

Equality and inclusion for women with disabilities towards social progress and justice

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ABSTRACT

Gender equality plays an important role in the process of promoting equality and democracy in society. Women and men have equal conditions for the full realization of human rights and have equal opportunities in the exercise of their rights. Women with disabilities is one of the vulnerable groups with limited access to social services. Women with disabilities are often the ones most affected by poverty due to gender barriers. The equal rights of women with disabilities are recognized in international legal documents as well as in many national legal documents. There are many legal documents, like the CEDAW Convention, Convention on the Rights of Persons with Disabilities, Directive No. 39-CT/TW dated November 1, 2019 of the Secretariat on strengthening the Party's leadership in disability work, as well as the implementation of the Law on Persons with Disabilities, also clearly points out the need to create conditions to help women with disabilities improve their quality of life, towards building a barrier-free environment, promoting equality and empowering for women with disabilities, protection the rights of women with disabilities. State agencies have implemented many activities to support PWDs, creating equal and inclusive opportunities for PWDs in general and women with disabilities. However, there is still a situation where a part of PWDs have not yet had access to or have inadequate access to the state's support policies in health, education, vocational training, employment, etc., especially there is still the discrimination against PWDs situation. To promote the process of equality and inclusion for women with disabilities, towards progress and social justice, it is necessary to have solutions in the legislative and executive aspects: gender equality and gender equity are two related areas that must be implemented together to lead to substantive gender equality; to review and adjust policies and laws that are closely related to women's equal rights, such as in the fields of employment, health care, access to justice, and political participation, etc

Key words: Women with disabilities, Gender, Rights, Right of Access to Justice

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INTRODUCTION^a

According to the National survey on people with disabilities in Vietnam, conducted by the General Statistics Office, Vietnam has about 6.2 million people with disabilities, accounting for 7.06% of the population; of which 58% are female, 28,3% are Children¹; By 2021, the number of people with disabilities is estimated at 8 million (ages 5 and older), of which more than 4 million are women and 1.2 million girls with disabilities. By the end of 2020, nearly 3 million PWDs have been granted disability certificates². This is a vulnerable group with limited access to social services³. Women with disabilities are often the ones most affected by poverty due to gender barriers, women with

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disabilities are more often affected, because in addition to gender barriers, women with disabilities also face barriers in terms of disabled status. Vietnam has ratified several related conventions such as the Convention on the Rights of Persons with Disabilities⁴ and the CEDAW Convention⁵, which emphasize equality and inclusion rights for women in general and women with disabilities. Conclusion No. 92-KL/TW dated November 5, 2020 and Directive No. 39-CT/TW dated November 1, 2019 of the Secretariat on strengthening the Party's leadership in disability work, as well as the implementation of the Law on Persons with Disabilities, also clearly points out the need to create conditions to help women with disabilities improve their quality of life, towards building a barrier-free environment, promoting equality and empowering for women with disabilities, protection the rights of women with disabilities. To ensure the rights of women in general and the rights of women with disabilities in particular, the author realizes that

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it is necessary to have several specific solutions such as the need to ensure the effectiveness of law enforcement, Legal incorporation of laws and regulations and apply the principles of international conventions on the rights of women, including women with disabilities, which Vietnam has ratified. In addition, it is necessary to ensure the responsibilities and obligations of state agencies in ensuring equal rights and integration for women. In parallel with it, it is necessary to raise awareness for state agencies and the community about the rights of people with disabilities, women's rights, etc.

The Legal Instruments on equal rights for women with disabilities

According to the United Nations⁶, gender equality is understood that women and men have equal conditions for the full realization of human rights and have equal opportunities in the exercise of their rights. Gender equality plays an important role in the process of promoting equality and democracy in society. The equal rights of women with disabilities are recognized in international legal documents as well as in many national legal documents. Vietnam has ratified many international treaties on gender equality, such as the Universal Declaration of Human Rights (UDHR) 1948⁷, CEDAW; Declaration of the United Nations General Assembly on the Elimination of Violence Against Women, 1993⁸; International Covenant on Civil and Political Rights (ICCPR) 1966⁹; International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966¹⁰; International Convention on the Rights of the Child (CRC) 1989¹¹, CRPD. In this article, the author will analyse the international conventions which are closely related to National legislation on gender equality and the person with disabilities.

The CEDAW Convention is an important and comprehensive document on the equal rights of women in general, including women with disabilities. The Convention is an international instrument that can comprehensively address women's rights within the framework of political, civil, cultural, economic, and social life⁵. The purpose of the CEDAW convention is to bring real equality to women, to prevent policies that are unfavourable to women in all aspects. The Convention also obliges States parties not only to prevent violations of women's rights by public authorities but also by other organizations and individuals.

The Convention defines the principles, concepts and standards of gender equality, and the rights and obligations of member states. The Convention establishes

equal rights of women in all fields such as political, economic, civil, cultural, and social. The Convention recommends that States Parties take all appropriate measures to eliminate discrimination against women by any person, organization, or enterprise (Article 2(e)). The Convention also reminds States Parties to consider the issues facing rural women and the important role rural women play in the economic life of their families; take appropriate measures to eliminate discrimination against women in rural areas, ensuring the equality of women and men.

Besides the CEDAW convention, other international treaties also address gender equality and require member states to implement it. The ICCPR provides that "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant" and "prohibits all discrimination and guarantees to all persons equal and effective protection" (Article 26)⁹. The ICESCR Convention requires States parties to undertake to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinions, national or social origin, property, birth or other status (Article 2(1)); ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant (Article 3).

CRPD Convention was established to promote and protect the human rights of PWDs, was the most comprehensive multilateral international treaty on protecting the legitimate rights and interests of PWDs. The International Convention on the Rights of Persons with Disabilities (CRPD) was created to better protect and promote the rights of PWDs. Because until the time the United Nations ratified the convention (2007), PWDs in many parts of the world were still considered objects of assistance from society rather than subjects of human rights.

CRPD is the result of the advocacy process of organizations, groups, and movements of PWDs. As a result of this advocacy, consecutively in 2004, 2005, the United Nations Human Rights Commission adopted two resolutions on the rights of PWDs, which urged States to prevent and ban all forms of discrimination against PWDs and established an interim committee to draft an international treaty on the issue. The CRPD was adopted by the United Nations General Assembly in March 2007 [¹², p. 287], establishing an international mechanism to protect the rights of 650 million people with disabilities worldwide. This is the

first international treaty on human rights in the 21st century. It has given status and assurance to the rights of PWDs, based on the recognition of disability as a human rights issue rather than a purely philanthropic issue. CRPD is also of particular significance when it comes to changing the perception of disability by seeing it as a social issue rather than a medical one and establishing a shift from a more humanitarian direction towards human rights⁴. In particular, the convention also affirms equal rights between men and women. The Convention has emphasized the need to incorporate gender in all efforts to promote the full enjoyment of human rights and fundamental freedoms by PWDs. The rights of women with disabilities are also enshrined in the International Convention on the Rights of Persons with Disabilities (CRPD), specifically reflected in article 3 – general principles, including the principle of “non-discrimination”, “full and effective participation and social inclusion”, “equality of opportunity”. Women and girls with disabilities are most often at risk, from domestic and external violence, injury or abuse, neglect or neglect, abuse, or exploitation. States Parties to the Convention recognize that women and girls with disabilities are subjected to many times more discrimination, and therefore need to take steps to ensure that women and girls with disabilities are protected and equitable enjoyment of human rights and fundamental freedoms (Article 6).

Women’s rights are recognized in many national legal documents, from the constitution (1946) which affirmed that “women are equal to men in all respects”¹³, to the Constitution (1980) which affirmed that “all peoples is equal before the law”¹⁴. For the first time, the Constitution (1980) stipulates that “citizens, regardless of ethnicity, male or female, social class, religious belief, educational level, occupation, duration of residence, are 18 years or older to have voting rights and 21 years old or older can be elected to the National Assembly and People’s Councils at all levels¹⁴ and continuing stipulated in the Constitution 1992¹⁵. This Constitution also stipulates to ensure equality between men and women in the field of labour, marriage, and family, as well as prohibits all acts of discrimination against women, insulting women’s dignity. The constitution (2013) has been amended, supplemented, and developed to show the importance of human rights, basic rights, and obligations of citizens, including women’s rights. Accordingly, everyone is equal before the law, and no one is discriminated against in political, civil, economic, cultural, and social life. Article 26 of the Constitution affirms that male and female citizens

are equal in all aspects, the State has policies to ensure equal rights and opportunities for gender¹⁶. The State, society and family create conditions for women to develop comprehensively and promote their roles in society, prohibition of gender discrimination. So, the constitutions all recognize the rights of women in all aspects of life, especially the right to participate in state and social management, to participate in discussions and recommendations with state agencies on national and local issues. This right has been concretized in legal documents such as the Law on Gender Equality, the Civil Code, the Law on Election of Deputies to the National Assembly and People’s Council, the Law on Domestic Violence Prevention and Control, etc.

The rights of women in the Constitution and legal documents clearly show two basic elements “equality and priority”. There are rights established by law to ensure equal rights between men and women before the law, to eliminate discrimination in political, economic, and family life. In addition, there are some priority rights to create favourable conditions for women to develop their potential by contributing more and more to family and society.

One of the outstanding important documents is that on November 29, 2006, our National Assembly passed the Law on Gender Equality. The introduction of the Law on Gender Equality has both demonstrated the Party’s and State’s consistent line on women’s work, while strictly complying with the provisions of the CEDAW Convention. All three basic principles of the Convention are equality, non-discrimination and national responsibility are reflected in Article 6 of the basic principles of gender equality. For the first time, important concepts have been included in the Law such as gender, gender discrimination, gender mainstreaming, measures to promote gender equality, etc. And the content of state management of gender equality was codified. After the Law on Gender Equality (2006), gender mainstreaming has become a mandatory legal process when developing legal documents. This is an important step forward in promoting more substantive and inclusive gender equality in Vietnam [17, Art5(7)]. Integrating gender equality issues in the development of legal documents includes: Identification of gender issues and measures to solve in the areas governed by legal documents; Forecasting the impact of regulations in legal documents when promulgated on men and women; Identify responsibilities and resources to address gender issues within legal documents. Currently, in Vietnam all acts of discrimination against women, dignity of women is prohibited, the State and society have created all conditions for

women to exercise their right to equal her in the field of social and family life, many standards, and principles of CEDAW have been reflected in the Vietnamese legal system, such as principles of ensuring gender equality and prohibiting gender discrimination, are adopted in the legal documents, in the Constitution, the Labour Code, Law on gender equality, Law on Marriage and Family, Law on PWDs, Law on prevention of domestic violence, Law on Election, etc..

Women with disabilities are often the ones most affected by poverty and gender barriers, leading to the difficulties faced by women with disabilities much more often than men; the implementation of basic rights of women with disabilities is therefore also more difficult. According to statistics of the Vietnam Women's Union, about 3.5 million women with disabilities are often subjected to double discrimination on the grounds of disability and gender¹⁸. To promote the rights of women with disabilities, in addition to the provisions in the legal documents analysed above, they are also specified in the Law on People with Disabilities and the international convention on the rights of people with disabilities. In Article 4 of the Law on Persons with Disabilities 2010, people with disabilities have the right to "equal participation in social activities", or in article 14 of the Law, which prescribes prohibited acts, including acts of " Stigma and discrimination against PWDs".

The equal rights of women, including women with disabilities, are stipulated very fully and in detail not only in international legal documents to which Vietnam has participated but also legal transplant in national laws, from the highest law – the Constitution to the sub-laws' documents (from the law enactment to the law enforcement) and National action programs promoting women's rights in general, and the inclusion of women with disabilities.

Practical observations in promoting the equal and inclusive rights of women with disabilities in health care, employment, access to justice and political participation in Vietnam.

Over the past time, the work of assisting PWDs has achieved remarkable results. State agencies have implemented many activities to support PWDs, creating equal and inclusive opportunities for PWDs in general and women with disabilities. However, there is still a situation where a part of PWDs have not yet had access to or have inadequate access to the state's support policies in health, education, vocational training, employment, etc., especially there is still the discrimination against PWDs situation.

According to the 2016 national survey report on People with Disabilities in Vietnam of the General Statistics Office, published in January 2019, Vietnam currently has about 6.2 million people with disabilities aged 2 years and over, accounting for 7.06% of the population¹, of which women with disabilities account for 58%¹⁹. This is a disadvantaged group with limited access to education, health care, employment as well as other social services. Moreover, women with disabilities are often more vulnerable to sexual and labour abuse than normal women, etc. These difficulties prevent women with disabilities from living and integrating into the community.

In the political participation

After the introduction of the Law on Gender Equality, it created an important legal corridor to realize the goal of equality between men and women in the fields of social and family life, including in the political field, specifically ensure the appropriate proportion of female deputies to the National Assembly and People's Councils in line with the national target on gender equality; ensure an appropriate proportion of women in the appointment of positions in state agencies in line with the national target on gender equality. The fact has shown that the participation of women in the political life of the country has increased. The number of female members of the Politburo and the Central Committee of the Party increased for three consecutive terms; At the election of deputies to the 14th National Assembly, 133 female deputies were elected, accounting for 26.8% of the total number of National Assembly deputies; For the first time, there is a women National Assembly chairperson and 3 female Politburo members¹⁹. At the election of National Assembly XIV, 131/483 female deputies were elected, bringing the proportion of women to 27.12%, an increase of 2.3% compared to the previous term. The proportion of female members of the People's Council for the 2016-2021 term at the provincial level is 26.54%²⁰, at the district level 27.85% and at the grassroots level 26.59%. The arrangement of female leaders in the National Assembly accounts for nearly 40%, of which women were key positions, like president of the National Assembly, 22% of women as heads of the National Assembly agencies. All committees have women members, partly confirming the role, position and capacity of women in political participation. In the structure of the 15th National Assembly deputies, it is expected that at least 35% of the National Assembly deputies will be women.

However, there is still a sizable gap in the political arena for women. The proportion of women taking part in political leadership is still low due to the strength and potential of women, especially the percentage of female cadres leading the industry and the province at the provincial level. Even the number of women re-elected is not much.

There is very little, even almost no women with disabilities to participate in political activities in a formal way. According to the results of the rapid assessment of the readiness of people with disabilities to stand for self-nomination for the National Assembly or People's Councils at all levels in Vietnam in 2021 by the United Nations development agency UNDP, among the respondents, up to 44.9% of women with disabilities affirmed that they are ready to stand for self-nomination, and up to 98.2% of the survey respondents said that there should be a National Assembly deputies, deputies to the National Assembly²¹. The People's Council is a person with a disability, including a female representative with a disability, to represent and protect the rights of people with disabilities, as well as create equality for people with disabilities. People with disabilities also pointed out, the biggest challenge to hinder the right to participate in politics, specifically. The right to self-nominee for National Assembly deputies - People's Council deputies is a problem in the stage of proving health and capacity. According to the provisions of the Law on Election of National Assembly deputies and People's Council deputies at all levels, one of the requirements to stand for election is to ensure health. Meanwhile, according to the provisions of the Law on PWDs, it is affirmed that "disability is a state of decrease in working capacity". In fact, PWDs still participate in labour and contribute to socio-economic development like people without disabilities. There are many women with severe disabilities who still run businesses, lead organizations for and for PWDs, are university lecturers, or hold important positions in international agencies. This lack of clarity in health conditions has been the biggest barrier for people with disabilities in general and women with disabilities to participate in politics. In addition, society still has prejudices about people with disabilities, saying that people with disabilities do not have professional qualifications to be able to participate in social activities. A large part of the community still thinks that people with disabilities are a burden on society, an object of grace and alms from society.

In the access to Justice

Law on PWDs regulated that PWDs are guaranteed the Legal Aid rights suitable to their forms and degrees of disabilities (Art 5). But in the Law on Legal Aid, only PWDs who have a difficulty in finance are subject to Free legal aid. This provision restricts the rights of PWDs and is incompatible with the provisions of the law on PWDs and incompatible with CRPD. It also violates the principle of equality and non-discrimination. With the regulation in the Law on Legal Aid, it only focuses on the PWDs with the difficulty in finance but does not distinguish between legal aid mechanisms for each degree of disability. The Legal Aid Law also stipulates that legal aid practitioners are legal aid providers and lawyers. The mechanism for legal assistants is very clear, because they are public officials, receive salaries from the state budget, and are not under pressure about the effectiveness of legal aid. Lawyers do not receive salaries from the state budget. For a lawyer to obtain legal aid, a lawyer's office must register as a collaborator with the legal aid centers. Thus, a request-giving mechanism has been formed.

The Law on Handling of Administrative Violations 2012 and the Penal Code 2015 (amended and supplemented in 2017) stipulate measures to protect PWDs. Individuals who commit acts of discrimination or violence against PWDs will be administratively sanctioned or prosecuted for criminal liability. Decree No. 144/2013/ND-CP dated October 29, 2013, stipulating administrative sanctions on child protection, social relief, protection, and care has prescribed handling measures and administrative penalties for individuals who commit acts related to PWDs. However, the provisions of the current legal system on protecting the rights of PWDs and responding to violence and discrimination, as well as sanctions applicable to organizations/individuals, are not specified in this Law. Law on PWDs which is only regulated in Decrees in some specific areas such as construction, education, recruitment, etc. Sanctions for indirect discrimination violations have also not been regulated, making it difficult for PWDs to access justice.

Ensuring access to justice is most evident in the courts. According to the Criminal Procedure Code, PWDs have the right to have a language interpreter at court to ensure their rights, but the Law does not specify criteria for selecting interpreters. The sign language of the deaf may vary from region to region, if the deaf person attends a court hearing in another province, an interpreter will be required from the province where the hearing is taking place or in another province.

In the Employment

Employment and work of PWDs are fully regulated in the Labour Code 2019, the Law on Vocational Education 2014, the Law on People with Disabilities in 2010, and other relevant sub-law documents. The State ensures that PWDs are provided with free advice on vocational training, job selection and learning according to their capability and ability on an equal basis like other persons. Vocational training establishments which organize vocational training for PWDs must meet the conditions on vocational training for PWDs and are entitled to preferential policies under law²². Besides the regulation of the Law on PWDs, there are so many legal documents and national programme on the vocational training and work for PWDs, e.g., Decision No. 899/QĐ-TTg dated June 20, 2017 "Target Program of Vocational Education - Employment and Occupational Safety for the period 2016 - 2020"; Decision No. 1190/QĐ-TTg Approving the Project to assist PWDs for the period 2021-2030. Statistics from the National Committee on Disabilities show that, by the beginning of 2018, there were about 8 million PWDs aged 5 years and older, accounting for 7.8% of the population. Among PWDs, 58% are women, 42% are men²³. The majority of PWDs of working age live in rural areas, their main job is to help their families in agriculture, forestry, and fishery with low income. About 40% of PWDs are of working age and still able to work, of which only about 30% have jobs, generating income for themselves, their families and society. That means about 2 million PWDs who can work but have not yet joined the labour force and have no job²⁴. PWDs find jobs after vocational training is low and mainly self-employment. The reason is that 80% of PWDs live in rural areas, have low education levels, and lack information on employment in the environment. PWDs themselves often live closed, passive lives, plus social barriers such as discriminatory attitudes, discrimination, etc., so they are not interested in finding a job²⁵. In addition, employers do not fully understand the capacity of PWDs, do not properly assess the capacity of PWDs and are concerned about the need to adjust so that PWDs can work. In addition, women with disabilities often have low levels of education, so they often choose simple jobs that require little investment in brainpower²⁶. Women with disabilities cannot find suitable jobs, are rejected because employers believe that women with disabilities will not work as effectively as people without disabilities²⁷.

In the Health care

PWDs are also discriminated against when accessing health care, especially for women with disabilities. This discrimination comes from society's prejudices about PWDs. Many of the delegates who are PWDs participating in the consultation workshop on the rights of people with disabilities organized by 3 United Nations agencies (UNDP - UNFPA - UNICEF) in June-July 2021 confirmed that, when they went to the hospital health workers and medical facilities to screen for reproductive health, there is still a situation where medical staff are surprised, find it strange, and even tell people with disabilities that they should not give birth when they are PWDs, or expressed doubts, that PWDs and women with disabilities should not and do not need to have reproductive and sexual health checks. The attitude of some health workers who lack sympathy towards PWDs also increases stigma and discrimination against PWDs²⁸. There are still many health care workers who have not been trained in knowledge of PWDs, leading to a lack of skills and experience when communicating with PWDs. On average, there is fewer than one professional staff per CHC trained on rehabilitation services. Across the nation, only 12.6% of CHC's staff are trained on functioning rehabilitation services. In other words, for every 8 CHC's staff, only one person who are trained on this area. These results are the same for rural and urban areas. The RRD has the highest level of training but is still quite low at 18.5 percent with just over one trained person per CHC [¹; p. 160]. The project of prenatal screening and new-born screening under the National Target Program on Population - Family Planning has been implemented in 63/63 provinces/cities, however, due to limited budget, only select several districts from each province and implement several communes in the selected districts. In the period of 2012 - 2019, it is estimated that every year, on average, about 21% of pregnant women (about 324.5 thousand people) receive prenatal screening and 10.5% of new-borns (about 164,000 children) undergo prenatal new-born screening²⁹. To be able to screen, it is necessary to have adequate medical equipment, usually only applied in big cities, when the local state budget is guaranteed. Parents of children with disabilities have not been provided with much information regarding early detection and early intervention of disability. This can also lead to an opportunity for timely recovery for children with disabilities.

In the Health care, PWDs also face on the discrimination. The stigma of disability is very high in Vietnam.

Pregnant women with an abnormal foetus are encouraged to abort by health service providers, and by family members²⁸ PWD, especially women, are often discouraged from marrying and having children due to concerns about the effects of their disabilities on their children, and of not being able to fulfil their expected gender roles. Women with disabilities always receive questions such as "how can I have children with this disability?", or comments such as "if you have a disability like this, you shouldn't get pregnant", or "already have a disability and still go for a sexual health check".

MY OWN VIEWPOINTS

Directive No. 39 - CT/TW on strengthening the Party's leadership in the work of PWDs affirmed the need to strengthen the effectiveness of state management in the implementation of policies and laws on PWDs; as well as Vietnam's national strategy on gender equality for the period 2021 - 2030 was also issued on March 3, 2021 with the goal of continuing to narrow the gender gap, creating conditions and opportunities to women and men participate and benefit equally in all areas of social life, contributing to the sustainable development of the country³⁰. To promote the process of equality and inclusion for women with disabilities, towards progress and social justice, it is necessary to have solutions in the legislative and executive aspects.

The State has had many national action programs aimed at equal rights and inclusion for women in general, including women with disabilities, but implementation in practice has not yet achieved the desired effect. Law enforcement from the mechanism to the propagation of the law is still a formality. To enforce the law on gender, there must be people who understand gender and have a mind for fairness. This means that gender equality and gender equity are two related areas that must be implemented together to lead to substantive gender equality²⁵.

Referring to the basic principles of CEDAW and CRPD in the policy revision process, towards the promulgation of policies and laws that strictly comply with the basic principles of the international conventions on human rights, the rights of people with disabilities and of women as stipulated in the international conventions that Viet Nam has adopted.

In addition, it is necessary to review and adjust policies and laws that are closely related to women's equal rights, such as in the fields of employment, health care, access to justice, and political participation, etc. Vietnamese women often have less access to productive resources, education, and skills development and

labour market opportunities than men. In great part, this is because society assigns both a lower status and most of the unpaid care work to Vietnamese women, and expects them to engage in productive work in subsistence agriculture and the market economy³¹. Ensure equal opportunities for women and women with disabilities to stand for election to the National Assembly and People's Council. Up to now, there is no accurate data on the number of women with disabilities who are deputies to the National Assembly and People's Councils.

Ensure equal rights in the recruitment process of female workers, especially women with disabilities; There should be specific provisions on sanctions for businesses that refuse to accept women with disabilities to work because of their disability. In addition, it is necessary to implement vocational training programs suitable to the capacity of women and women with disabilities and to choose training occupations suitable to the needs of the labour market.

The monitoring and supervision of the implementation of the law on gender equality by competent state agencies need to be focused. It is necessary to raise the sense of responsibility of competent state agencies in monitoring and enforcing the law. During law enforcement and monitoring, if any violations of gender equality are detected, they must be strictly handled.

It is necessary to establish an indicator system about gender, minimum number of women participating in important positions in Vietnamese government agencies and ensuring gender equality in all areas of economic, political, cultural, and social life. As well as the need to change the way society views women and people with disabilities. Reducing the gap in discrimination by integrating awards for women with disabilities in programs launched by organizations and businesses, or organize training courses to raise awareness and responsibility of women and community members to implement social policies and assist women with disabilities.

CONCLUSION

Vietnam has ratified several conventions related to the rights of women and women with disabilities. All of those legal instruments (International level and country level) have regulated very clearly on gender equality, which affirmed that male and female citizens are equal in all aspects, the rights and obligations of government agencies (The State has policies to ensure equal rights and opportunities for gender). State agencies have implemented many activities to support PWDs, creating equal and inclusive opportunities for

PWDs in general and women with disabilities. However, there is still a situation where a part of PWDs have not yet had access to or have inadequate access to the state's support policies in health, education, vocational training, employment, etc., especially there is still the discrimination against PWDs situation. To promote equality and inclusion for women with disabilities, towards progress and social justice, need to review and adjust policies and laws that are closely related to women's equal rights; need to establish an indicator system about gender, requirement number of women participating in leadership positions in the Vietnamese government agencies; continuing providing information, knowledge on gender equality, human rights, including women rights for society and officials; etc.

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ABBREVIATIONS

CEDAW: the United Nations Convention on the Elimination of All Forms of Discrimination against Women in 1979

CRPD: International Convention on the Rights of Persons with Disabilities 2006

PWDs: Persons with disabilities

UNDP: United Nations Development Programme

UNFPA: United Nations sexual and reproductive health agency

UNICEF: United Nations International Children's Emergency Fund

DECLARATION OF COMPETING INTEREST

The author declares that they have no conflicts of interest

AUTHOR'S CONTRIBUTION

All content of the article is done by the author only.

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Bình đẳng và hoà nhập cho phụ nữ khuyết tật hướng đến tiến bộ và công bằng xã hội

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TÓM TẮT

Bình đẳng giới có vai trò quan trọng trong quá trình thúc đẩy bình đẳng và dân chủ trong xã hội. Phụ nữ và nam giới có điều kiện bình đẳng để thực hiện đầy đủ các quyền con người và có cơ hội bình đẳng trong việc thực hiện các quyền của mình. Phụ nữ khuyết tật là một trong những nhóm dễ bị tổn thương, bị hạn chế khả năng tiếp cận các dịch vụ xã hội. Phụ nữ khuyết tật thường là những người bị ảnh hưởng nhiều nhất bởi nghèo đói do các rào cản giới tính. Quyền bình đẳng của phụ nữ khuyết tật được ghi nhận trong các văn bản luật quốc tế cũng như nhiều văn bản luật quốc gia. Có nhiều văn bản pháp luật, như Công ước CEDAW, Công ước về Quyền của Người Khuyết tật. Chỉ thị số 39-CT / TW ngày 01/11/2019 của Ban Bí thư về tăng cường sự lãnh đạo của Đảng đối với công tác người khuyết tật, thi hành Luật Người khuyết tật cũng chỉ rõ cần tạo điều kiện giúp đỡ phụ nữ khuyết tật nâng cao chất lượng cuộc sống, hướng tới xây dựng môi trường không có rào cản, thúc đẩy bình đẳng và nâng cao vị thế cho phụ nữ khuyết tật, bảo vệ quyền của phụ nữ khuyết tật. Các cơ quan nhà nước đã triển khai nhiều hoạt động hỗ trợ NKT, tạo cơ hội bình đẳng và hòa nhập cho NKT nói chung và phụ nữ khuyết tật. Tuy nhiên, vẫn còn tình trạng một bộ phận NKT chưa được tiếp cận hoặc tiếp cận chưa đầy đủ các chính sách hỗ trợ của Nhà nước về y tế, giáo dục, dạy nghề, việc làm, ..., đặc biệt vẫn còn tình trạng phân biệt đối xử với NKT. Để thúc đẩy quá trình bình đẳng và hòa nhập cho phụ nữ khuyết tật, hướng tới tiến bộ và công bằng xã hội, cần có các giải pháp trên phương diện lập pháp và hành pháp: bình đẳng giới và công bằng giới là hai lĩnh vực liên quan phải được thực hiện cùng nhau để hướng tới thực chất bình đẳng giới; rà soát và điều chỉnh các chính sách và luật pháp liên quan chặt chẽ đến quyền bình đẳng của phụ nữ, chẳng hạn như trong các lĩnh vực việc làm, chăm sóc sức khỏe, tiếp cận công lý và tham gia chính trị, v.v.

Từ khoá: Phụ nữ khuyết tật, Giới, Quyền, Tiếp cận công lý

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