

MINISTRY OF LABOR, WAR INVALID AND SOCIAL AFFAIRS

**NATIONAL PROGRAM FOR CHILD
PROTECTION
PERIOD 2011-2015**

Coordinating agency: Ministry of Labor, War Invalid and Social Affairs

Implementing agencies: Ministry of Public Security

Ministry of Justice

Ministry of Education and Training

Ministry of Information and Communication

Ministry of Health

Ministry of Home Affairs

Ministry of Culture, Sport and Tourism

Ha Noi, January 2011



FOREWORD

Given to the Directive 1408/CT-TTg dated 01/9/2009 by Prime Minister on the enhancement of child care and protection, MOLISA has cooperated with line-Ministries to develop National Program for Child Protection for 2011 - 2015, which will be submitted to Prime Minister for approval in 2010.

With the support from a drafting committee and editing committee organized by MOLISA, the Administration of Care and Support for Children has conducted a study on necessary for a national program for child protection, drafted outline of the program, organized technical meetings, drafted National Program for Child Protection and organized a national consultation workshop to get inputs from line-Ministries and local authorities. Given to the findings of study and outcomes of the workshops, the experts agreed on the following rationales on developing a National Program for Child Protection for 2011-2015:

- (i) The renovation initiated and led by Viet nam Party has positively influenced to the economy growth which has been increased with more than 7% each year; GDP increased to 1,300USD in 2010; access to education, health care, safe water and other social welfares also increased so that children's life have been significantly improved. However, along with the development of economy, the disparity between poor and rich has become wider that has resulted in the unequal opportunity of survival, protection and development for children in special circumstances, children living in poverty and others.
- (ii) The implementation of Decision 3/2001/QĐ-TTg by Prime Minister on the approval of National Program of Action for Children for 2001 - 2010 has also achieved encouraging results: the objectives of health care and education were completed as schedule. However, the objectives of child protection and recreation are at risk of not completing in 2010.
- (iii) The situation of neglect, maltreatment, abuse, violence, trafficking, prostitution, cultural materials with pornography, children working in hazardous conditions, early marriage and juveniles in conflict with the law has been not effectively prevented and eliminated. Some serious cases of child abuse were happened and stayed for a long time that caused pressure to society. The situation of street children, children of drug abuse, children infected by HIV, children in conflict with the law has been prevalent with complicated evolvement. In addition, the living environment has still comprised many risks to drive children into special circumstances.
- (iv) Up to 2009, there was 1,53 million children in special circumstance, taking up 6% to the total of children and 1,79% to the total of general population. If it includes the number of children living in poverty (2,75million), children of violence, trafficking and injury, the total of targeted children takes up 5% of general population with 4,28million and accounting for 18,2% to children population. All these targeted children have difficulty to access to services and social welfares.

- (v) Viet nam was the forefront country to ratify the CRC in 1990; the Convention 182 of ILO on the forbidden and action to eliminate worst forms of child labor in 1999; Convention of 138 of ILO on an evening for working in 1973; Optional Protocol on trafficking of children, child prostitution and cultural materials with pornography in 2000; and commitment to implement the Declaration on a World Fit for Children in 2002. The ratification of the above important documents has strongly influenced our country in taking responsibility to international community on the implementation of basic rights of children, especially the rights to protection from harms.
- (vi) The constitution of Viet nam and many other normative laws relating to children have presented clearly the views of Party and State on defining responsibility of family, society and government on child care, protection and education. Especially the Law on Children care, protection and education issued in 1991 and amended in 2004 defines that *“In the work of child protection and care, priority must be given to prevent children from falling into special circumstances; promptly resolve, mitigate special situations for the children; patiently support children in special circumstances on health, mentality and moral education; timely detect, prevent and handle acts forcing children to fall into special circumstances”*¹.
- (vii) The above legal basis has required the enhancement of child protection for 2011-2015. However, there are lacks of a comprehensive system of children protection; specific definition on child protection under law that is not in line with international standards; under-development of child protection service, especially the lack of professional staff working with children; and social support centres.
- (viii) Given to the above contexts, it is necessary to develop a National Program for Child Protection for 2011-2015 to promote the prevention of child abuse, violence, maltreatment and exploitation; situation of children in conflict with the law, early marriage, cultural materials with pornography, trafficking and prevention of children falling in special circumstances and reduce ratio of children in special circumstances to total of children. It is necessary to support children in special circumstances to integrate into community, access to equal opportunity of development and ensure the more access of children in special circumstances to child care and protection by 2015.

To implement above objectives, it is necessary to implement a comprehensive program including activities of communication for awareness raising and behavior change, capacity building, development of service system, development of models to support children in special circumstances, enhancement of state management capacity and M&E. The prerequisite conditions to implement the program is that central and local authorities have to allocate budget, reinforce structure of personnel and establish mechanism of cooperation in line with the context of our social-economy.

¹ Article 41, Law on child care, protection and education, 2004

Part One

BACK GROUND ON CHILDREN AND SITUATION OF CHILD PROTECTION FOR THE PERIOD OF 2001-2010

I. Back ground

1. International background on implementation of Children's rights.

The CRC has been ratified by most of countries in the world, therefore the children' rights have been prioritized by countries through legislation, national strategy or national five year plans. The implementation of CRC has also increased the child protection in the approach of system building to ensure that children are protected from all kinds of abuse, neglect, exploitation and violence.

Awareness, attitude and behaviors towards children have been improved, especially protection of children from the forms of abuse, neglect, exploitation and violence, through the development of child protection system, including the legal framework and policies, structure of child protection, and system of child protection services at three levels (prevention, early interventions, and recovery and reintegration).

However, the implementation of CRC is still facing many challenges: about 1 billion children living in difficult circumstances; 100 million children living in poor families; 215 million child labors among which 115 children are working in dangerous and hazardous situation²; 100 million children living on streets; 2,5 million children of trafficking and sexually abuse; other millions of children being abused and lacking of access to social welfares³.

Economy crisis and change of climate and other objective reasons have been affecting to the results of child right implementation for the past ten years and the efforts to promote child rights in coming decade. However, the crisis has also created opportunities for changes; Governments can transform challenges into opportunities through the reconfirmation of their commitments on implementing the CRC⁴.

2. Implementation of CRC in Viet nam

The Renovation leaded by Party has brought about many important changes. The growth of economy and the decrease of population growth have improved significantly the GDP which has been increased from US\$400 in 2000 to US\$1,300 in 2010.⁵ Economy has been developed in the direction of industrialization and modernization. The total development investment has been increased from 35,4% of GDP in 2001 to 41,6% in 2008⁶

² Source: ILO -2010;

³ Source: Unicef- 2009

⁴ Summary Report on International Children Situation- Unicef- Nov. /2009.

⁵ Source: General Office of Statistic, 2007

⁶ Source: General Office of Statistic

A part from the development of economy, Viet Nam has also gained achievements in social affairs. The number of people employed each year has been 1,5-1,6 million people; unemployed people in urban area are maintained at 5% each year; and infrastructure in rural areas has been improved. Living standards of people have been increased, especially for poor people, ethnic minority people, children and women. Number of poor households has been decreased to 11,3% in 2009⁷. The education and health care services have been also positively developed; the indicator of human development was increased from 0,671 in 2000 to 0,733 in 2007 (ranking at 105/177 countries)⁸.

For the past years, Viet nam has continuously developed international partnership for global integration and experience sharing. The international partnership has created new approach in planning at national and local levels and influenced many other aspects in Viet nam, including the approach of system building for child care and protection at all levels. The role of national Assembly on monitoring and supervision toward child care and protection has been also increased. The CRC and national Law on Child Care, Protection and Education have been translated into practice.

All the above mentioned backgrounds have created important conditions for implementation of CRC, especially for child protection.

II. Background of children in Viet nam

1. Population of children

*Table 1: Population of Children for 2001-2009 (Unit: 1000)*⁹

	2001	2002	2003	2004	2005	2006	2007	2008	2009
<i>Population</i>	78.686	79.727	80.902	82.032	83.120	84.137	85.155	86.211	85.790
<i>Children</i>	27.263	26.796	26.388	26.025	25.694	25.042	24.500	23.992	23.636
<i>Rate %</i>	34,6	33,6	32,6	31,7	30,9	29,7	28,7	27,8	27,5
<i>Male</i>	14.147	13.921	13.714	13.520	13.336	13.767	13.289	12.819	12.621
<i>Female</i>	13.116	12.875	12.674	12.505	12.358	11.275	11.211	11.173	11.015

According to General Office of Statistic, Viet nam population has increased from 78,68 million in 2001 to 85,79 in 2009 (ranking at the 13th in the world). However, the population of children has not been increased, but reduced from 27,26 million in 2001 to 26,38 million in 2003, to 25,69 in 2005, to 24,5 million in 2007 and to 23,63 in 2009. The ratio of children population has been decreased in comparison to general population from 34,6% in 2001 to 30,9% in 2005 and to 27,5% in 2009.

For the period of 1999-2009, Viet nam had average increase of population at 1,2% each year which was the lowest rate for the past 50 years. In the coming 10 years,

⁷ Source: MOLISA -2009

⁸ Source: Government Report 2008

⁹ Source: General office of statistic 2001-2009

Viet nam will be continuously affected by the increase of population. This would be the second explosion of population and children population will be increased by 2020, accounting for 30% of population¹⁰

2. Children population by geography

Table 2: Children and population by regions (%)

	Red River delta	North East	North West	North of North West	Sounth of North West	High Land	South East Plain	Cuu Long River delta
Children	16,34	14,01	3,77	14,60	9,52	5,56	16,17	20,03
Population	22,82	9,72	3,18	13,09	6,84	5,95	18,37	20,02

The population survey in 2009 revealed that children population was not allocated equally between the regions. Children were mostly located in the regions of Cuu Long River delta (20,3%), Red River delta (16,34%), and South East area (16,17%). Children were least located in North West area (3,77%) and high land (5,56%).

Children take account of 28% in urban area in 2010 and 72% in rural area. In the coming 10 years, children population might increase to 33-34% in urban area and 66-67% in rural area.

3. Children by gender

The rate of male children has been increased for past eight years at 112 boys/100 girls. If the rate of unbalance keeps the same, the boys born after 2005 will be affected when they are at the ages of marriage in 2030.

III. Situation of child protection

1. Role of leadership and coordination

1.1. At central level:

Law on Protection, Care and Education of children, promulgated in 1991 and amended in 2004, provided: *In the work of child protection and care, priority must be given to prevent children from falling into special circumstances; promptly resolve, mitigate special situations for the children; patiently support children in special circumstances on health, mentality and moral education; timely detect, prevent and handle acts forcing children to fall into special circumstances.*¹¹

¹⁰ Source: Population Forecast by UN, 2009 and Forecast for children population by GOS (based on general survey of population in 1999)

¹¹ Article 41, Law on Child Care, Protection and Education in 2004

To implement Law on Child Care, Protection and Education, the Politburo issued Directive 55/2001/CT-BCT in 2001 to enhance the role of Party at all levels on implementing child care, protection and education. Government also issued Decree 67/2007/NĐ-CP which was then amended into Decree 13/2009/NĐ-CP on social support for people and children. Prime Minister issued Decision 23/2001/QĐ-TTg on the approval for National Program of Action for Children for 2001-2010 which includes four key objectives on nutrition, health care, education, protection and recreation for children. The Prime Minister also issued Decision 19/2004/QĐ-TTg on the approval for Program on Control and Prevention of Street children, sexually abused children, and children working in dangerous and hazardous conditions for 2004-2010; Decision 65/2005/QĐ-TTg on the approval for Program on community-based Care and Support for Children in special circumstances; Decision 84/2009/QĐ-TTg on the approval for Program on Control and Prevention of children affected by HIV/AIDS for 2009-2010 and vision till 2010; Decision 37/2010/QĐ-TTg on standards of community fit to children; and Directive 1408/2009/CT on enhancement of child care and protection.

MOLISA has actively taken lead in instructing local authorities to implement Decrees, Decisions and Directives of Politburo, Government and Prime Minister. The Ministry also issued many legal documents to instruct local authorities in promoting child care and protection, especially prevention and control towards the issues of maltreatment, sexually abused, violence; street children and child labor. MOLISA also provides leadership in organizing the event of Month for Children from 15 May to 30 June each year to raise awareness on child care and protection, and developing models to support children in special circumstances.

MOLISA has cooperated with EU to implement project on care and support for street children in 15 provinces; with ILO to implement project on elimination of child labor in 5 provinces; with UNICEF, Plan International, Save the Children, World Vision and Child Fund to implement model of child protection system in 120 communes of 30 districts in 15 provinces.

The line Ministries such as MPS, MOET, MOH, MPI, Ministry of Transportation, Ministry of Culture, Sport and Tourism, MOJ, Supreme People's Court, Procuracy... have issued many secondary legal papers to enhance child care and protection. Ministry of Finance has allocated budget to implement national objectives of child care and protection for 2001-2010.

1.2. At Local Level

In most provinces/cities, local authorities have issued instruction and guidelines to implement national Decree, Decision and Directive of Prime Minister and Ministries; and also developed five year plans and annual plans through which budgets were allocated to implement the policies, programs and models relating to child care and protection.

In some provinces/cities, local authorities have developed separate policies to

implement child care and protection. For example, Quang Ninh has spent 1% of provincial budget used for child care and protection recreation facilities and allowance payment for community collaborators. Ninh Thuan province developed policy to support rice for ethnic school students. Binh Duong issued policy to reduce bus fee for children with disability. Ca Mau has policy to support ferry-board for poor students. Dong Thap, An Giang, Gia lai... have policy to support allowances for community collaborators. Dien Bien has policy to support ethnic students living in school campus.

The implementation of child protection services in three levels of prevention, early intervention and recovery and integration for children has been interested in many localities. The service delivery has been also linked to “*continuum of child protection services*” to address promptly the needs of children. The activities of home visits, communication and education in community, central based counseling, case management have been implemented in pilot localities to enhance situation of children in special circumstances and reduce the number of children dropping out of school, street children and child labor.

2. Personnel Structure and Budget for child protection

To transfer the tasks of child care and protection from the former CPFC to MOLISA, MOLISA has established the Administration of Child Care and Protection with 70 staff, and provided instruction to DOLISA to take over the tasks of child care and protection. The provincial DOLISA have actively taken over the tasks, re-organized personnel structure and established department of child care and protection at provincial level, and also arranged personnel at district and commune levels. As reported by DOLISA in 2009, there were 319 staff working for child care and protection at provincial level; 744 staff at district level in which there were 424 full time staff and 320 part time staff; 11,112 staff at commune level in which there were 174 full time staff and 10,983 part time staff. The staff at commune level can be in different names of Culture & Social Affair staff - 7,877 staff; Population, Family and Children staff – 1,026 staff; Family Planning staff – 753; and others who have responsibility for child care and protection – 1,282. Social support centres have been established at provincial level in eight provinces (An Giang, Đồng Tháp, Hồ Chí Minh, Quảng Nam, Đà Nẵng, Hà Nội, Quảng Ninh và Hải Phòng). About 30 provinces/cities have re-established the network of commune collaborators – 7,000 collaborators.

Total budget mobilized for child care and protection in 2009 was 193,733 billion dong, including 29,647 billion dong from national budget, 47,427 billion dong from local budget, and 116,660 billion dong from Children’s Fund.

3. Key achievements on Child Protection for 2001-2010

- Care and support for children in special circumstances have been diversified to address various needs of children. Therefore, the number of children in special circumstances who received care and support has been increased to about 75% for 2001-2010.

- Ratio of children who have received support under the Decree 67/2007/NĐ-CP or the amended Decree 13/2010/NĐ-CP has been increased twice (increase from

270, 000 in 2001 to 500,000 at present). Children who accessed to the Decree support are mainly orphans, abandoned children, children with disability, child victims of orange agent, and children infected HIV/AIDS.

- More than 42,000 child labors, 60 turns of street children and those at risk and their families have been accessed to various support such as returning home and school, health care, vocational training and employment, income generation.

- More than 10,000 children of sexual abuse and violence have been identified and supported promptly. They have recovered and integrated into community within a short time.

- About 9,000 children of drug abuse have received support for community-based or institutional drug treatment.

- More than 90% of children received birth registration.

- **100%** of children in special circumstances, poor children and ethnic children received free legal support when needed.

- More than **70,000** children with disability have participated in inclusive education program and more than 7,000 children with disability participated in specialized education.

In general, the access of children in special circumstances and poor children to education has been improved in 2009, comparing to 2001. Ethnic children have received support through the policy on reducing school fee and others.

- The access of children in special circumstances, poor children and children under 6 to health care has been significantly increased. Most of them received free health insurance cards. About 69,750 children with disability received rehabilitation service and 5,000 children received support for heart operation.

- The Child Helpline, which was established in 2005 to provide counseling and referrals for children through the telephone number of 1900.1567, has received 500,000 calls from children, parents/caregivers, and teachers for psychological counseling or advice on relevant policies.

- To implement Law on child care, protection and education, some models of institutional care have been established for orphans, abandoned children, street children and children with disability (Social Protection Centre); children in conflict with the law (Reformatory School); social education for juveniles engaged in prostitution (05centre) in drug abuse (06 centre). Viet Nam has more than 400 institutional care centres for children in which 300 centres are managed by government and 100 centres are under none government sector such as religion organizations, private organizations who take care of 20,000 children¹²

- MOLISA has recently provided leadership in transferring institutional care to community-based care which is implemented through models of social houses or alternative care services for children infected HIV, orphans, children with disability and others. These new models have contributed a lot to the improvement of situation of children who become more healthy and re-integrated into community. The community-based service cost less than the institutional services which cost 7

¹² Source of MOLISA, 2009

times higher than alternative care. The alternative care has been diversified in various forms of adoption, foster care. As reported by local authorities in 2009, there were about **93,356** children receiving alternative care in which **68,000** children were fostered and **25,356** children were adopted ¹³

From 2002-2008, there were **8,356** children receiving inter-country adoption and more than **17.000** receiving domestic adoption with average of 2,428 children adopted each year.

A part from the above models, with the support from UNICEF, ILO, EU, Save the Children, World Vision, Plan International, Child Fund..., MOLISA has taken leadership in piloting models of care and support for children in special circumstances such as (i) model of recovery support for girls of sexually abuse, (ii) model of re-integration for JICWL, (iii) model of drug treatment for children abusing drug, (iv) model of prevention and control for street children, (v) model of care and support for child labor (vi) model of child injury prevention ...

4. Situation of children in special circumstances

4.1. The increase of children in special circumstances reduced

The number of children in special circumstance was 1,537,179 in 2009, taking account of 1,79% of population and 6% of child population. They include 10 groups of children as defined in the Law on child care, protection and education: (1) CWD; (2) child victims of orange agent; (3) orphans and abandoned children; (4) children infected HIV/AIDS; (5) children working in dangerous and hazardous conditions; (6) children working far from family; (7) street children; (8) sexually abused children; (9) children in conflict with the laws 10) children of drug abuse)¹⁴

Besides that there are another four groups of children in difficult circumstances (they are the children of trafficking, maltreatment, violence; children living in poor family; and children injured) with 2.75 million in 2009. The total of children in special circumstances and children in difficult circumstances are 4,288,265 children, taking up 5% of population and 18,2% of child population.

Table 3: Children in special circumstances by targets (1000 children)¹⁵

	2001	2003	2005	2007	2009
1. Orphans	125,4	153,8	143,0	123,4	129,6
2. CWD	1.220,8	1.230,7	1.250,5	1.291,5	1.316,2
3. Child victims of orange agent	45,550	36.120	30,150	24,745	18,794
4. Children infected HIV	1,950	2,189	1,919	2,415	2,381
5. Child labor	30,120	35,550	68,071	26,027	25,823

¹³ Source of MOLISA, 2009

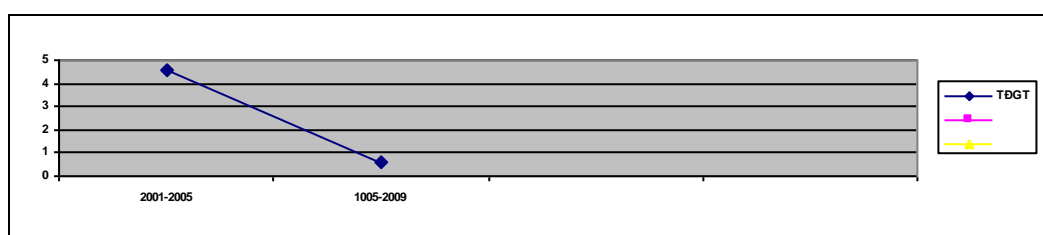
¹⁴ Article 40 of Law on Child Care, Protection and Education, 2004

¹⁵ Reports from provinces (MOLISA, MPS)

6. Street children	21,016	17,918	17,026	16,316	22,974
7. Sexually abused children	1,111	1,040	1,084	1,169	0,833
8. Children of drug abuse	1,420	1,350	1,148	1,245	1,067
9. CICWL*	11,376	14,038	12,013	12,625	15,530
10. Children working far from family	1,820	2,330	2,950	3,250	3,997
Total	1.460,563	1.495,035	1,527,861	1.502,692	1.537,179

The above data reveals that the increase of children in special circumstances is getting reduced. It was 4,6% for 2001-2005, but 0,6% for 2005-2009 0,6%

Graphic 1: Increase of children in special circumstances for 2001-2009



4.2 Three groups of children in special circumstances decreased

4.2.1 Children of drug abuse

As reported by provinces, number of children using drug was not high. There were 1,148 children in 2005; 1,418 in 2006; 1,245 children in 2007; 1,291 children in 2008; and 1,067 children in 2009. The drug treatment for children has been usually implemented in community. However, a research implemented by CRS revealed that the rate of relapse was very high for boys at 96% and for girls at 90%. Most of children using drug for more than 3 years had more difficulty to give it up. These children have to face to stigma and discrimination and they are at risk of involving in crimes

4.2.2 Child labor

According to the data collected through the survey on living standards of households in Vietnam in 2006, there was about 6,7% of children at 6-14 years old, equivalent to 930,000 children, participating in economy activities. The number of children from 6-12 participating in economy activities was 296,847 children; and children from 6 – 9 was 37,139 children.

As reported by provinces, the number of child labor had fluctuated from 68,000 in 2005 to 25,800 in 2009 and was getting reduced. However, in reality, the real

number should be much higher. Most of children dropped out of school due to poverty and lacked of recreation and were at risk of being abused, exploited and sexually abused.

4.2.3. Child victims of orange agent

This group of children is getting reduced from 45,000 in 2001 to 30,150 in 2005 and 18,794 in 2009. Government has issued many policies to support better this group of children.

4.3. Seven groups of children in special circumstances increased

4.3.1. Street children

Street children were getting reduced between 2001 and 2007, but increased again in 2008 (28,509 children). The increase was due to the economy crisis and inflation in 2008. However, it got reduced again in 2009 to 22,947 children.

4.3.2. Children of sexually abuse

Number of children of sexually abuse was getting fast increase from 200 in 2005 to 1,427 in 2008, but getting reduced to 833 in 2009. All these cases were officially reported. In reality, the number of cases should be much higher as people did not want to report due to the sensitivity that might affect to their children. The cases of sexually abuse became more complicated when smaller children were discovered to be sexually abused. For recent years, some cases of sexually abuse have been recognized for children under 10 or even under 5.

4.3.3. Juveniles in conflict with the laws

The issues of JICWL have been increased from 11,376 JICWL in 2001 to 21,545 JICWL in 2008. The nature of crime has also become more complicated as the special serious crimes such as murders have been found to be increased. Those who completed sentences or education in reformatory school had difficulty in re-integration.

4.3.4. Children working far from home

The situation of children of domestic labor has been increased due to the increase of demand on domestic support and because of poverty.

Number of children of domestic labor has been increased from 1,820 children in 2001 to 3,150 children in 2008 and to 3,997 children in 2009. This is the reported number, but it can be much higher in reality. Local authorities do not yet have an effective measure to manage well these children; as the result, they can be easily abused, exploited or maltreated.

4.3.5. Children with disability

Despite of the economy growth and development of medical services that can allow the improvement of health care for children in general, the number of CWD keeps increasing. As reported by local authority, Vietnam had 1,220 million of CWD in 2001 and 1,250 in 2005 and 1,316 in 2009.

Among the 1,316 million of CWD, there are more than 200,000 children with serious disability, taking for 15% of total CWD. 70% of children with serious

disability can not access to school and most of them live in poor family. In general, it is extremely challenging for developing an inclusive environment for PWD and CWD in Viet nam, but needs many years to remove the barrier of stigma and improve infrastructure as well as social services for PWD.

4.3.6. Orphans

Number of orphans stays stable for many years. It recognized to have smallest number of 123,405 orphans in 2007 and highest number of 153,800 orphans in 2003. However, the number of abandoned children was increased between 2005 and 2009, especially in the area of industrial zones such as Binh Duong, Dong Nai. There were hundreds of children abandoned each year; most of them were in bad health status such as malnourish, disability or HIV infection.

4.3.7. Children infected HIV/AIDS

In 2009, the MOH estimated that there were about 4,720 children with HIV¹⁶. However, local authorities reported for much lower numbers such as 1,910 positive children in 2005, 2,189 positive children in 2006, 1,919 positive children in 2007, 2,415 positive children in 2008, and 2,381 positive children in 2009. In reality, the number must be higher. According to the report by UNICEF and MOLISA, the number of infected children should be 283,697¹⁷. The number of affected children who are vulnerable to HIV transmission is very high, but there is not yet an effective measure to protect them. In general, children with HIV have been affected a lot from stigma and discrimination that has prevented them from integration into society and accessing to social support such as education, health care, recreation and social participation...

5. Constrains of child protection

5.1. The increase of children in special circumstances and the lack of access to social welfare services.

In 2009, Viet Nam had been recognized with more than 1,537 million children in special circumstances, accounting for 6 % of children population, which was higher than the number in 2001. If it included the other four groups of children of trafficking, maltreatment, poverty and injury, the number of children in special circumstances would be 4,288,265, taking for 18,2% of children¹⁸.

Most of children in special circumstances and poverty have to face both psychological and physical difficulties and lack of equal opportunity for development. They lack of access to 8 groups of social services for children and are called as poor children, including (i) poor nutrition; (ii) poor health care; (iii) poor education; (iv) poor housing; (v) poor safe water; (vi) poor sanitation; (vii) poor recreation and (viii) poor social protection (lack of access to support from government and community). In this consideration, UNICEF emphasized that Vietnam had 28% of children living in poverty in 2007.¹⁹

The situation of child maltreatment and sexually abuse and violence stays at high level. The behaviors of child abuse and violence become more complicated and

¹⁶ MOH, 2009, Estimation on HIV/AIDS situation for 2007-2012

¹⁷ Report on situation of children affected by HIV/AIDS (UNICEF – MOLISA, 2005)

¹⁸ MOLISA 2009: Report on Implementation of Child Care and Protection Goals, 2009.

¹⁹ Report on poor children – UNICEF, 2008.

serious. The situation of CICWL keeps increasing that affects seriously the public security. Numbers of street children, child labor, CWD, and children working far from family have been changed irregularly and they lack of access to social welfares. The situation of children infected HIV/AIDS and abandoned children keep increasing and the stigma and discrimination against these children became very complicated.

5.2. Lack of safe and friendly environment for children:

- Role of child care, protection and education by family, community and school has not been appropriately recognized. There is a lack of skills on child care, protection and education by parents, caregivers and children themselves so that they lack of capacity to protect children. As the result, children can become victims of abuse, sexually abuse and delinquency. The problems of families such as poverty, parent separation or engagement in crimes... can be the causes to make children dropping out of school, earning living on streets, committing crimes...The lack of knowledge on laws and responsibility of family toward children can make children vulnerable in their own families (many children become depression due to the method of extream education by parents).

- The life skill and moral education has not been paid attention in school or in community. The cooperation between schools and families in educating children is not implemented in regular basis. The social activities organized by YU have not addressed the needs of children, as the result, many children engaged in social evils such as gambling, drug use... Schools sometimes apply very serious disciplines that does not respect the principle of all the best for children. Some teachers have applied punishment against children such as beating or keeping children in the Sun shine.

- There are many risk factors that have forced children falling in abuse and law violation. State management toward culture issues has been very weak to mitigate the prevalence of unsound cultural materials, internet, films containing violence and pornography.... Many children were incited in problem behaviors and involved in serious crimes. Children are not created with a friendly environment and conditions for healthy recreation. Cultural houses and leisure facilities for children have been reduced. Children who have pressure, but do not receive psychological support, have committed in law violation. The campaigns on “national unity in developing cultural life in community”, “Beautiful words – beautiful work”, and “Development of cultural family”... have been done in a way of formalizm that did not contribute much to education of morality, living style and personality for children.

5.3. Child protection system in general and network of child protection services in particular are under-developed

To date, Viet nam lacks of a comprehensive child protection system comparing to other countries, therefore, the prevention, early interventions, recovery and re-integration for children in special circumstances have not been effective. The cooperation in developing an effective child protection system has been limited.

Structure of implementing child protection services has not been comprehensive and consistent so that the service delivery has not been comprehensive and continuum, especially the services of prevention and early interventions. Child protection activities are not in association to each others such as communication and education for behavior change, home visits, counseling, psychological support, physical recovery, and referrals to other services...

5.4. Lack of friendly juvenile justice system.

The national laws have been regularly amended and supplemented to respond to the arising issues relating to children, address the situation of Viet nam and follow international laws. However, there are still gaps in legal system such as the lack of specialized regulations and procedures for investigation and assessment of the cases involving children; lack of special procedures to report on the cases of child abuse, exploitation and maltreatment; lack of special procedures to receive notifications from children; lack of legal regulations on compulsory notification of risks or problems of child abuse (unless that the behaviors reflect criminal factors); lack legal regulations on depriving parents' rights when they violate children's rights; lack of legal regulations on protection of child victims and witness; lack of procedures on interventions of abused children. There is a lack of legal framework for establishing a system of child friendly investigation and adjudication. Viet nam has regulations on handling JICWL defined in Penal Code and Penal Procedure Code, but not in the way of friendly juvenile justice; lack of diversion system so that juveniles had difficulties in re-integration.

The law implementation and enforcement have not been serious so that the responses towards the issues of child abuse have not been effective. Some cases of child abuse were not seriously handled that has made people disregard laws. As juveniles are physically and psychologically under-matured, there should be juvenile specialized legal framework to support them.

6. Causes for contrains of child protection

6.1. Lack of understanding on the importance of child protection

Families and community have poor understanding on child protection. Many customs which are harmful for children, for example beating children, have been considered as 'educational disciplines' which have been not paid attention by authorities. The issues of child maltreatment, abuse and exploitation have been not reported promptly as people did not want to be 'bothered'. People do not understand the impact of child abuse, violence and exploitation against children, which can make children have complex feeling or become revengeful to society or have similar acts against children in the future.

Many families are busy with earning living and spend little time with children. They could not pay attention on children's study, recreation and emotion. They only happened to know about the problems of children when their children were informed to engage in drug use, prostitution or conflict with the laws. They become very surprised and angry on the discovery and become disappointed. The issue of child neglect by parents has been very prevalent in Viet nam.

Awareness on child protection has been very poor, including the limited understanding on laws or violation against children's rights that has resulted in the problems of child abuse by family members (taking account of 50% of cases of child abuse)

6.2. State management

(i) Structure of child protection has been slowly reinforced.

- *Regarding structure of personnel for child protection:* For the past years, the system of state management on child care and protection has been changed to address the requirements of administration reform. During the period of transition, the personnel organization for child care and protection have been not reinforced at all levels, but it has been recognized with the disappearance of the network of collaborators at commune level. There is a lack of qualified professional services. Before 2007, Viet nam had 160,000 collaborators at commune level, but now has 7,000 collaborators. At commune level, the child care and protection used to be managed by the officers of Commission of Population, Family and Children (CPFC), but now by the part time officers of Labor and Social Affairs who are new to the area of child care and protection. At district level, the CPFC used to have 7-9 staff, among them there were two full time staff working on child care and protection, but the DOLISA has now only one part time staff to work on children issues. At provincial level, there were 5-7 staff working on child care and protection under CPFC, now only 3-4 staff under DOLISA. Viet nam lacks of professional staff who are able to implement effective identification, interventions and support for children in special circumstances and vulnerable children.

- *Machenizm of cooperation:* The cooperation between agencies and organizations needs to be strengthened to avoid overlaps of responsibilities that might bring about the ineffectiveness in management and supervision of children in special circumstances or those at risks of falling in special circumstances. The discovery and interventions for the cases of child abuse, sexually abuse and CICWL have not been effectively implemented that resulted in serious impact on children and families.

- *Slow change in child protection approach:* The existing child protection has a focus on supporting children in special circumstances or those who have been already harmed. The approach has been slowly changed from the intervention to prevention; or from givings to promotion of resilience of children and family. The approach of prevention has not been strongly applied to create a machenizm of systematic management.

(ii) Low budget allocated for child protection: According to recent study and reports by local authorities, budget allocation for child protection has not been equivalent to the economy growth and rate of investment for other fields. Despite that the budget allocated for education, health care and other child social welfares has been increased to 49 billion dong in 2009 and 51 billion dong in 2010, child care and protection have been paid less attention by provincial authorities. According to local reports, state budget given to child protection was 3,700VND per child each year or 8,300VND per child if it is added up with the finance mobilized from community and international organizations.

6.3. Impact of disparity between the poor and the rich

The disparity between the rich and the poor has strongly impacted child protection. The disparity has been reflected through the differences of incomes, living standards between regions and groups, and difficulties of families which have increased the issues of child neglect by family, child abuse and exploitation. The disparity has also impacted family and society in the aspects of economy and psychology and made children become traumatized or engage in 'deviances' or be risky to leave homes for earning living.

7. Lesson learnt

7.1. National practices

- Communication and policy advocacy have been very important for child protection, therefore, it is necessary to promote communication to increase awareness and understanding of community and society on child protection including responsibility on child protection; and needs of children on the rights to protection.
- The primary responsibility of child protection should be belonged to family, but when family fails to implement their roles, government should take responsibility to support family. The support from government should be implemented through policies and programs to address the problems of children, especially children in special circumstances and vulnerable children.
- The development "*child protection system*" should be considered as preliminary priority for the coming years, including the development of legal system, structure and personnel resource, and system of child protection services at three levels. The effective implementation of 3 level services would create good security network for child protection, in which the tertiary service should be the most important tool to protect children from stigma, maltreatment, abuse and exploitation. Despite of the importance of tertiary service, we should also focus on the primary and secondary services to reduce the pressure for child protection. This is the most effective and efficient approach of child protection.
- It is necessary to create safe and friendly environment for children to eliminate or mitigate risks of harms for children. It should focus on developing model of community fit to children which should be the focus in the five year plans of provinces and integrated into social economy development plans.
- It is necessary to increase M&E and cooperation between agencies and organizations in implementing objectives of child protection and incorporate the objectives of child protection into the programs of nutrition, health care, education, recreations and child participation to promote children's rights.

7.2. International practices on child protection

7.2.1 UNICEF's experiences: Until end of century 20th, the UNICEF's programs had been mainly implemented in the issue - based approach, e.g. the programs were developed upon the needs of specific targets in special needs of protection or groups of abused children, child labors, children of trafficking, street children, CICWL, and children involving in arm conflict. In the next step, the framework of child protection was focused on the four groups of issues, including child exploitation,

maltreatment, neglect and violence. Until 2003, UNICEF has changed the approach to system building when recognizing that the issue based approach had revealed ineffectiveness. With the new approach, the children's issues have been solved in a comprehensive way, including the development of safe and friendly environment for children.

7.2.2. International practices

- In the countries of Russia, Australia, United Kingdom, German, Sweden..., the governments have very focused on development of child friendly legal framework, system of child welfares and network of social support centres for children, counseling service; and arranged specialized personnels who are managed by social support centres but work in community. In these countries, one professional social workers together with 4-5 social collaborators are assigned to work with 2,000 – 3,000 people and there is one social support centre to deliver services for 30-50,000 people. The child protection has been mainly implemented by the social support centre, institutional children's homes and government agencies working on children; and partially delegated to NGOs.

- In Asian countries such as China, Hong Kong, Japan, Korea, Thailand, Singapore, Malaysia, Phillipine... , child protection has been implemented in various models, depending on the social economy contexts of each country. Most of these countries are aiming at building child protection system, including capacity enhancement for social workers and maintenance of institutions for children. In Malaysia and Hong Kong, they especially focus on the models of alternative care, social support centres, institutions for street children and centre of drug treatment. In Thailand and Phillipine, they focus on models of supporting children in special circumstances and their families.

Part two

OBJECTIVES, CONTENTS, SOLUTIONS OF NATIONAL PROGRAM FOR CHILD PROTECTION FOR 2011-2015

I. Program Objectives:

1. General Objective:

- Create a safe and healthy environment where all children are protected, .
- Prevent and eliminate risks of harms for children and mitigate number of children falling in special circumstances, abuse and violence.
- Support and recover promptly those who have fallen in special circumstances and suffered from abuse and violence and create opportunity for them to enjoy re-integration and equal development.

2. Specific objectives

- a) Number of children in special circumstances reduced to lower than 5,5% of children population
- b) 80% of children in special circumstances receive care and support for re-integration and development
- c) 70% of children notified to be at risk of falling in special circumstances receive early interventions for reduction or elimination of the risks
- e) 50% of provinces/central run cities establish and operate effectively the system of child protection services.

II. Targets, Scope and Time line

1. Targets of Program

All children, especially children in special circumstances, children at risk of falling into special circumstances, children in abuse and violence and adolescents aging from full 16 to 18 in conflict with the laws.

2. Scope of Program

The program is implemented throughout country with priority given to provinces where there are many children living in special circumstances, children at risk of falling in special circumstances, ethnic minorities and difficulties or special difficulties in social- economy situation.

3. Time Frame: from 2011 to 2015

III. Projects of the Program (Key Contents of Program)

1. Project of Communication, Education, Social Mobilization (Project 1)

1.1. Project Objective

90% of families, schools, community members and children get understanding and behaviors changed on child protection.

1.2. Project Scope

The project is implemented throughout country with priority given to provinces where there are many children in special circumstances, children at risk of falling in special circumstances, ethnic minorities and difficulties or special difficulties in social-economy situation.

1.3. Project contents

Organize regular communication campaigns to increase knowledge and understanding of society toward the issues of child protection. Develop and publish communication materials on child protection to contribute to the social behavior change of families, school, community and children. Organize direct communication activities in community and schools with participation of children, family members, teachers and community people.

1.4. Project Budget:

200 billion dong, in which 80 billion comes from central government budget and 120 billion comes from local government budget.

Budget allocation: 75% of central budget will be allocated to provinces. Each province will receive average 200 million dong from central budget each year and 400 million dong from local budget. The allocated budget will be transferred to districts who will receive about 50-60 million dong per district. The district will continue to disburse the fund to communes with average 5 million dong for one commune. In some provinces where the local funds are available, the provinces will receive only 100 million dong from central fund (50%). The rest of fund will be allocated for poorer provinces. Central agencies will spend 25% of total budget (4 billion dong a year).

1.5. Project implementing agencies: Ministry of Labor, Invalid and Social Affairs takes lead in coordinating with Ministry of Education and Training, Ministry of Information and Communication and provincial People's Committees

2. Project of Capacity building for child care and protection officers, collaborators and volunteers (Project 2)

2.1. Project Objectives

100% of child care and protection officers from central to local levels enhanced with capacity on management and organization of child care and protection programs. 50% of commune child care and protection officers, collaborators and volunteers enhanced with capacity on child protection.

2.2. Project Scope

The project is implemented throughout country with priority given to provinces where there are many children in special circumstances, children at risk of falling in special circumstances, ethnic minorities and difficulties or special difficulties in social-economy situation.

2.3. Project contents

- Conduct training need assessment, develop training plans and programs (including the development of 3 training manuals for three level training courses: TOT, district level training and commune level training) for officers, collaborators and volunteers working on child care and protection issues at commune level.
- Organize training on management skills and programming on child care and protection and other necessary skills to work with children for officers, collaborators and volunteers working on child care and protection in community: Organize about 11 TOT courses for at least 5 people from each province (about 315 people) and 15 people from central level (making a total of 330 people); support provinces to organize training courses for local people and collaborators (500 people trained at provincial level, 1,200 people trained at district level and 90 thousand people trained at commune level); organize testing training courses (5 regional training courses) at regional and central level and re-training courses for local people by those who are trained in the TOT.
- Evaluate training courses organized for officers, collaborators and volunteers working on child care and protection in community.

2.4. Project Budget: 464,5 billion dong, including:

- Central budget: 284,5 billion dong
- Local budget: 150 billion dong
- International aids: 30 billion dong

Budget allocation

- Allowance for collaborators: 80,000 people x 75.000 x 60 months = 360 billion dong
- Training program: 63 provinces x 300 million x 5 years = 94,5 billion (18,9 billion dong each year)
- Organize training need assessment; design training program and organize TOT training, organize pilot training courses and monitor training: 2 billion x 5 years = 10 billion.

The allocation of central budget to provinces will be based on the size of population and number of communes in each province; the budget allocated for training will be based on the number of trainees. The support for collaborators is only applied for poor provinces and districts where the revenue is 50% less than the expenditure. In the provinces and districts where financial resources are available, they have to allocate budget from their own funding resources.

2.5. Implementing agencies: Ministry of Labor, Invalid and Social Affairs takes lead in coordinating with Ministry of Home Affairs and provincial People's Committees.

3. Project of Development of child protection services system (project 3)

3.1. Project Objectives

50% of provinces and cities develop and operate system of child protection services with establishment of child protection steering committees, inter-agency working groups, social support centres for children at provincial level; steering committee, working group, counseling rooms at district level (in at least 02 districts per province/city); steering committees, working groups, counseling service in community or in school, network of collaborators and core children groups at commune level (in all communes of 2 selected districts).

3.2. Project Scope

Select 32 provinces and cities representing 8 ecological regions. In each selected province, the project will be implemented in 2 selected districts, in all communes.

3.3. Project Contents

- Develop and issue guidelines on development of child protection services system; Develop and promulgate legal documents to facilitate the development of child protection service system (including development of management structure, roles and functions, approach, targets and mechanism of financial assistance).
- Establish child protection steering committees, inter-agency working groups at district and provincial levels, network of collaborators and children core groups at commune level. Cooperate with police to integrate child protection activities into public security program in community.
- Organize various child protection activities at local level including provincial social work service centres, district counseling centres, counseling rooms in community, school and hospital.
- Organize trainings for child protection practitioners who work in the system of child protection services.
- Organize child protection service delivery and referrals to ensure the safety for children, provide counseling and psychological and physical therapy for children in special circumstances, child victims of abuse and violence; support children in special circumstances and child victims of abuse and violence accessing to the services of education, health care and other social welfares if necessary; support children, families and community to eliminate or reduce risks of child abuse, exploitation, violence and neglect and risks to drive children falling into special circumstances.
- Enhance capacity of parents and caregivers and community people on child protection, parenting skills; improve self- protection skills for children.
- Organize international and in-country study tours to learn best practice on child protection system and system of child protection services.

3.4. Budget: 477 billion dong, including:

Central budget: 228 billion dong in which 128 billion dong will go to provinces

Local budget: 189 billion dong in which 64 billion dong will be spent for counseling centre at district level.

International aids: 60 billion dong

Final January 2011

- Budget allocated for 32 social support centres, 64 counseling rooms, and 1,000 social support rooms: $(32 \times 5 \text{ bill.}) + (64 \times 2 \text{ bill.}) + (1000 \times 100 \text{ mil.}) = 160 + 128 + 100 = 388 \text{ bill.}$
- Budget allocated for other activities at local level: $32 \text{ provinces} \times 2 \text{ bill} = 64 \text{ bill}$ (400 mil. Each year)
- Budget allocated for central level: $5 \text{ years} \times 5 \text{ bill.} = 25 \text{ bill}$

3.5. Implementing agencies: Ministry of Labor, Invalid and Social Affairs takes lead in coordinating with Ministry of Education and Training, Home Affairs, Ministry of Health, Ministry of Public Security, Ministry of Justice, Supreme People's Court and provincial People's Committees.

4. Project of Development and Replication of Models on Care and Support for children in special circumstances (project 4)

4.1. Project Objectives

80% of children with disability accessed to health care, rehabilitation, education and community-based services; 90% of abandoned children, orphans without family care accessed to care and support; 10% of children with sexually abuse and violence reduced; 100% of children notified to be in sexual abuse and violence accessed to care and support; Street children reduced to 7/10,000 children.

4.2. Project Scope

The project is implemented in 948 communes of 311 districts of 63 provinces throughout country (the project locations are selected in relevance to the models)

4.3. Project contents (including 4 Models):

Model of care and support for abandoned children, orphans without family care and children with disability (Model 1)

- Activities of Model: Develop training manuals and organize training delivery on integration for CWD. Organize vocational training for CWD who are able to work. Support vocationally trained children to find jobs or support enterprises who recruit the trained children. Develop and implement rehabilitation services in centres and community to support CWD. Support CWD with rehabilitation surgery. Cooperate with MOET to provide care and support for CWD in inclusive or specialized education classes. Develop and implement model of alternative care for abandoned children, orphans and CWD through adoption and foster care. Organize counseling and provide practical assistances. Support children accessing to health care and education and other social welfares services. Organize training on basic skills for foster parents and caregivers prior to the foster and adoption for orphans and CWD. Organize study tours to exchange experience. Organize monitoring, reviews and evaluation for project replication at all levels. Organize other activities relevant to local needs and situation.

- Locations of Model: In each province/city, two districts will be selected; in each district, 3 communes will be selected (with the total of 126 districts and 378 communes)

- Budget: 209 billion dong, including 109 billion from central budget and 100 billion from local budget.

Maintain and replicate model of prevention and support for street children, children working in dangerous and hazardous conditions (model 2)

- Activities of model: Organize training on integration, self- protection skills from child maltreatment, abuse and exploitation, skills of child participation in social activities for street children, child labor and children at risk. Organize household visits to provide counseling to family and children on returning children home or eliminating factors to drive children out of home. Support children returning home and accessing to education and health care. Organize vocational training and support them with job placement when they are at the age of labor and access to other social welfares. Support employers admitting labor aging adolescents. Provide psychological and physical support for street children and child labor. Implement referrals to support children who are abused, exploited, sexually abused at home or at work; separate children from family if it is unsafe for children and provide them alternative care. Support for family and caregivers who take care of street children and child labor through skill education, vocational training and income generation. Develop joint programs between MOLISA and Social Policy Bank and mass organizations such as WU, YU, Famer Union in supporting children' families accessing to credit programs. Cooperate with police to manage the groups of street children and child labors from both ends of departure and destination to mitigate risks of child abuse and exploitation. Organize study tour and research; monitoring and evaluation. Organize workshops to exchange experience and replication of model. Organize other activities in adherence to the needs and local conditions.

- Locations of model: The model will be implemented in 45 provinces/cities where there are many street children and children working in dangerous and hazardous conditions. In each province, 3 districts will be selected. In each district, 3 communes will be selected (with the total of 135 districts and 405 communes).

- Budget: 222,5 billion dong, including 110 billion dong from central budget and 112,5 billion from local budget. (Budget allocation for district level: 135 dist. x 1,5 bill = 202,5 bill; budget allocation for central level: 5 bill; and budget allocation for provincial level: 15 bill).

Maintain and replicate model of community-based care and support for children with sexually abuse and violence (model 3)

- Activities of model: Provide psychological therapy and recovery services for children with sexually abuse, drug abuse; support children with psychological treatment and recovery. Organize training courses to support children with re-integration and self protection skills. Organize vocational training and job placement for children and support them and their families accessing to loans and credit. Support employers admitting labor aging children. Provide therapy and recovery services for children with sexually abuse and refer them to necessary services. Provide counseling and support for children and family; and support children access to health care, education and other social welfares. Enhance capacity of family on care and protection for children through training or

workshops; support for alternative families access to monthly cash transfers. Organize study tour and research; monitoring and evaluation; workshops for experience exchange and model replication. Organize other activities in adherence to the needs and local conditions.

- Locations of model: the model is focused in 45 provinces/cities where there are many street children, child labor and children with violence. Each province selects 1 district and 3 communes (with the total of 45 districts and 135 communes).

- Budget: 82,5 billion dong including 50 billion from central budget and 32,5 billion dong from local budget (Budget allocation for districts: 45 dist. x 1,5 bill = 67,5 bill; Budget for central is 5 bill and provincial level is 10 bill).

Model of Prevention and Support for juveniles in conflict with laws (Model 4)

- Activities of Model: Organize psychological therapy and recovery for JICWL; support juveniles with psychological therapy and recovery. Establish clubs for JICWL; provide support services; establish network of collaborators to support JICWL in community through education and re-integration. Organize training courses on re-integration and self protection skills. Organize vocational training. Support vocationally trained juveniles with job placement through accessing to bank loans and income generation programs. Support employers admitting labor aging children. Develop training manuals (including the training on children psychology, law education on children's rights in judicial and administration systems, communication skills, psychological counseling, law education for parents, methods of communications, prevention of discrimination against children in conflict with the laws, support for children in conflict with the laws) and conduct training for 5 groups of targets in pilot locations for senior staff (including leaders of party, local authorities, police, DOLISA, Justice officers, members of Youth Union and Women Union), parents and children in conflict with the laws. Organize study tour and research; monitoring and evaluation; workshops for experience exchange and replication of model. Organize other activities in adherence to the needs and local conditions.

- Locations of model: Select 15 provinces. In each province, select 1 district and 2 communes in each district (15 districts and 30 communes)

- Budget: 15 billion dong, including central budget of 6 bill, local budget of 8 bill and international fund of 1 bill.

4.4 Total Budget: 529 bill, including 275 bill from central budget; 253 from local budget and 1 bill from international fund.

- Model 1: 209 bill, including 109 bill from central budget and 100 bill from local budget

- Model 2: 222,5 bill, including 110 bill from central budget and 112,5 bill from local budget

- Model 3: 82,5 bill, including 50 bill from central budget and 32,5 bill from local budget

- Model 4: 15 bill, including 6 bill from central budget and 8 bill from local budget and 1 bill from international fund

4.5 Implementing agencies:

- Ministry of Labor, Invalid and Social Affairs cooperates with relevant ministries and organizations and People's committees to implement the model 1, 2 and 3.
- Ministry of Public Security cooperates with MOLISA and relevant ministries and organizations and People's committees to implement the model 4.

5. Project of Enhancement of State Management on Child care and protection (Project 5)

5.1. Project Objective:

Existing laws and regulations on child care, protection and education are reviewed and amended in a way to be friendly to children and enhance prevention and comprehensive protection for children.

Database on child care, protection and education is developed to set foundation for monitoring the implementation of laws and policies on child care, protection and education and CRC.

5.2 Project Contents (including three sub-projects):

Sub-project of Improvement of Justice System for Minors (sub-project 1)

- Implement amendment and supplement of legal papers relating to juvenile justice, including technical support for conducting researches and reviews on juvenile justice, especially child victims and witness, JICWL and those at risk, which will be used to inform policies (study on the issues relating to JICWL in Law of Mediation; study on necessary and feasibility of development of Law on Juvenile Justice; provide recommendations for development of Law on Juvenile Justice to National Assembly; Study legal regulations on juvenile justice including the re-integration for JICWL; study the amendment of relevant articles in Penal Code and Penal Procedure Code relating to diversion for JICWL as well as restorative justice for JICWL).

- Increase awareness and enhance capacity on juvenile justice for officers working on law enforcement and officers who work with child or juvenile victims, witness and JICWL or those at risk, including training on child friendly prosecution for police, prosecutors and court officers. Organize training for social support workers on prevention of juvenile delinquency; re-integration for JICWL. Mainstream the issues of juvenile justice into training programs of Police, Procuracy and People's court.

- Pilot model of diversion for JICWL, including model of diversions in line with CRC and international standards in some provinces/cities. Pilot model of juvenile specialized courts to handle the cases involving children and juveniles, including child victims, witness and JICWL. Pilot court hearings for cases involving juveniles including JICWL and child victims and witness. Replicate model of child friendly investigation in 18 provinces/cities.

Sub-project on Assessment of implementation of Law on Child care, protection and education and recommendations for law amendment and supplement (sub-project 2)

- Evaluate the implementation of Law on child care, protection and education in 10 provinces/cities
- Conduct legal review on child care, protection and education to find gaps for law amendment and supplement.
- Review 6 year implementation of law on child care, protection and education and relevant legal documents.
- Organize 2 study tours to learn international practice on amendment of law on child care, protection and education.
- Draft amended law on child care, protection and education and submit to National Assembly

Sub-project of Development of database on child care, protection and education (sub-project 3)

- Standardize indicators for monitoring the implementation of child rights: Supplement and amend indicators for monitoring the implementation of child rights and indicators of child protection; standardize recordings and reporting on child protection in combining the community-based database and the public database on child protection.
- Develop software to analyze and manage data: Develop software to process, analysis and manage data to address the requirements of management; develop procedures and mechanism for data collection, data analysis and data sharing with relevant counterparts.
- Organize data collection and management: Organize data collection in the system of MOLISA in 63 provinces/cities; Organize data collection through the systems of line Ministries: MPS, People's Court, MOJ, MOET, Ministry of Culture, Sport and Tourism and others; Organize survey on development of database in the communes where the pilots of child protection services and models of care and support for children in special circumstances are implemented. Organize baseline assessment to fill the gap of data which cannot be collected through regular reports.
- Publications and information sharing: Publish materials on implementation of children's rights and share information and data relating to children to concerned ministries and organizations. The data and information should be provided to right audients at appropriate requirements and high quality to address the management requirements set by MOLISA and relevant ministries, researchers, individuals and organizations...
- Organize monitoring activities to support local staff in doing data collection, recordings, data management, reporting and assessment.

5.3 Budget: 85 billion dong, including: 46 bill from central budget (31 bill will be allocated for central activities and 15 bill will be allocated for local activities); 30 bill from local level and 9 bill from international fund.

- Sub-project 1: 17 bill, including 15 bill from central budget and 2 bill from international assistance.

- Sub-project 2: 8 bill, including 5 bill from central budget and 3 bill from international assistance.

- Sub-project 3: 60 bill, including 26 bill from central budget, 30 bill from local budget and 4 bill from international assistance.

5.4 Implementing agencies

- Ministry of Justice cooperates with MPS, Supreme Procuracy, Supreme People's Court, MOLISA and other relevant ministries to implement the sub-project 1
- Ministry of Labor, Invalid and Social Affairs cooperates with Ministry of Justice, Ministry of Planning and Investment (General Statistic Office) and relevant ministries to implement the sub-projects 2 and 3.

IV. Program Budget

- The program budget will be mobilized from central budget, local budget, international aids, community contributions and other legitimate sources.

- Total budget for the Program is **1,755.5** billion dong, including:

+ 913,5 billion allocated through annual budgets of MOLISA (with 785.5 billion dong coming from service delivery source and 128 billion dong coming from investment development source)

+ 742 billion dong allocated from local budget: (with 678 bill coming from service delivery source and 64 bill coming from investment development sources);

+ 70 billion dong from International aids.

+ 30 billion dong mobilized from community and other legitimate sources.

-. Ministry of Labor, Invalid and Social Affairs, Ministry of Planning and Investment and Ministry of Finance take responsibility to identify concrete budget allocated from central fund for implementation of the program for 2011-2015 without the excess of 913,5 billion dong.

Table 3: Required budget by projects and sources (billion)

No	Projects	Budget	Central budget		Local budget	International fund
			Central Act.	Local Act.		
1	Project 1	200	60	20	120	0
2	Project 2	464,5	10	274	150	30
3	Project 3	60	11	15	30	4

Final January 2011

4	Project 4	477	25	75 +128	125 + 64	60
5	Project 5	529	16	259	253	1
	<i>Model 1</i>	209	5	104	100	0
	<i>Model 2</i>	222,5	5	105	112,5	0
	<i>Model 3</i>	82,5	5	45	32,5	0
	<i>Model 4</i>	15	1	5	8	1
6	Project 6	25	20		0	5
	Total	1.755,5	142	643,5 + 128	742	100

Table 4: Required budget by year and sources (billion)

	Budget	2011	2012	2013	2014	2015
Project 1	200	40	40	40	40	40
<i>Central budget</i>	80	15	15	15	15	20
<i>Local budget</i>	120	25	25	25	25	20
Project 2	464,5	91	91	91	91	100,5
<i>Central budget</i>	284,5	55	55	55	55	64,5
<i>Local budget</i>	150	30	30	30	30	30
<i>International budget</i>	30	6	6	6	6	6
Project 3	60	13	12	12	11,5	11,5
<i>Central budget</i>	26	6	5	5	5	5
<i>Local budget</i>	30	6	6	6	6	6
<i>International budget</i>	4	1	1	1	0,5	0,5
Project 4	477	90	90	100	100	97
<i>Central budget</i>	228	45	45	45	45	48
<i>Local budget</i>	189	37	37	37	37	41
<i>International budget</i>	60	15	15	10	10	10
Project 5	529	105,2	105,2	105,2	105,2	108,2
<i>Central budget</i>	275	55	55	55	55	55
<i>Local budget</i>	253	50	50	50	50	53
<i>International budget</i>	1	0,2	0,2	0,2	0,2	0,2
Project 6	25	5	5	5	5	5
<i>Central budget</i>	20	4	4	4	4	4
<i>International budget</i>	5	1	1	1	1	1

Total annual budget	344,2	343,2	353,2	352,7	362.2
<i>Central budget</i>	<i>180</i>	<i>179</i>	<i>179</i>	<i>179</i>	<i>196.5</i>
<i>Local budget</i>	<i>141</i>	<i>141</i>	<i>151</i>	<i>156</i>	<i>148</i>
<i>International budget</i>	<i>23,2</i>	<i>23,2</i>	<i>23,2</i>	<i>17,7</i>	<i>17,7</i>

* The budget allocated from investment development source is 192 billion dong with average of 38.4 billion dong each year.

V. Solutions of National Program:

1. Enhance leadership and supervision of Party and Authorities for child care and protection. Improve capacity in state management and strengthen legal system on child care, protection and education. Integrate goals of child care and protection into annual social-economy development plans at central and local levels. Enhance monitoring and evaluation towards the implementation of child care and protection. Develop inter-agency cooperation in implementing effectively the child care and protection.
2. Strengthen information, communication and education on child protection.
3. Develop qualified child protection system. Increase socialization and inter-agency cooperation in implementing child protection activities.
4. Mobilize and use effectively financial resources to implement the program; prioritize resources for provinces where there are many children suffering or at risk of falling into special circumstances, ethnic minorities and difficult situation of social-economy.
5. Increase scientific study and international partnership for child care and protection. Participate actively in organizing international and regional events relating to child care and protection.

VI. Effectiveness and Impacts of the program

1. Effectiveness

- The program will contribute to the reduction of children falling into special circumstances. Children are created opportunity for full development on psychology, physics, emotion, knowledge and morality that contributes to the safety and happiness of family and mitigate pressures on society caused by the issues of child abuse, maltreatment and exploitation.
- Mitigate or eliminate risks to drive children into special circumstances or harms; contribute to improvement of children's life, especially children in special circumstances and those at risk.
- Reduce expenditures to handle social evils relating to children issues and enhance quality of human resources in the future; some research says that if we invest 1

dong for children development in general and for child protection in particular today, we can save 10 dong in the future.

- The program will contribute to awareness raising of family, community and children on the implementation of children's rights, especially the rights to child protection; create equal opportunity of development for every child.
- Create good legal and administrative environments for developing social security and protection for children; join with international community the approach of child protection system building.
- In the existing social-economy situation in Viet nam, it is necessary to invest for economy development, but at the level of effectiveness with ICOR = 5, we need to invest 40% of GDP to keep the growth of 8% per year (while China needs the investment of 32% as its rate of ICOR is 4). When the investment for economy development is not yet increased, we should pay more investment for social issues, especially children as they are the future of human resource.

2. Impacts

- The program contributes to the implementation of CRC, especially the rights to protection.
- The program can reduce the disparity in development between children in special circumstances, poor children and other groups of children.
- The program can handle the hot issues of child abuse, exploitation, violence and neglect; reduce issues of child prostitution, drug abuse, conflict with the laws; and contribute to security of society.
- The program contributes to development of good human resource that can help to enhance productivity and economy growth. Some research says that the good human resource can contribute to economy growth of 2% each year.

VII. Prerequisite Conditions for program implementation

In order to achieve the above objectives of the program, there should be 3 following prerequisite conditions:

- There should be sufficient human resource including staff and collaborators to work on child care and protection at all levels. Collaborators should receive appropriate allowances.
- There should be sufficient financial resource to implement the program. The size of budget requested for the program is designed at the lowest level that should be allocated in accordance to the social-economy situation of Viet nam.
- There should be an appropriate mechanism which is based on the principle of decentralization for program management and budget expenditure applicable to implementing agencies. The Ministries have a mechanism to cooperate with each other and with mass organizations through working agreements.

VIII. Organization for program implementation

1. Ministry of Labor, War Invalid and Social Affair takes lead in coordinating with MOJ, MPS, MPI, MOF, WU and other relevant agencies, provincial/central run city People's committees to develop annual work plans and coordinate the implementation of program activities; take lead in manage and implement assigned projects indicated in this document under current regulations; establish network of collaborators and volunteers to implement child care and protection activities in community; provide guidance and monitoring on implementation of the program and report to Prime Minister; organize reviews on implementation of program by end of 2015.
2. Ministry of Justice strengthens instruction and monitoring towards implementation of legal assistance; enhance state management on adoption; implement assigned projects as indicated in this document under current regulations.
3. Ministry of Public Security takes responsibility to combine the implementation of National Program for Child Protection for 2011-2015 with the implementation of National Program on Control and Prevention for crimes for 2011-2015 when it is approved; manage and implement assigned projects as indicated in this documents under current regulations.
4. Ministry of Education and Training strengthens healthy environment in schools to eliminate school violence; continue the campaigns on "child friend school – active students", focus on educating students with life skills, self-protection skills and communication skills; increase education and communication on child care and protection for school managers and teachers.
5. Ministry of Culture, Sport and Tourism strengthens inspection and monitoring on distribution of cultural materials and recreation services; cooperate with MOLISA to develop family –based child protection system.
6. Ministry of Home Affairs cooperates with MOLISA and relevant agencies to guide line-ministries, organizations and provincial authorities in developing the plans of personnel for child care and protection implementation; guide local authorities to develop human resource for child care and protection at commune level.
7. Ministry of Information and Communication cooperates with MOLISA in monitoring agencies of media and reforming communication and popularization of laws and policies on child care and protection; increase inspection and monitoring on publication, media and internet relating to children; handle strictly behaviors of publishing and distributing unsound materials with violences.
8. Ministry of Health takes lead in implementing policies of health care for children under 6, children in special circumstances, children living in poor family; provide rehabilitation for children with disability; pilot some models of emergency care for children in sexually abuse or violence.
9. Ministry of Planning and Investment cooperates with MOF, MOLISA and relevant ministries and organizations to mobilize resources from ODA to implement programs and projects on child care and protection; integrate

children goals into annual national social – economy development plans; integrate goals of child care and protection into sectoral and local social-economy development plans.

10. Ministry of Finance cooperates with MPI, depending on capability of State Bank, to allocate budget for implementation of the Program through sectoral budget plans and local budget plans under the law of finance; increase guidance, monitoring and inspection on budget expenditure for program implementation.
11. Viet Nam Express Agency, Voice of Viet Nam, Television and other agencies of media increase time of broadcasting, quantity of communication on child care, protection and education.
12. Provincial/central run city People's committees take responsibility to implement the program at local level under the instruction of MOLISA and sectoral ministries; develop and organize the implementation of action plans on child care and protection in relevant to this Program and local social-economy development plans; incorporate the implementation of this Program into relevant local programs; strengthen inter-agency cooperation in implementing child care and protection; continue the development of community fit to children; allocate budget and human resource to implement the Program; monitor the implementation of the Program at local level; submit regular reports on the implementation of the Program in localities.
13. Recommend Viet nam Fatherland Front, Viet Nam Women Union, Youth Union and other member organizations, Association of Child Right Protection and other civil organizations participate in implementing the Program within their roles and functions; to increase communication and education to raise awareness on child care and protection; to participate in development and implementation of laws and policies on child care, protection and education.

ANNEX

Annex 1. Terminology

Following are terminologies relating child protection:

1. **Child Protection:** Given to the Lexicon for Child Protection published by MOLISA and UNICEF in 2009, the child protection includes following five responsibilities:
 - (i) Prevent and stop harms against children
 - (ii) Mitigate or eliminate factors leading to harms against children
 - (iii) Support and recover children in harms
 - (iv) Support family and community in providing care and protection for children in harms
 - (v) Support and recover family and community with children in harms

The CRC requires that “Country members should take all appropriate measures of legislation, enforcement, justice, social and education to protect all children from the forms of physical and psychological violence, harm or abuse, neglect, maltreatment or exploitation, including sexual exploitation, when children are under the parental care, guardians or others who are assigned to take care of children” (Article 19 of CRC).

2. **System of child protection:** Given to international practice, Child protection system includes (i) legislation framework, (ii) structure of child protection, (iii) service delivery at three levels.
3. **Child protection services at three levels,** including (i) prevention, (ii) early intervention to mitigate risks, (iii) intervention and integration.
4. **Recovery:** is an approach of service delivery for child protection to rehab and enhance capacity of individuals that allow them to participating in activities of family, community and society in a respective way. The service of recovery also includes the support for resilience of children and family.
5. **Intervention:** is a process of service delivery for children and family to handle the causes of child maltreatment, abuse, violence, exploitation or risks.
6. **Integration:** is the need of all individuals to be a part of community and society. The integration also includes the need of individual to be a part of family, a group of friends or community.
7. **Harm:** is negative effects on children’s physicality, psychology, emotion, cognition, social and moral life who are abused, exploited and violated with any reason.
8. **Stigma:** is unequal behaviors towards a person or child due to differences in genders, personality (including color of skin, ages, mental or physical capacity), social situation (incomes, housing, school), social position and regional geography, residences of child or person.

- 9. Counseling:** is an intervention measure applicable in a context where there is a need to change children's caring environment. Counseling focuses on supporting individuals understanding their own feelings, emotions and capacity.
- 10. Advice:** is a process to work with children, family and community and other service delivers to create partnership and interventions to respond the needs of care and protection for children.
- 11. Children in difficult circumstances:** Given to the Law on Child Care, Protection and Education, children in special circumstances including children living in abnormal circumstances (given to individuals and caring environments): orphans, abandoned children, street children, children working in hazardous conditions, children working far from homes, children with disability, children infected HIV, children affected by orange agent, sexually abused children, children of drug abuse, children in conflict with the law.
- 12. Children at risk of falling into special circumstances:** include those have difficult lives and might fall into special circumstances if there is not timely interventions. The factors leading to risks that children fall into special circumstance include external factors (family, school, community and society) and individual factors (lack of social skills, lack of life skills, or dropping out of school...). It is very important to identify the risks and provide timely interventions to protect children from falling into special circumstances.

Children at risks include:

- Children living in poor family;
- Children living in family with social problems (parents separated or with social evils...);
- Children dropping out of school or not going to school (at school ages), children with deviances (not obey parents, teachers...)
- Children separated from parents/family members...