions for applying, changing and canceling measures specified at Point c, Clause 1 of this Article comply with the law on handling of administrative violations or criminal procedures.

4. Measures specified at Point d, Clause 1 of this Article shall be applied in accordance with Articles 20 and 21 of this Law.

Article 20. Ban from contact under decisions of presidents of commune-level People's Committees

1. The president of the commune-level Another family member's Committee of the locality where domestic violence occurs shall decide to apply the measure to ban from contact for not more than three days when all the following conditions are met:

a/ To receive a written request from domestic violence victims, their guardians or representatives-at-law or competent agencies or organizations; when a competent agency or organization makes such request, it must obtain the consent of domestic violence victims.

b/ Acts of domestic violence cause damage or threaten to cause damage to the health or threaten the life of domestic violence victims;

c/ Persons committing acts of domestic violence and domestic violence victims have different places of residence at the time of banning from contact.

2. Presidents of commune-level People's Committees shall consider and decide to apply the ban-from-contact measure within 12 hours from the time of receiving a written request; when they do not issue such decision, they shall send a notice to request makers, clearly stating the reason.

A ban-from-contact decision takes effect after its signing and shall be sent to persons committing acts of domestic violence, domestic violence victims, and heads of the communities where domestic violence victims reside.

3. Presidents of commune-level People's Committees who have issued a ban-from-contact decision may cancel this decision when domestic violence victims make a written request or when this measure is considered no longer necessary.

4. When a family has a funeral- or marriage-related affair, or in other special cases in which the person committing acts of domestic violence and the victim have to contact each other, the

person committing acts of domestic violence shall report it to the head of the community where the domestic violence victim resides.

5. Persons committing acts of domestic violence who violate the ban-from-contact decision may be taken into administrative custody or be administratively sanctioned.

6. The Government shall specify the application and termination of the ban-from-contact measure and handling of acts of domestic violence-committing persons who violate ban-from-contact decisions prescribed in this Article.

Article 21. Ban from contact under courts' decisions

1. The court which handles or settles a civil case between a domestic violence victim and the person committing acts of domestic violence may decide to apply the ban-from-contact measure for not more than four months when all the following conditions are met:

a/ The domestic violence victim, his/her guardian or representative-at-law or a competent agency or organization makes a written request; when this request is made by a competent agency or organization, this agency or organization must obtain the consent of the domestic violence victim.

b/ Acts of domestic violence cause damage or threaten to cause damage to the health or threaten the life of the domestic violence victim;

c/ The person committing acts of domestic violence and the victim have different places of residence during the time of banning from contact.

2. A ban-from-contact decision takes effect after its signing and shall be sent to the person committing acts of domestic violence, domestic violence victim, the president of the commune-level Another family member's Committee, the head of the community where the domestic violence victim resides and the People's Procuracy of the same level.

3. The People's Court which has issued a ban-from-contact decision may annul that decision when the domestic violence victim makes a written request or when finding this measure no longer necessary.

4. When the family has a funeral- or marriage-related affair, or in other special cases in which the person committing acts of domestic violence and the victim have to contact each other, the person committing acts of domestic violence shall report it to the head of the community where domestic violence victim resides.

5. The competence and order of, and procedures for applying, changing or canceling the ban-from-contact measure prescribed in this Article comply with the civil procedure law concerning temporary urgent measures.

Article 22. Supervising implementation of ban-from-contact decisions

1. When receiving a ban-from-contact decision of presidents of commune-level People's Committees or competent courts, community heads shall coordinate with concerned grassroots organizations in designating a person to supervise the implementation of this decision.

2. The person designated to the supervision has the following tasks:

a/ To supervise the compliance of the decision to ban from contact between the person committing acts of domestic violence and the victim; when detecting that the person committing acts of domestic violence contacts the victim, to request this person to strictly comply with the ban-from-contact decision;

b/ When the person committing acts of domestic violence intentionally attempts to contact the victim, to report it to the community head for taking measures to force that person to terminate his/her act.

3. In case the person committing acts of domestic violence is allowed to contact the victim under Clause 4, Article 20 and Clause 4, Article 21 of this Law, other family members shall supervise to ensure that domestic violence does not occur.

Chapter IV

RESPONSIBILITIES OF INDIVIDUALS, FAMILIES, AGENCIES AND ORGANIZATIONS IN DOMESTIC VIOLENCE PREVENTION AND CONTROL

Article 31. Responsibilities of individuals

1. To comply with the laws on domestic violence prevention and control, marriage and family, gender equity, prevention and control of drugs, prostitution and other social evils.
2. To promptly stop acts of domestic violence and notify competent agencies, organizations or individuals thereof.

Article 32. Responsibilities of families

1. To educate and remind family members to comply with the laws on domestic violence prevention and control, marriage and family, gender equity, prevention and control of drugs, prostitution and other social evils.
2. To conciliate conflicts and disputes between family members; to advise persons committing acts of domestic violence to stop their acts; to take care of domestic violence victims.
3. To coordinate with agencies, organizations and communities in preventing and controlling domestic violence.
4. To take other domestic violence prevention and control measures according to this Law.

Chapter V

HANDLING VIOLATIONS CONCERNING DOMESTIC VIOLENCE PREVENTION AND CONTROL AND COMPLAINTS AND DENUNCIATIONS

Article 42. Handling violators of domestic violence prevention and control

1. Those who commit acts of violation of the law on domestic violence prevention and control shall, depending on the nature and severity of their violations, be administratively sanctioned, disciplined or examined for penal liability; if causing damage, they shall pay compensation according to law.

2. Cadres, public employees and servants and persons of another family member's armed forces who commit acts of domestic violence and are administratively sanctioned under Clause 1 of this Article shall have their acts notified to heads of their agencies, organizations or units.

3. The Government shall specify administrative violations in domestic violence prevention and control, sanctioning forms and remedy measures applicable to violators of the law on domestic violence prevention and control.

Article 43. Application of educational measures in communes, wards and townships and confinement to educational establishments and reform schools

1. People who still commit acts of domestic violence within six months from the date of receiving comment and criticism by their communities which are not serious enough to be examined for penal liability are subject to educational measures at communes, wards or townships.

2. People committing acts of domestic violence who have been educated at communes, wards or townships but recommit acts of domestic violence which are not serious enough to be examined for penal liability may be confined to educational establishments; people aged under 18 may be confined to reform schools.

3. The competence, time limit and order of and procedures for applying educational measures in communes, wards and townships or confining to educational establishments and reform schools comply with the law on handling of administrative violations.

Article 44. Complaints and denunciations and settlement of complaints and denunciations

Complaints and denunciations concerning violations of the law on domestic violence prevention and control and their settlement comply with the law on complaints and denunciations.

Appendix 3: Suggested topics for stories

Introduction of Institute of Labor Science and Social Affairs (ILSSA) about suggested topics on gender equality

Gender equality is the fact that men and women have equal positions and roles and are given opportunities and opportunities to develop their capacities for the development of the community and of the family and receive equal benefits from that development.

Gender equality in the family is understood as:

+ Spouses have the same rights and obligations in the ownership of common property, the equality in the use of the common source and the decision on the resources in the family;

+ Spouses are equal in discussing, deciding on the selection and use of appropriate family planning measures.

+ Sons and daughters are given equal care, education and create conditions for study, labor, play, entertainment and development;

+ Male and female members of the family are responsible for sharing family work.

In Vietnam and in the world, women account for more than half of the population and play a very important role in family and social life. However, in daily life they encounter many difficulties, just take on the role of mother, wife and moderate economic participation. In order for women to become more confident in their lives and to have roles and positions in family equality, the participation and support of their fathers, husbands and sons is essential. As a father, husband and son in the family, would you like to share your thoughts and / or stories about gender equality related to child care, housework, decision making, participate in economic activities, inheritance, domestic violence, etc. which he experienced or witnessed.

You can choose from a number of topics that you find it meaningful (perhaps from the suggestions below, or the topic of gender equality you care about, or tell stories about Gender equality in your family and community. The story content is not limited to length. Stories can be handwritten or typed; You can write from 2 or more posts and send them to us.

The Institute of Labor Science and Social Affairs adheres to the opinions expressed in his personal opinion in the story, only for the purpose of research to serve the amendment and supplement of the Law on Gender Equality and not to share with anyone.

Participation in writing is voluntary. However, his involvement is of great importance, contributing to the success of the research, as a valuable resource for the evaluation and finalization of the Gender Equality Law and the Law on Violence Prevention. family in the future.

We sincerely thank you for your participation and look forward to receiving interesting articles!

Some suggested topics:

About caring for children:

+ Your involvement and your wife in caring for and raising children (such as feeding your child, bathing your child, bringing your children to school, tutoring your children at home, taking your children to play games, etc);

About home work:

+ Involvement of you and your wife in household chores (such as cooking rice, washing clothes, cleaning houses, cleaning the bathroom, repairing household appliances, repairing electricity, water ...);

+ Thinking about the men doing housework (cook rice, clean the house, wash the dishes, clean the garbage, repair the furniture.

Regarding the division of property and land for parents of children:

+ Your thoughts on how parents divide assets, land for sons and daughters (daughter and son should be divided property, land is equal? make a will or just agreement between brothers in the family ...)

+ Tell a story about a family where you live (village / commune) is happening to land, property by the parents between the brothers. Please comment on the situation (the amount of property / land the parents leave, whether there are wills, children who can and do not share the property, the daughter is divided property, not ...). Do you think the dispute resolution is reasonable, why?

About domestic violence

+ Your thoughts on the current situation of domestic violence in the village where you live (with many families experiencing violence, women or men who have been subjected to violence, What kind of violence is common (mental, physical, economic, sexual ...), the involvement of the people, the government on the prevention of domestic violence, etc.

+ Tell a story about domestic violence in the village / commune where you live. Comment on the story of the violence (causes, events, consequences, involvement of family, friends, relatives, village authorities, women's union in reconciliation, domestic violence situation).

Other issues in the family

+ Your opinion about the saying "men build houses, women build homes."

+ Your thoughts on the role of husband and wife in participating in economic activities and generating income for the family.

+ Your opinion about the saying "If women is so good, the family is not happy."

+ Your opinion about women's involvement in government affairs (eg, village, commune, ward), social work, community (Women's Union, national planning, family planning, reconciliation group, etc.)?

+ What do you think if your wife wants to go abroad (work abroad), or move to another city (eg Ho Chi Minh, Da Nang, etc) to find a job? income?

Appendix 4. Envelope

