



**BROKEN
CHALK**

Submission to the Universal Periodic Review of the United
Nations Human Rights Council 4th Cycle – 46th Session

Right to Education

Country Review: Viet Nam

Submitting Organization: BROKEN CHALK

October 2023

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Broken Chalk is an Amsterdam-based NGO established in 2020 that monitors and minimises worldwide human rights violations in education. We aim to promote universal and equal access to education for all.

We encourage and support achieving societal peace with our international sponsors and partners by advocating for intercultural tolerance, preventing radicalism and polarisation, and tackling educational inequalities.

Table of Contents

<i>I. Introduction</i>	3
<i>II. Brief overview of the last UN-UPR cycle</i>	4
<i>III. Educational challenge faced by LBGTQ youths</i>	4
<i>IV. Educational challenges due to natural disasters and climate change</i>	6
<i>V. Educational Challenge in the COVID-19 pandemic</i>	7
<i>VI. Recommendations</i>	9
<i>VII. References</i>	9

I. Introduction

1. In education, Viet Nam has shown some outstanding achievements. The literacy rate is above 95%, and the country is committed to creating intellectual growth and development. Children start education at primary school from six years old until they are 11 years old. Primary education is compulsory and free of charge, resulting in a completion rate of 98%.ⁱ
2. After primary school, children move on to lower secondary school, completed by 87% of the children. Lastly, the children attend upper secondary school, completed by 59%. It is important to note that 92% of the wealthiest people end up in upper secondary school, and only 31% of the poorest people; this is a significant difference and shows the critical role of economic backgrounds in shaping educational outcomes.ⁱⁱ
3. Gender-based differences in completion rates are minimal, with very close rates for primary and secondary school. The most significant difference is in the completion rate for upper secondary education, where 51% of men and 65% of women graduate.
4. One of the reasons for Viet Nam's high-quality education is the skilled teachers. Teachers receive extra training and are allowed to make the classes more engaging and exciting, improving the overall learning experience for students. Notably, the quality of education remains consistent across rural and urban schools. This is partly due to the government's initiative to attract more teachers to remote areas by paying them more.ⁱⁱⁱ
5. To continuously improve education, the Vietnamese Government mandates that all provinces invest 20% of their budget into education. The government has also created the 'Fundamental School Quality Level Standards', a framework that ensures universal access to education and guarantees minimum standards across all primary schools.^{iv}
6. However, there are some problems in Vietnamese schools. Many LGBTQ students are harassed at school and do not see school as a safe space, sometimes leading LGBTQ students to drop out or even become homeless. Some problems arise due to natural disasters, which disproportionately affect students of poorer families.
7. Viet Nam has ratified most conventions such as CAT, ICCPR, CEDAW, CERD, CESC, CRPD, and the CRC, accompanied by the two optional protocols (Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflict,

and the Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography). However, Viet Nam has not ratified the 1960 Convention on Discrimination in Education.^v

II. Brief overview of the last UN-UPR cycle

8. In the last cycle's national report for the 2019 UN periodic review, Viet Nam mainly discussed its primary aim: for every Vietnamese person to enjoy human rights entirely. To help achieve this, Viet Nam has amended, revised, and publicised 96 new laws and ordinances related to human rights and citizens' rights between 2014 and 2018.^{vi} This also includes the 2016 Law on Children, which aims to protect children and young persons. It also guarantees children's healthcare and child education.^{vii}
9. Viet Nam has worked hard to increase the pre-school attendance rate in 2000. 49% of the children between 3 and 5 attended kindergarten, and in 2016/2017, it was 92%.^{viii}
10. Special attention has been given to guaranteeing the right to education for people from ethnic minorities. In the 201-2018 academic year, ethnic minority languages were taught in 22 provinces and cities at 715 schools.^{ix}
11. In the last UN UPR cycle, Viet Nam received 14 recommendations regarding the right to education. 11 of these were supported, and three were noted. Several focused on Viet Nam's failure to ratify the 1960 Convention against Discrimination in Education, which Viet Nam has still not confirmed.
12. Vietnam also received numerous recommendations relating to improving the quality of education and equal access to education.

III. Educational challenge faced by LBGTO youths

13. Young members of the LGBTQ community in Viet Nam face much stigma and discrimination at home and school. In recent years, the Vietnamese government has made significant pledges to recognise the rights of LGBTQ people. Still, substantial progress has lagged behind the promises, and young people heavily feel these policy gaps.

14. Research shows that around 95% of LGBTQ youth between the ages of 11 and 14 had experienced direct or indirect aggressiveness towards them at their school. This ranges from name-calling to physical violence. These anti-LGBTQ experiences did not only include the actions of their peers but also school staff.^x
15. Almost all members of the LGBTQ youth who experienced harassment at school stated that they did not feel comfortable reporting this to school staff. This was sometimes because of the apparent discriminatory behaviour of the team and sometimes because students believed it was unsafe to turn to adults for help. Another common sentiment shared by the students is that they think the teachers knew what was happening but were unwilling to intervene.^{xi}
16. LGBTQ youths who face bullying at school suffer from a range of negative impacts; they feel more stressed, which affects their ability to study. It can also lead to skipping school and staying home.^{xii}
17. In 2022, Vietnam's health ministry finally officially confirmed that same-sex attraction and being transgender are not illnesses and thus cannot be cured, need not be fixed, or cannot be converted in any way.^{xiii} However, there still is a widespread belief in Viet Nam that same-sex attraction is a diagnosable mental health condition. This is partly due to the failure of the Vietnamese government to counter this false information.^{xiv}
18. Inaccurate information about sexual orientation and gender identity is also partly generated and maintained by schools. Viet Nam's sex education policies and practices fall short of international standards and do not include mandatory discussion of sexual orientation and gender identity. The central curriculum for schools is also silent on LGBT issues. While some teachers and schools take it upon themselves to include such lessons, the lack of national-level inclusion leaves most Vietnamese students without the basic facts about sexual orientation and gender identity.^{xv}
19. Tens of thousands of young people live on the street; many of these are part of the LGBTQ community. Many LGBTQ youths left their homes due to discrimination, neglect, and abuse from their families. Only 15% of the homeless LGBTQ youths have graduated high school.^{xvi}

20. It is essential that all Vietnamese students receive affirming and accurate information about sexual orientation and gender identity in school and support from their peers and teachers. This would encourage LGBTQ students to attend school more regularly and defend themselves in instances of misinformation or harassment while also making them feel safer.^{xvii}

IV. Educational challenges due to natural disasters and climate change

21. Viet Nam is the sixth most affected country by climate change. Each year, the increasingly intense and unpredictable weather events cause fatalities and extensive damage to infrastructure, such as schools and health centres, and impact the families of disadvantaged communities in urban and rural areas.^{xviii} In the past 20 years, natural disasters have killed more than 13,000 people, and each year, the GDP is reduced by about 1-1.5% due to natural disasters. Due to climate change, there has been an increase in natural disasters; in recent years, more than 70% of the population has been at risk of being affected by natural disasters.^{xix} In the first six months of 2023, more than 880 natural disasters already happened.^{xx}

22. The increasing damage caused by natural disasters threatens the development of all economic sectors in Viet Nam. It mainly affects thousands of students and teachers because it disrupts their education and significantly reduces the quality of education.^{xxi} Extreme weather events such as typhoons and floods can destroy or damage school facilities, causing schools to close, sometimes for several weeks; as a result, in October 2020, nearly 1.2 million students were out of school, and their learning was disrupted.^{xxii}

23. Childhood exposure to floods decreases the school enrolment of the affected children; this also affects the cognitive ability scores of children, hindering their foundational learning, which includes developing basic literacy, numeracy, and socio-emotional skills; the poorest children are most affected by this.^{xxiii}

24. Children in the poorest households have been significantly more affected, with 50% of those in the most impoverished families experiencing at least one extreme weather event by age 15, compared to only 17% of the better-off households.^{xxiv}
25. When natural disasters destroy crops or lead to higher food prices, poor households struggle to maintain nutritious diets. Families that experience flooding are more likely to be affected by food insecurity, leading to more deficient diets. Malnutrition can lead to malnourished children, which can have severe long-term consequences, affecting physical growth, cognitive skills, and progress in school. Hunger can also affect children's ability to concentrate in class and increase the likelihood of missing school.^{xxv}
26. Families without savings tend to spend less on their children's education during natural disasters and are more likely to temporarily withdraw children from school, leading to significant interruptions in education. Experiencing crop failures increases the probability of children dropping out of school by as much as 16 per cent.^{xxvi}
27. Children are at particular risk from climate change due to their physical and psychosocial vulnerability and lack of access to essential services such as health and education.^{xxvii} Extreme weather conditions can cause physical injuries, increase child illnesses such as diarrhoea, dengue fever and malaria, and indirectly affect children's mental health.^{xxviii}

V. Educational Challenge in the COVID-19 pandemic

28. The COVID-19 pandemic has significantly impacted education worldwide, including in Vietnam, affecting students, teachers, and families in various ways. Schools in Viet Nam were initially closed from January to May 2020 and subsequently from April 2021 to April 2022.
29. The decision to close schools was very swift and thus left administrators, teachers, students, and families with little time to prepare for online learning. This was particularly challenging for people living in rural communities. It is estimated that 93% of teachers in rural communities had not used modern technologies in their classrooms before the COVID-19 pandemic. This lack of technological skills compromised the quality of online

teaching. Furthermore, due to a lack of online materials, ethnic minority students often could not follow native language-based online learning.^{xxix}

30. Due to the pandemic, many people lost their jobs, leading to long-term stress on family resources. This caused reduced household spending on children's education, especially as households were required to provide new technological devices for online learning, such as laptops.^{xxx}
31. Children from economically disadvantaged families faced more challenges because they were less likely to access the internet and digital devices. They did not always have workspaces, books, and other learning materials at home, adding to the struggle to ensure quality education. They also experienced more stress due to financial concerns.^{xxxi}
32. Dropout rates were extremely high among students without access to suitable devices for online learning. More than 1 in 5 (22%) of the students without internet access at home had dropped out by December 2021, compared to only 3%.^{xxxii}
33. School closure negatively impacted children's academic performance, with primary school students, in particular, experiencing many difficulties in self-studying.^{xxxiii} Additionally, preschool children who have not been able to interact with friends and teachers are at risk of reducing their ability to develop in language, communication, social-emotional, motor, and health development.
34. The COVID-19 pandemic has intensified the heavy domestic work burden faced by girls, reducing the time girls have available to keep up with schoolwork.
35. Psychological distress among students increased during school closures, particularly among adolescents dealing with feelings of isolation, anxiety about financial instability, and the spread of misinformation.^{xxxiv}
36. Now that the schools have reopened again, many students are still struggling with re-adjusting to go back to school. The mental health of many students has been derogated, the number of students experiencing symptoms of depression has doubled, from 6% to 12%, and signs of anxiety have also increased from 5% to 8%.^{xxxv}

VI. Recommendations

37. Broken Chalk recommends Viet Nam to ratify the 1960 Convention on Discrimination in Education.
38. Broken Chalk encourages Viet Nam to include discussion of sexual orientation and gender identity in their sexual education.
39. Broken Chalk encourages Viet Nam to make schools a safe environment for LGBTQ students and take a stronger stand against the harassment LGBTQ students face from their classmates and school staff members.
40. Broken Chalk recommends Viet Nam to create at-home learning materials for when natural disasters occur and students cannot attend schools due to the destruction of schools.
41. Broken Chalk encourages Viet Nam to raise more awareness of the effects natural disasters can have on someone's mental health and to provide mental health aid to students exposed to a natural disaster.
42. Broken Chalk encourages Viet Nam to open up more food banks in the areas most often affected by floods to ensure no one goes hungry.
43. Broken Chalk encourages Viet Nam to provide a laptop for each student from the lowest income households to ensure they can access digital learning materials.
44. Broken Chalk recommends Viet Nam to give all teachers training on the usage of modern technology.

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