



1. Please provide updated information since 2003 on the treatment of illegitimate children and single mothers in Vietnam.

No recent detailed reports updating the situation for unwed mothers or illegitimate children in Vietnam were found. According to a 2000 *Asian Political News* article, single motherhood became legalised in an amendment to the Marriage and Family Law in 2000.¹ This legislates against discrimination against children born out of wedlock. Media reports and a recent UNICEF report indicate that single mothers continue to face societal discrimination and possible rejection from their families.² There is little available support for unwed mothers, and terminations and “baby dumping” are reportedly common. No other incidents of harm against unwed mothers were found in the available information.

Of relevance is the fact that Vietnam is reported to have one of the highest abortion rates in the world; according to facts cited in a 2006 book on reproductive rights, each woman in Vietnam will have an average of 2.5 abortions in her lifetime.³ Attitudes towards abortion are liberal, and abortions are available at most hospitals.⁴ The acceptability of abortion, and the social condemnation of unwed mothers, makes abortion a likely option for single women dealing with an accidental pregnancy. Information was also found indicating that “baby dumping” is a common problem in Vietnam. A 2008 *Inter Press Service* article states that “although accurate figures are hard to come by, babies continue to be routinely abandoned in Vietnam because out-of-wedlock pregnancies are socially frowned upon”.⁵

¹ ‘Single motherhood legalized in Vietnam’ 2000, *Asian Political News*, 12 June - Attachment 2.

² International Social Service/UNICEF Vietnam 2009, *Adoption from Viet Nam – Findings and recommendations of an assessment*, UNICEF website, November, p. 16
http://www.unicef.org/vietnam/Eng_Adoption_report.pdf – Accessed 22 April 2010 – Attachment 3; Trang, N. 2008, ‘A Vietnamese man shelters unwed mothers’, *Christian Science Monitor*, source: *Associated Press*, 28 May <http://www.csmonitor.com/World/Asia-South-Central/2008/0528/p04s01-wosc.html> - Accessed 22 April 2010 - Attachment 4; ‘Vietnam – Nuns stop women terminating pregnancies’ 2010, Union of Catholic Asian News website, 3 March <http://www.ucanews.com/2010/03/03/nuns-stop-women-terminating-unwanted-pregnancies/> – Accessed 22 April 2010 – Attachment 5; Clark, H. 2008, ‘Infant Abandonment Worse Than Adoption Fraud?’, *Inter Press Service*, 23 May <http://ipsnews.net/news.asp?idnews=42479> – Accessed 22 April 2010 – Attachment 6.

³ Knudsen, L. 2006, *Reproductive Rights in a Global Context*, Vanderbilt University Press, Google Books website, pp. 139-140
<http://books.google.com/books?id=7St292R99PAC&lpg=PA167&ots=GgORAUeO45&dq=Contextualising%20reproductive%20rights%20challenges%3A%20The%20Vietnam%20situation&pg=PA146#v=onepage&q&f=true> - Accessed 22 April 2010 - Attachment 7.

⁴ Trang, N. 2008, ‘A Vietnamese man shelters unwed mothers’, *Christian Science Monitor*, source: *Associated Press*, 28 May <http://www.csmonitor.com/World/Asia-South-Central/2008/0528/p04s01-wosc.html> - Accessed 22 April 2010 - Attachment 4.

⁵ Clark, H. 2008, ‘Infant Abandonment Worse Than Adoption Fraud?’, *Inter Press Service*, 23 May <http://ipsnews.net/news.asp?idnews=42479> – Accessed 22 April 2010 – Attachment 6.

A UNICEF report published in November 2009 states that single mothers may face discrimination within the community due to conservative cultural tradition and religious views.⁶ Likewise, a 2004 article states “in rural Vietnam...women who have no husband but have children will be condemned and denigrated.”⁷ An article dated 3 March 2010 on the Union of Catholic Asian News website, details a Church-run home for unwed pregnant women. Most of the girls featured had planned to have abortions, but were now going to have their children at the home and leave them there so that they could return to their families without shame.⁸

A 2008 article reports that, although accurate figures are hard to come by, “babies continue to be routinely abandoned in Vietnam because out-of-wedlock pregnancies are socially frowned upon”. The article quotes a Vietnamese journalist who had adopted an abandoned child, who states:

“Babies do get abandoned here all the time. People are reluctant to talk about it... it’s not nice to think about.” She sees this situation as a result of widespread condemnation of unwed mothers in Vietnam and few services designed to help them. “The women who are dumping these babies are usually really poor.”⁹

A 2008 *Associated Press* article, reproduced in *The Christian Science Monitor*, reports on another Vietnamese Catholic, Tong Phuoc Phuc, who has opened his house to look after unwed mothers while they have their babies. The article states:

Most pregnant unmarried Vietnamese women have few options. Abortion is a welcome choice for many who simply cannot afford to care for a baby or are unwilling to risk being disowned by their families.

The Communist government calls premarital sex a “social evil.” Abortion, however, is legal and performed at nearly every hospital. And unlike in some Western countries where the issue is hotly contested, the practice stirs little debate here.

But shelters for women who want to keep their babies are rare. Phuc promises them food and a roof until they give birth, then cares for the children until the mothers can afford to take them. In the last four years, he’s taken in 60 kids, with about half still living in his two houses.¹⁰

Recent US Department of State (USDOS) human rights reports do not mention the issue of single motherhood or illegitimate children. On the subject of women more generally, the latest USDOS human rights report states: “Violence and discrimination against women...continued to be significant problems, despite laws and government efforts to combat such practice.” It may also be relevant that: “many women remained in abusive

⁶ International Social Service/UNICEF Vietnam 2009, *Adoption from Viet Nam – Findings and recommendations of an assessment*, UNICEF website, November, p. 16

http://www.unicef.org/vietnam/Eng_Adoption_report.pdf – Accessed 22 April 2010 – Attachment 3.

⁷ ‘Women Of Vietnam...Disability in Motion’ 2004, *Disability World*, issue 22, January – March http://www.disabilityworld.org/01-03_04/arts/vietnam.shtml – Accessed 22 April 2010 – Attachment 8.

⁸ ‘Vietnam – Nuns stop women terminating pregnancies’ 2010, Union of Catholic Asian News website, 3 March <http://www.ucanews.com/2010/03/03/nuns-stop-women-terminating-unwanted-pregnancies/> – Accessed 22 April 2010 – Attachment 5.

⁹ Clark, H. 2008, ‘Infant Abandonment Worse Than Adoption Fraud?’, *Inter Press Service*, 23 May <http://ipsnews.net/news.asp?idnews=42479> – Accessed 22 April 2010 – Attachment 6.

¹⁰ Trang, N. 2008, ‘A Vietnamese man shelters unwed mothers’, *Christian Science Monitor*, source: *Associated Press*, 28 May <http://www.csmonitor.com/World/Asia-South-Central/2008/0528/p04s01-wosc.html> - Accessed 22 April 2010 - Attachment 4

marriages rather than confront social and family stigma as well as economic uncertainty.”¹¹

2. Would the discrimination likely to be experienced by a single mother made more serious because she is a Buddhist nun?

No information was found on the situation for a pregnant Buddhist nun. No information was found on incidents of pregnancy within the Buddhist monastic community. It would seem probable that if out-of-wedlock pregnancies are socially condemned, a pregnant Buddhist nun would be even more so. Having broken her vows of celibacy¹², she would likely be considered to have brought shame on herself and her family and her community. Information was not found on whether she would be able to return to the temple, with or without the child.

Question 1 of a recent Country Advice provides information on the treatment of Buddhists generally in Vietnam. The information in this advice indicates that Buddhist monks must be approved by and work under the officially recognised and government-sponsored Vietnam Buddhist Church (VBC, also VBS). Limited information was found regarding the treatment of Buddhists affiliated with the registered VBC; however, members and followers of unregistered Buddhist organisations such as the Unified (or United) Buddhist Church of Vietnam (UBCV) continued to experience harassment and discrimination by the Vietnamese authorities.¹³

Attachments

1. Deleted.
2. ‘Single motherhood legalized in Vietnam’ 2000, *Asian Political News*, 12 June. (FACTIVA)
3. International Social Service/UNICEF Vietnam 2009, *Adoption from Viet Nam – Findings and recommendations of an assessment*, UNICEF website, November http://www.unicef.org/vietnam/Eng_Adoption_report.pdf – Accessed 22 April 2010.
4. Trang, N. 2008, ‘A Vietnamese man shelters unwed mothers’, *Christian Science Monitor*, source: *Associated Press*, 28 May <http://www.csmonitor.com/World/Asia-South-Central/2008/0528/p04s01-wosc.html> – Accessed 22 April 2010.
5. ‘Vietnam – Nuns stop women terminating pregnancies’ 2010, Union of Catholic Asian News website, 3 March <http://www.ucanews.com/2010/03/03/nuns-stop-women-terminating-unwanted-pregnancies/> – Accessed 22 April 2010.
6. Clark, H. 2008, ‘Infant Abandonment Worse Than Adoption Fraud?’, *Inter Press Service*, 23 May <http://ipsnews.net/news.asp?idnews=42479> – Accessed 22 April 2010.

¹¹ US Department of State 2010, *2009 Human Rights Reports: Vietnam*, 11 March – Attachment 9.

¹² “In contrast to lay Buddhists, who are enjoined to abstain from sexual misconduct... Buddhist nuns (and monks) make a commitment to refrain from sexual activity entirely” (Tsomo, K. (undated), ‘Buddhist Nuns In The Global Community’, International Congress on Buddhist Women website <http://www.congress-on-buddhist-women.org/fileadmin/files/BuddhistNunsintheGlobalCommunity.doc> - Accessed 23 April 2010 - Attachment 10).

¹³ RRT Country Advice 2010, *Country Advice VNM36044*, 2 February - Attachment 11

7. Knudsen, L. 2006, *Reproductive Rights in a Global Context*, Vanderbilt University Press, Google Books website, pp. 139-140
<http://books.google.com/books?id=7St292R99PAC&lpg=PA167&ots=GgORAuEO45&dq=Contextualising%20reproductive%20rights%20challenges%3A%20The%20Vietnam%20situation&pg=PA146#v=onepage&q&f=true> – Accessed 22 April 2010.
8. ‘Women Of Vietnam...Disability in Motion’ 2004, *Disability World*, issue 22, January – March http://www.disabilityworld.org/01-03_04/arts/vietnam.shtml – Accessed 22 April 2010.
9. US Department of State 2010, *2009 Human Rights Reports: Vietnam*, 11 March.
10. Tsomo, K. (undated), ‘Buddhist Nuns In The Global Community’, International Congress on Buddhist Women website <http://www.congress-on-buddhist-women.org/fileadmin/files/BuddhistNunsintheGlobalCommunity.doc> – Accessed 23 April 2010.
11. RRT Country Advice 2010, *Country Advice VNM36044*, 2 February.