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Ensuring the rights of persons with disabilities in Vietnam today

Tran Hong Trang

PhD of Scientific Socialism Student, Institute of Scientific Socialism, Ho Chi Minh National Academy of Politics, Vietnam

Email: thtrang@ctu.edu.vn

Abstract---This article analyzes the current state of ensuring the rights of persons with disabilities in Vietnam, examining legal and policy perspectives as well as the challenges and solutions for improvement. It explores the Communist Party of Vietnam's stance on persons with disabilities, the existing policies and laws designed to protect their rights, the current situation regarding the protection of these rights, and proposes solutions to enhance implementation effectiveness. The article highlights the need to improve the legal framework, strengthen community awareness, and increase the effectiveness of government agencies to ensure the legitimate rights of persons with disabilities.

Keywords---persons with disabilities, rights assurance, policy, law, Communist Party of Vietnam, current situation, solutions, Vietnam.

Introduction

Persons with disabilities are an inseparable part of society, facing numerous challenges in daily life due to physical and mental limitations. Ensuring the rights of persons with disabilities is not only a requirement arising from societal progress but also a political, legal, and ethical responsibility of nations, including Vietnam. In the context of modernization and globalization, disability rights have increasingly become a core component of sustainable social development policies. This is not only a matter of human rights protection but also a crucial factor for promoting equality, solidarity, and harmonious development within communities. The Communist Party of Vietnam has long recognized the protection and assurance of the rights of persons with disabilities as a priority in building a fair, democratic, and civilized society. Since the early days of the renovation period, the government has introduced important policies aimed at supporting persons with disabilities, providing them with access to education, healthcare, and

employment services. However, the implementation of these policies still faces many challenges, resulting in many individuals with disabilities not fully enjoying their legal entitlements. Additionally, support services for persons with disabilities remain inconsistent, and infrastructure and social environments continue to pose barriers that hinder their integration and ability to fully realize their potential.

This reality requires Vietnam to make substantial advances in improving its legal framework, strengthening the enforcement capacity of state agencies, and promoting public education on disability rights. This responsibility does not rest solely with the government but also with society as a whole, including businesses, social organizations, and each individual. Only when the rights of persons with disabilities are fully and meaningfully guaranteed can they unleash their potential and become active contributors to the nation's development.

Building on existing policies and laws, Vietnam is gradually progressing toward a barrier-free society where persons with disabilities can participate equally in all economic, cultural, and social activities. However, to realize this goal, in-depth research and strategic solutions are essential to enhance the effectiveness of rights protection for persons with disabilities, ensuring that all their rights are respected, protected, and upheld in line with the spirit of the Constitution and Vietnamese law.

Results and Discussion

Disabled People and the Communist Party's Perspective on People with Disabilities

People with disabilities have always been a special focus in social policies, not only because they face physical or mental challenges but also due to social, cultural, and economic factors impacting their lives. The Communist Party of Vietnam, with its role in leading and directing national policy, has demonstrated a clear and consistent stance on this issue through resolutions, policies, and specific activities aimed at protecting the rights of people with disabilities.

Viewpoint of the Communist Party of Vietnam on people with disabilities. The Communist Party of Vietnam has consistently and clearly emphasized the importance of protecting the rights of people with disabilities throughout its leadership and governance. According to the Party, people with disabilities are not only individuals needing protection but also valuable members capable of contributing to society's development. This perspective is evident in various resolutions, policies, and specific action programs. The Party identifies that people with disabilities are citizens with rights and responsibilities to contribute to national development. The Party's 13th Congress document affirms: "Building a just, democratic, and civilized society, where all members have equal development opportunities, with particular attention to vulnerable groups, including people with disabilities" (Communist Party of Vietnam, 2021). This statement represents the Party's strong commitment to safeguarding the rights and maximizing the potential of people with disabilities.

The Communist Party of Vietnam has always prioritized ensuring the rights and enhancing the quality of life for people with disabilities. Politburo Resolution No. 15-NQ/TW, issued on June 1, 2012, emphasizes that caring for and protecting people with disabilities is not only the responsibility of the state but also the obligation of society as a whole. This resolution asserts: "People with disabilities are a group in need of special care and protection, aiming to ensure equal rights, non-discrimination, and comprehensive support in all aspects of social life".

The Party has identified safeguarding the rights of people with disabilities as a crucial component of social development and social justice strategy. In particular, the Party has encouraged agencies, organizations, and individuals to fulfill their responsibilities in creating conditions for people with disabilities to integrate into the community, contributing to building a united and equal society. This concern is clearly reflected in the enactment of relevant policies and legislation, such as the 2010 Law on Persons with Disabilities and its implementing decrees.

Policies and laws ensure the rights of people with disabilities in Vietnam

Legal framework for ensuring the rights of people with disabilities

In Vietnam, the protection of the rights of people with disabilities is highly regarded within the national legal system. The 2013 Constitution clearly affirms: "The state, society, and families have the responsibility to protect and assist people with disabilities so that they can fully enjoy their citizenship rights and develop their abilities" (Article 59, 2013 Constitution). Along with this, Vietnam passed the 2010 Law on Persons with Disabilities, which clearly outlines the rights, responsibilities, and obligations of people with disabilities, the state, and society in ensuring the rights of this vulnerable group (National Assembly, 2010). The 2010 Law on Persons with Disabilities emphasizes that people with disabilities have the right to access education, healthcare, employment, and public services without discrimination and are entitled to social protection policies.

Vietnam has committed to implementing the rights of people with disabilities according to international standards. Vietnam ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2007 and formally adopted it in 2014, reaffirming its commitment to protecting, promoting, and ensuring the rights of people with disabilities in all aspects of social life. Specifically, the Convention emphasizes the principles of equality, non-discrimination, and the full integration of people with disabilities into society. This international framework serves as the foundation for Vietnam to develop and implement domestic policies and laws regarding the rights of people with disabilities. This aligns with Vietnam's commitments when signing and ratifying the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2007 and 2014.

Practical implementation of policies to protect the rights of people with disabilities

In practice, policies and programs protecting the rights of people with disabilities in Vietnam have made significant progress. According to data from the Ministry of

Labor, Invalids, and Social Affairs, Vietnam currently has about 6.2 million people with disabilities, accounting for approximately 7% of the population (Ministry of Labor, Invalids, and Social Affairs Report, 2020). Over 50% of people with disabilities have been granted social welfare cards, and many have received medical and educational support through state policies. One of the key areas in ensuring the rights of people with disabilities is access to healthcare services. The state has implemented specific policies to ensure comprehensive healthcare for people with disabilities and their right to access medical services that meet their needs. According to statistics from the Ministry of Health, in 2020, the percentage of people with disabilities accessing healthcare services at district-level health facilities reached 85% (Ministry of Health, 2021). This is evidence of the government's efforts to expand and improve healthcare services for people with disabilities.

The 2010 Law on Persons with Disabilities clearly stipulates that people with disabilities have the right to education and should not face discrimination in this area. The state has implemented various policies to ensure the inclusion of people with disabilities in the national education system. According to the Ministry of Education and Training, the percentage of children with disabilities attending school increased from 60% in 2015 to 75% in 2020 (Ministry of Education and Training, 2020). This increase is a result of scholarship programs, the provision of specialized learning equipment, and the training of teachers with inclusive teaching skills. Specific programs aimed at supporting people with disabilities, such as the 2016-2020 Inclusive Education Development Program for Children with Disabilities, have yielded positive results, enhancing access to education for children with disabilities. However, according to a report by UNICEF in Vietnam, there are still many challenges in implementing this policy, particularly in rural areas, where children with disabilities face numerous barriers in accessing educational services. Despite this progress, inclusive education still faces many challenges, especially regarding quality and the lack of teachers trained in special education. The disparity between urban and rural areas in access to education for people with disabilities is also an issue that needs to be addressed.

Employment and livelihood support are crucial factors in ensuring the rights of people with disabilities. According to the Ministry of Labor, Invalids, and Social Affairs, in 2021, the employment rate of people with disabilities reached 38%, up from 30% in 2015 (Ministry of Labor, Invalids, and Social Affairs, 2021). Policies supporting employment for people with disabilities include tax incentives for businesses hiring people with disabilities, vocational training programs for people with disabilities, and providing preferential loans for them to create their own jobs.

However, reality still shows that people with disabilities face great difficulties in finding sustainable jobs, especially in the private sector. A study by the Institute of Labor Sciences and Social Affairs (2022) shows that 65% of businesses are still hesitant to hire people with disabilities due to concerns about productivity and support costs (Institute of Labor Sciences and Social Affairs, 2022). Therefore, stronger measures are needed to encourage businesses to recruit and create working conditions for people with disabilities.

Current status of ensuring the rights of people with disabilities in Vietnam

Vietnam has made significant progress in ensuring the rights of people with disabilities, particularly through its legal framework and social policies. However, in practice, guaranteeing these rights still faces many challenges, including insufficient infrastructure, limited social awareness, and difficulties in policy implementation.

One of the core issues is the implementation of the 2010 Law on Persons with Disabilities and related documents, such as Decree No. 28/2012/ND-CP. Although the law clearly stipulates the basic rights of people with disabilities, including access to education, employment, and public services, the enforcement remains limited. A report from the Ministry of Labor, Invalids, and Social Affairs indicates that about 60% of children with disabilities do not attend school due to a lack of appropriate infrastructure and support services. Most schools lack facilities that meet the needs of disabled students, such as wheelchair-accessible paths or specialized teaching aids.

Furthermore, the employment rights of people with disabilities have not been fully ensured. Despite the law prioritizing people with disabilities in the labor market, the actual employment rate remains low, with only about 30% of people with disabilities having stable jobs. The main reason is that businesses are still hesitant about the costs of adjusting infrastructure and providing specialized training for disabled workers. The lack of specific policies to support employers makes it difficult for people with disabilities to find suitable employment.

Infrastructure and public services for people with disabilities are also areas of concern. Although the Law on Persons with Disabilities requires public buildings to be designed and constructed to accommodate people with disabilities, only a few structures in major cities like Hanoi and Ho Chi Minh City meet these standards. Public facilities such as government buildings, schools, hospitals, and transportation systems are still not disability-friendly, limiting their participation in social activities.

Additionally, social awareness of the rights of people with disabilities remains limited, creating barriers to their integration and development. A study by the Vietnam Disabled People's Association found that more than 50% of people with disabilities feel discriminated against in daily life. While awareness campaigns have been launched to raise awareness about disabilities, their effectiveness has not met expectations, especially in rural areas where societal prejudices remain strong.

In the healthcare sector, people with disabilities in Vietnam have access to basic health services. However, specialized services such as rehabilitation and psychological support are still lacking. According to the World Health Organization (WHO), only about 15% of people with disabilities in Vietnam have access to full rehabilitation services due to the healthcare system's insufficient resources and infrastructure. This creates difficulties for many people with disabilities in recovering their health and improving their quality of life.

In conclusion, while the state has made significant efforts to ensure the rights of people with disabilities through the legal system and support programs, the implementation and practical application still face many limitations. Issues such as inadequate infrastructure, lack of social awareness, and weak monitoring of policy enforcement have reduced the effectiveness of these efforts. To better ensure the rights of people with disabilities, there needs to be close coordination between the state, social organizations, and the community to create a more inclusive, equitable, and supportive environment.

Solutions to Enhance the Rights of People with Disabilities in Vietnam

Ensuring and improving the rights of people with disabilities in Vietnam is one of the important tasks to promote equality and comprehensive development in society. Although the State has implemented policies and laws to protect the rights of people with disabilities, there are still many limitations in practice. To address these issues, comprehensive and scientific solutions are needed to enhance the rights of people with disabilities, ensuring they have the best conditions to develop and integrate into society.

Improving the Legal System and Policies

The legal system and policies regarding the rights of people with disabilities in Vietnam have made significant progress, especially after the Disability Law was enacted in 2010. However, there is a need to supplement and refine legal regulations to ensure more comprehensive protection of their rights. Specifically, detailed provisions are needed to protect the rights of people with disabilities in employment, education, healthcare, and access to social services, particularly in rural and mountainous areas, where infrastructure is still underdeveloped. According to the Ministry of Labor, Invalids, and Social Affairs (2023), there are about 7.06 million people with disabilities, accounting for about 7.06% of the total population, but most have not fully accessed the necessary healthcare, education, and labor rights. Labor policies should be adjusted to ensure employment rights for people with disabilities, and businesses should be encouraged to create opportunities for them to participate in the workforce. A study published in the Journal of Science and Law (2021) indicated that the unemployment rate among people with disabilities in Vietnam is still very high, with over 70% of people with disabilities of working age being unemployed. Necessary solutions include policies to support vocational training, reforming regulations on labor market access, and clearly defining the responsibility of enterprises in protecting the rights of people with disabilities.

Promoting the Role of Social Organizations and Communities, Raising Awareness, and Changing Social Attitudes

Non-governmental organizations (NGOs) and organizations of people with disabilities play a crucial role in protecting rights and providing support services. However, these organizations still face limitations in Vietnam due to insufficient support from the government and unstable financial resources. The government needs to create more favorable conditions for these organizations by issuing policies that provide financial and legal support and building a strong public-

private cooperation mechanism. Cooperation between the State, businesses, and social organizations will help create a comprehensive support network for people with disabilities.

Discrimination and prejudice against people with disabilities still exist in some parts of the community, hindering their social integration. According to a survey by the Ministry of Labor, Invalids, and Social Affairs, 60% of people with disabilities encounter stigma in daily life. Therefore, raising public awareness through communication campaigns and education is necessary. Community education programs should be implemented to change social attitudes, encourage respect, and empathy toward people with disabilities. The media and social organizations should also play a more active role in promoting public awareness.

Improving Infrastructure and Public Services, Enhancing Economic Support and Vocational Training

Although there are regulations on building disability-friendly public facilities in the Construction Law, many infrastructures still fail to meet the minimum standards. According to a report from the Ministry of Construction, only 25% of public buildings in major cities like Hanoi and Ho Chi Minh City meet accessibility standards for people with disabilities. To address this, serious efforts should be made to inspect and monitor new construction projects and renovate old facilities. Additionally, public services such as healthcare, education, and transportation should be upgraded to ensure better accessibility for people with disabilities.

People with disabilities often face difficulties in accessing employment due to skill limitations and discrimination from employers. According to the General Statistics Office of Vietnam, only 31% of people with disabilities are employed. To improve this situation, vocational training programs should be expanded to help people with disabilities enhance their skills and independence. The government should also encourage businesses to hire people with disabilities through preferential policies such as tax exemptions or financial support. Social enterprises and entrepreneurship programs should be developed to create job opportunities for people with disabilities. It is estimated that there are around 1 billion people with disabilities worldwide, making up 15% of the global population, and most of them are of working age. The latest labor market index shows that people with disabilities face more challenges in entering the labor force. The United Nations General Assembly adopted the Convention on the Rights of Persons with Disabilities in December 2006, emphasizing "the rights of people with disabilities to work on an equal basis with others," including the right to choose jobs and be accepted in the labor market. The convention strictly prohibits all forms of discrimination in the workplace, calls for the creation of a supportive working environment, and requires member states to promote vocational training and business opportunities for people with disabilities.

Conclusion

To ensure that the rights of people with disabilities are respected and promoted in practice, close coordination between government agencies, social organizations,

and the community is essential. First, the legal system must continue to be refined to be more specific and transparent, creating conditions for people with disabilities to access basic services equally. Second, raising public awareness about people with disabilities and eliminating prejudice and discrimination is a key factor in creating a friendly environment that respects the dignity of people with disabilities. Finally, investment in infrastructure, especially transportation, technology, and public services, needs to be given greater attention and promoted more strongly to ensure that people with disabilities can easily integrate and participate in social activities. Thus, ensuring the rights of people with disabilities in Vietnam is not only a matter of policy or law but also requires the efforts of the entire community to build an egalitarian, compassionate, and inclusive social environment. Only when people with disabilities are fully empowered, with no barriers to access and integration, can we truly achieve the goal of sustainable development and social progress.

References

- Communist Party of Vietnam. (2021). *Documents of the 13th National Party Congress*. Hanoi: National Political Publishing House.
- Democracy and Law Journal*. (2023). *Laws on the Rights of People with Disabilities in Vietnam Today*. Accessed from: <https://danchuphapluat.vn/phap-luat-ve-quyen-cua-nguoi-khuyet-tat-tai-viet-nam-hien-nay>
- Hoang, D.Q. (2022). *Ensuring the Rights of People with Disabilities and the Elderly in Vietnam*. Accessed from: <https://xaydungdang.org.vn/nhan-quyen-va-cuoc-song/bao-dam-quyen-cua-nguoi-khuyet-tat-va-nguoi-cao-tuoi-tai-viet-nam-17691>.
- Institute of Labor Science and Social Affairs. (2022). *Study on the Recruitment of People with Disabilities in Vietnamese Enterprises in 2022*. Hanoi.
- Khanh, T. (2023). *Ensuring the Rights of People with Disabilities in Vietnam's Legal System*. Accessed from: <https://www.vietnam.vn/bao-dam-quyen-cua-nguoi-khuyet-tat-trong-luat-phap-viet-nam/>
- Mai, P.P. (2024). *Ensuring the Right to Work and Employment for People with Disabilities*. Accessed from: <https://www.quanlynhanuoc.vn/2024/04/09/bao-dam-quyen-duoc-lao-dong-va-viec-lam-cua-nguoi-huyet-tat/>.
- Ministry of Education and Training. (2020). *Inclusion Education for Children with Disabilities in Vietnam in 2020*. Hanoi.
- Ministry of Health. (2021). *Report on the Summary of Health Care Work for People with Disabilities in 2020*, Hanoi: Medical Publishing House.
- Ministry of Labor, Invalids, and Social Affairs. (2021). *Ensuring the Rights and Benefits of People with Disabilities*. Accessed from: <https://www.molisa.gov.vn/baiviet/230045?tintucID=230045>.
- Ministry of Labor, Invalids, and Social Affairs. (2021). *Report on the Employment Situation of People with Disabilities in 2021*. Hanoi.
- National Assembly. (2010). *Law No. 51/2010 "Disability Law"*. National Assembly. Accessed from: <https://chinhphu.vn/default.aspx?pageid=27160&docid=96045>.
- National Assembly. (2013). *Constitution of 2013*. Accessed from: <https://datafiles.chinhphu.vn/cpp/files/vbpq/2013/12/hp.pdf>.

- Nguyen, H. (2019). *Enhancing the Party's Leadership in Disability Work*. Accessed from: <https://dangcongsan.vn/xay-dung-dang/tang-cuong-su-lanh-dao-cua-dang-doi-voi-cong-tac-nguoi-khuyet-tat-541553.html>.
- Son, P.T., & Trung, V.Q. (2023). *Improving the Law to Ensure the Rights of People with Disabilities*. Accessed from: <https://xaydungdang.org.vn/nhan-quyen-va-cuoc-song/hoan-thien-phap-luat-bao-dam-quyen-cua-nguoi-khuyet-tat-19142>.
- Vietnam Communist Party News. (2023). *Ensuring Equal Opportunities for People with Disabilities to Actively Participate in Social Life*. Accessed from: <https://dangcongsan.vn/xa-hoi/de-nguoi-khuyet-tat-co-co-hoi-binh-dang-tich-cuc-tham-gia-vao-doi-song-xa-hoi-653821.html>.