Introduction

1. This report presents the findings and conclusions of the country analysis of Vietnam. The purpose of the analysis is to document the current situation regarding accessible transport, to identify the barriers, good practices and awareness, to follow up on examples of good practice with mini case studies, and to make recommendations to improve the quality of accessible transport. The report presents the results in a similar order to the tasks set out the TOR for the Study (shown in Annex 1).

2. As an initial step stage, a number of experts in the field of Accessible Transport were identified, as well as Non Government Organisations (NGO), and government agencies active in the field of Accessible Transport. The discussions that took place with these experts, together with the reports provided by them formed the key inputs to the Study. The list of persons met is shown in Annex 2, and the references assembled are listed in Annex 3.

3. The current legal and regulatory regime has been assessed, and a preliminary assessment made of the current standards and practices in the planning, design and implementation of accessible transport facilities and services. Key barriers to the provision of facilities and services, and awareness of the transport needs of persons with disabilities have been identified with the NGO.

4. The report presents a summary of the findings, and a set of recommendations, which includes next steps for the continuation of the work of mainstreaming accessible transport into transport regulations, plans, programs, projects and services in Vietnam. A workshop (as indicated in the TOR) would be one of the logical next steps. A workshop on the new Law of Disabilities was held in World Bank Hanoi Office in September 2010. This fact and the lack of examples of good practice found during this analysis, led to the conclusion that a further workshop should be held to launch a more intensive five year program of activity on accessible transport, provided that the World Bank is willing to provide knowledge and limited financial support for such activity.

Documentation of the Current Situation in Vietnam

Nationally Experienced Vietnamese Experts

5. The nationally experienced Vietnamese experts in the field identified are:
   a. Nguyen Thi Phuong Hien – Head of the Transport, Environment and Development Center, Transport Development and Strategy Institute, Ministry of Transport. Ms Hien participated in the 2005/06 US AID funded studies of Accessible Transport, and has been working in the field since then.
   b. Dr. Tung Hoang, Vice Dean of Transport Engineering, National University of Civil Engineering, Hanoi. Dr. Hoang is working with Hanoi DoT on accessible bus services, and participated in the Pilot Study of Route 34.
   c. Dr. Dinh Van Hiep, Executive Deputy Director, Institute of Planning and Transportation Engineering, National University of Civil Engineering, Hanoi. Dr Hiep trained in Japan, is knowledgeable about Japanese practice. He is also responsible for courses on accessible transport at the Institute.
d. Dr Chu Manh Hung, Director Department of Environment, Ministry of Transport (MoT). Dr Hung heads the unit in the MoT which is responsible for accessible transport, and has been working on the topic since 2004.

There are in addition, experts within the various Non Government Organisations (NGO’s) representing persons with various kinds of disabilities

**Key Organisations**

6. **National Coordinating Council on Disability (NCCD)** is the Government of Vietnam coordinating agency, with representation from seventeen ministries. This Council coordinates the work of government agencies, but is not considered to play a strong role in policy formulation or advocacy. The Ministry of Transport (MoT) is a member of the NCCD. Representatives of non government organisations consulted consider that NCCD should play a more active role in working with the MoT, city DoT and donors, advocating for persons with disabilities and monitoring projects and programs.

7. **Vietnam Federation of Disabled People** is the peak body for Non Government Organisations (NGO). National and local NGO’s representing people with different kinds of disabilities – not just those that are mobility impaired - are members. Representatives of NGO’s consulted consider that the Federation should also play a more active role in working with the MoT, city DoT and donors, advocating for persons with disabilities and monitoring projects and programs.

8. **Non Governmental Organisations (NGO)** The key NGO involved in accessible transport have been identified by WB Hanoi Office as:
   a. Vietnam Assistance for the Handicapped (VNAH) and 
   b. Hanoi Independent Living Center – which represents people with mobility impairments.

A meeting was held with these NGO and by mutual agreement, further discussions on the topics discussed at the initial meeting has taken place by email

**Policies and Regulations on Accessibility for Urban Transport**

9. The legal provisions for persons with disabilities in Vietnam are currently being updated. A new law for person with disabilities was passed in June 2010 - Law for Persons with Disabilities, Law No. 51/2010/QH12, 17th June 2010. Articles 40,41 and 42 shown in Box 1 refer to urban transport. (A copy of the full Law is attached at Annex 4). It became active in January 2011. The law is useful in making a number of statements on requirements for accessibility and the compliance with the national accessibility code or technical standards – for train and bus stations (Article 40), for personal transport (Article 41) and public transport (Article 42). The practical issue is that currently nationally agreed codes and standards do not exist.

10. However, there are two sets of regulations and guidelines in use which predate this law:
    a. Compendium of Regulations (316 pages) published by MoT in 2009 with financial assistance from US AID and VNAH.
    b. Guidelines/Textbook (150 pages) developed in 2008 by UTC with 160 Million VND funding from the MoT.

Experts consulted indicated that due to the lack of Vietnamese technical standards, French, German and US Guidelines had been used in Vietnam in the design of different projects since 2004.
Box 1  Sections of the Law on Disabilities directly related to Transport

Article 40. Timeline for renovation/upgrading residential apartment blocks and Public Buildings

1. As of January 01st, 2010, the following public works/buildings shall be ensured the accessibility features:
   a. Government office buildings
   b. Train stations, bus stations and ports
   c. Health care and health check up stations
   d. Education and vocational training centers
   e. Culture, physical education and sports buildings

2. As of January 1st 2025, all residential apartment blocks, office buildings, infrastructure works and social public buildings which do not fall under provision 1 of this Article shall ensure accessibility features.

3. The Government shall regulate in details the timeline for upgrading specific types of public works as regulated in provisions 1 and 2 of this Article.

Article 41. Persons with Disabilities participating in public transportation

1. Personal means of transport of persons with disabilities must comply with national technical standards and be suitable for the health condition of persons with disabilities. For personal means of transport that require user driving license, persons with disabilities shall be provided with training and granted driving license after training.

2. Persons with disabilities using public transport shall be entitled to use and carry along assistive devices free of charge.

3. People with severe disabilities and persons with moderate disabilities shall be entitled to exemption from or reduction of ticket fare and service fee when using some public means of transport as regulated by the Government.

4. Persons with disabilities shall be given priority to buy tickets, to be assisted and arranged comfortable seats when using public means of transport.

Article 42. Means of Public Transport

1. Means of public transport must have seats reserved for persons with disabilities, be equipped with assistive devices to support persons with disabilities to get in and out, and other equipments necessary to assist persons with disabilities.

2. Means of public transport must comply with the national accessibility code and standards to ensure access and use by persons with disabilities.

3. Transportation enterprises shall invest and provide means of transport with accessibility features at a percentage as regulated by the Government for specific period.

4. Means of transport with accessibility features as regulated by the national accessibility code and standards shall be entitled tax exemption or reduction according to current tax legislation on production and import activities.
11. Following the enactment of the Law, the Ministry of Transport (MoT) is currently developing new technical standards and guidelines to assist transport agencies and professionals in the implementation of the provisions of the law. Urban road design standards, including for accessible transport are the responsibility of the Ministry of Construction. These are also in the process of being updated.

12. The MoT has commissioned two universities – the University of Civil Engineering, (School of Highway and Traffic Engineering & Institute of Planning and Transportation Engineering) and the University of Transport and Communications, (Institute of Transport Planning and Management), as well as the Transport Development and Strategy Institute (TDSI) of the MoT to assist with these initiatives. Staff from the University of Civil Engineering expressed that view that there were currently no regulations or Vietnamese standards for the design of accessible transport facilities. The initiatives discussed below were designed using French and US standards. Staff from the University of Transport and Communications also referred to the use of German standards.\(^1\)

**Developments since 2004**

13. The date of 2004 was chosen as the starting point for this discussion of development in accessible transport as it was the last occasion on which the World Bank undertook a sectoral analysis. This was undertaken by Tom Rickert\(^2\) as part of a larger US AID funded program undertaken by VNAH to promote a national plan for accessible public transport. In particular he participated in a workshop sponsored by VNAH and MoT in September 2004. As a result of this program, coupled with proactive interest by the then WB Country Director and staff, there was a considerable amount of activity during 2005-2006 on accessible transport. This included the Hanoi Urban Transport Development Project.

14. **MoT Initiatives** There have been some initiatives over the past five years by the MoT (as set out in **Annex 5**) to introduce accessible transport, but these have had limited success. These initiatives included:
   b. Production of Prototype Accessible Bus (2007)
   e. MoT Compilation and publication of the collection of legal documents on accessible transport (2009)
   f. MoT conference on Accessible Transport Programs 2006-08 (2009)
   g. VRC production of one carriage that meets specifications for accessible transport, and bringing into railway operation (2010).

A total of 5.7 Billion VND (about US $ 3 million) was spent, of which 3 Billion VND (US $ 1.6 million) came from the government budget and 2.7 Billion (US$ 1.4 million) from business enterprises.

---

\(^1\) 2003 Handbook on Barrier Free Public Transport (in English and German)

\(^2\) Accessible Transport in Vietnam: Report and Recommendations from September 1-11, 2004, Consultancy
15. **Ecotrans Pilot Study on Bus Route 34 in Hanoi.** This study was undertaken in 2007 under the aegis of the EU Ecotrans Program by experts from the Ile de France Region of France and the City of Hannover. The objective of this study was to evaluate how to improve access to public transport for handicapped people in Hanoi. Two categories of handicapped were considered:

- Wheel chair users
- Blind people

The Study resulted in detailed low cost proposals for improvements to bus stops to make them more accessible and easier to use. However, the recommendations for new or improved accessible bus stops were not implemented as neither Hanoi DoT nor the Ile de France Aid Program were able to provide any funds to meet the 630 Billion VND cost (about US $ 35,000).

16. **World Bank Workshop** The World Bank Hanoi Office organised a workshop in September 2010 to discuss the June 2010 Law for Persons with Disabilities with invitees from all concerned government agencies and NGO’s. The MoT and representatives from NGO’s with an interest in accessible transport were amongst the attendees. One of the outcomes of this workshop was that each government agency would develop a program for 2011 – 2020 to implement the provisions of the Law in their area of responsibility. The MoT has done this, but the program shown later in Box 3 is somewhat limited. (Fuller details are provided in Annex 5).

**Discussions with NGO’s and Government Agencies**

**Surveys**

17. Discussions with the national experts, government agencies and representatives of the NGO’s and World Bank staff did not reveal any documented surveys of the transport needs of persons with disabilities. There had been no surveys that highlight the interaction between disability and access to work, economic opportunities and health services. World Bank staff working on disability issues consider that data on these interactions is too limited to permit meaningful analyses to be undertaken.

**Barriers**

18. One of the leading NGO in the field, the Vietnamese Assistance for the Handicapped (VNAH) considers that the key barriers limiting the provision of facilities and services for persons with disabilities are:

a. Design for persons with disabilities is not institutionalised
b. There is a lack of knowledge amongst professional staff, including about standards
c. There is also a lack of consultation with persons with disabilities (in relation to design of infrastructure in projects).
d. No implementation of standards, or enforcement of standards
e. Lack of awareness and not enough awareness raising

Initial comments on each of these barriers are provided below.

19. **Design is not Institutionalised** The key reason for this barrier is that there are currently no approved Vietnamese Design Standards, and therefore no regulatory provisions to include consideration of accessibility in the design process. There is also therefore no requirement for city DoT as the design verification agencies, to include this aspect in their verification process.
20. The current design (and use) of sidewalks in Vietnam is a major barrier to travel. There is a lack of kerb cuts/drop kerbs, many potholes, motorbikes are allowed to ride on sidewalks, sidewalks are used as parking lots and areas for small businesses to set up which block the street.

21. **Lack of Professional Knowledge** Staff from the University of Civil Engineering said that they already provided a course on Accessible Transport for their undergraduate students. The students also undertake a case study – a recent study was on transport around Ho Kien Lake in the centre of Hanoi. They are interested in developing a training course for managers, officers and engineers working in transport, and are exploring the possibility of developing the course in conjunction with a Japanese university.

22. **Lack of Consultation** Public consultation on planning and design is relatively new in Vietnam, and is not institutionalised. This applies to all aspects of planning and design, not just accessible transport matters. The exception is the consultation required on environmental and resettlement matters. WB staff did consult with persons with disabilities in the design of the VUTIP and HUTDP as noted above. However the view was expressed that this was due in part to a pro-active country director at the time.

23. **No implementation and enforcement of standards.** There is a well defined institutional process for checking and verification of designs of civil works in Vietnam. Once Vietnamese standards on accessible transport are approved, this process should ensure that they are applied in the design of transport infrastructure. However it is anticipated that training programs would be required to familiarise engineers with the standards and their application.

24. **World Bank Projects** VNAH indicated that they had been consulted in the past by the World Bank in the design of two previous urban transport projects in Vietnam - Vietnam Urban Transport Improvement Project (VUTIP) and Hanoi Urban Transport Development Project (HUTDP). However they indicated that they had no knowledge of current World Bank projects. In other words, there appears to be no process within WB to inform VNAH of projects. Rather it is up to individual Task Team Leaders to contact them, as had been done by the TTL for the HUTDP.

Quality of Infrastructure and Services for the Mobility Impaired

25. **Current Situation** MoT in its proposals for 2011 – 2020 (see Annex 5) has made an Assessment of on the strong and weak points” of the current situation. This frank assessment is reproduced in Box 3.

26. Additional comments of the experts and NGO’s relating to the activities that have taken place since 2005 are presented below.

   a. **Pilot Accessible Bus Routes.** There is an accessible bus service from Danang to Hoi An, and there are three accessible bus routes in HCMC. However only some of the buses have lifts. MoT indicates that the number of persons with disabilities using the services has increased annually. Even so, the pilot has not led to the introduction of other accessible bus services.
2. Assessment on strong and weak points

Awareness

At present, there is not full and proper community's awareness of accessible transport. Accessible transport is a new area in Vietnam so the awareness of the community, transport participants, and even the state management staff is still not strong enough, leading to slower pace of deployment of laws on accessible transport.

3. Causes

3.1. Infrastructure is not reliable enough for accessible transport.

The design of pavements, traffic nodes, zebra crossings traffic signal systems, stops, ticket boxes, train platforms etc., has not taken into account the need of the disabled.

The pavements in many places have not been used for their proper functions, being occupied as spaces for trading and parking. Many places have narrow pavements. In some places tree roots occupy most of the pavement's breadth. The quality of pavements has not been ensured; there are no leading ways for the blind; pavements are bumpy. There are not enough caution signs at dangerous places. There are not enough standardized ways up and down.

Transport nodes are mostly of uniform levels. The disabled may face some difficulties when crossing the roads such as no direction-leading edges for the blind and no sounding sign systems. There are not enough ways up and down at the crossings, or they are blocked; at the nodes where there are traffic lights, the time set for passers-by is too short.

Many car stations and car parks use roads, air-circulating spaces, and spaces intended for departure and arrival stops. Car stations have not been equipped with proper infrastructure, with many stations having no departure lounges; ticket-offices are small and poorly equipped, with no supporting means for the disabled to move up and down more easily.

City bus stops have sign posts with only numbers of lines, names and routes. The pavements in many car stations and car stops are bumpy, making it difficult for the disabled to access. There are only a few bus stops being equipped with roofs and chairs for passengers but there is no information-supporting means for the disabled.

At the ticket-offices, there are no prior counters for the disabled. It is difficult for the blind to check the information on tickets. The deaf have difficulties in communicating with ticket sellers.

3.2. Means of transport are not suitable for accessible transport

At present, most means of transport have not met access requirements for the disabled. City buses, passenger coaches all have high floors, narrow doors and alleys, and steps of 20 to 30cm. On many buses, there are no prior positions for the disabled, and no spaces for wheel-chair repair. Rails and handles on buses are not suitably and properly arranged. There is not enough information-providing equipment (there are no electric notice boards or announcing-speaker systems). Doors are too narrow (70-75 cm) for wheelchairs. Railway carriage floors are too high with high steps (60 cm). There are no special carriages for the disabled. Toilets are narrow and unsuitable. There is a lack of information on trains.

3.3. There are not enough mechanisms and policies to encourage and provide favourable conditions to all economic sectors and social organization to develop accessible transport system

To ensure the participation of the disabled in transport, the transport environment, from transport infrastructure to means of transport innovation, must be comprehensively improved. Transport participants' awareness needs improving. Although there has been great interest and investment in the improvement of transport infrastructure systems, to ensure standards of accessible transport, there should be preparations and extra supply of investment expenditure which is needed for the work serving accessible transport. For passenger-carrying means of transport, the change requires a lot of time and a great amount of expenditure, which cannot be met by domestic transport businesses. Therefore, until now, most transport businesses, even tourism-service businesses have not showed enough proper interest in the investment of means and equipment for the disabled. If there are no favorable policies and mechanism, it will be very difficult to encourage agencies and businesses to take part in developing accessible transport systems.
b. **Accessible Buses** – There has been no purchase of accessible buses with the reason given that these are more expensive than standard buses. Operators are not compensated by city governments for purchasing more expensive buses, or consider that they cannot recover the higher purchase cost from fares. Low floor buses are not currently manufactured in Vietnam, and imported low floor buses attract import duties which increase the costs. As a demonstration project, IMV are to trial use of an imported low floor bus in Hanoi shortly. Part of the reason cited for the trial is to reduce the injuries and deaths to able bodied passengers that occur while boarding and alighting from the current high floor buses.

c. **Accessible Railway Carriage** – The view expressed by NGO’s was that this had not been successful as a pilot project, in part because no provisions has been made for getting persons in wheelchairs from the current low station platforms to the carriage.

The views expressed by the NGO’s were that the regulations and guidelines listed in paragraph 14 had in themselves limited impact on the quality of infrastructure and services for persons with disabilities, as there had been limited application of them.

27. **Current MoT Proposals.** MoT states that during the period of 2011 – 2020, the main objectives in assisting the disabled in favorable transport are as follows (see Annex 5):

- Continue to improve sets of policy documents in the area of accessible transport (Decree, Circular instructing the execution of the Law on the Disabled, and the establishment of national technical norms on means of transport.)
- Continue to raise the consciousness on the disabled of management and service staff of means of transport.
- Develop models of access transport in road, railroad, and waterway transport.

The MoT Program resulting from these objectives is shown in **Box 3**.

28. **Good Practices.** In discussions the national experts, government agencies and representatives of the NGO’s did not identify any measures that had been implemented that they would consider good practices that would merit further study as mini case studies. The possible exception was the two accessible bus routes in HCMC. However, it was considered there would be limited value added to the findings of this review in conducting a case study. Such a case study (as well as a more in depth review of the experiences with accessible bus services in Hanoi) could from part of the next stage of work on accessible transport in Vietnam.

29. **Workshop.** The TOR called for organisation of a workshop to disseminate identified good practices and to develop a consensus for recommendations/agenda to improve the quality of mobility services and outcomes for the mobility impaired in Vietnam. Given there has recently been a workshop, and that there are limited good practices to disseminate, it is considered that there was no value in holding a further workshop as part of this study. There is support (amongst NGO’s, government officials and others working in the area) for holding a workshop, to launch a program of activities to implement the provisions of the Law on Disabilities in the Transport Sector. World Bank support for such activities would be welcomed. This consultant considers such support could be provided with limited expenditure of staff time and resources, but would require a continuous commitment for up to five years. Initial resource inputs would be required to assist in organising the workshop, and then to provide knowledge and financial support as discussed in the recommendations section below.
# BOX 3 ACTIVITIES UNDER THE SUB-PROJECT OF ‘SUPPORTS TO THE INVALID IN THE PERIOD OF 2011-2020’ IN TERMS OF TRANSPORT

<table>
<thead>
<tr>
<th>No</th>
<th>Activities</th>
<th>Aims</th>
<th>Content</th>
<th>Cost (Million VND)</th>
<th>Implementation time</th>
<th>Presiding agencies</th>
<th>Co-operating agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Surveying invalids’ traveling need near or across rivers</td>
<td>To collect data and information on invalids’ traveling needs according to transport types to develop suitable transport plans</td>
<td>Surveying invalids’ traveling need near or across rivers</td>
<td>1000</td>
<td>2011</td>
<td>Vietnam Department of Inland Waterways</td>
<td>The Ministry of Transport and Departments of Transport</td>
</tr>
<tr>
<td>2</td>
<td>Conducting research to upgrade platforms, paths leading to and away from piers, and transport vehicles.</td>
<td>To conduct research for technical and textural solutions for typical piers, platforms and vehicle models according to terrain features of different areas.</td>
<td>Conducting research to upgrade platforms, paths leading to and away from piers, and transport vehicles.</td>
<td>3000</td>
<td>2010-2013</td>
<td>Vietnam Department of Inland Waterways</td>
<td>The Ministry of Transport and Departments of Transport</td>
</tr>
<tr>
<td>3</td>
<td>Developing national standards for piers, tourist ship piers, domestic passenger water vehicles and tourist hips to ensure access for invalids.</td>
<td>To perfect standard and reference system for accessible transport.</td>
<td></td>
<td>1200</td>
<td>2015-2017</td>
<td>Vietnam Department of Inland Waterways</td>
<td>The Ministry of Transport and Departments of Transport</td>
</tr>
</tbody>
</table>
| 4  | Developing a pilot accessible bus route in Hanoi, Ha Nam and Can Tho | To meet invalids’ demand on public transport in cities and towns | - Surveying invalids’ demand on public transport in cities and towns.  
- Upgrading platforms, bus-stops and vehicles.  
- Training bus drivers.  
Propagandizing...... |  | 2011-2015 | Hanoi Public Transport Management and Operation Centre. Ha Nam and Can Tho Department of Transport | Ministry of Transport, Province and City’s People Committee, local Department of Labour, Invalids and Social Affairs |
| 5  | Disseminating laws on accessible transport | To raise awareness of accessible transport | Organizing conferences |  | 2012-2020 | Ministry of Transport | Agencies under the ministry |
Summary of Findings

30. It is worth noting that much of the discussion seems to relate to people with physical disabilities. There are also issues for people with vision and hearing difficulties, and also people with mental disabilities that can also affect design of transport facilities, programs for helping people learn how to use public transport – or even awareness of the public that, for example, a person with a white can is blind. Simply enforcing red lights would help disabled people a lot, since they are generally slower moving – in the case of blind and physically disabled people – and more easily disorientated in the case of mentally disabled people.

31. The quality of disabled-friendly infrastructure and mobility services customized for the mobility impaired is not good. There is very limited provision of infrastructure for persons with disabilities. Footpaths are uneven, broken up and occupied by parked cars and motorcycles, so that it is difficult for even able bodied people. There are drop kerbs at intersections which would allow persons in wheelchairs in cross. However these facilities are more used by motorcyclists for moving from the road carriageway to the sidewalk for parking, or access to adjacent properties.

32. World Bank Projects  There is one completed urban transport project (VUTIP) and one project in implementation (Hanoi). Two other projects are moving implementation (Danang and Haiphong). The scope of the VUTIP project was limited to traffic management. Within this limited scope, provision was made for accessible transport through the installation of drop kerbs. The poor level of maintenance of footpaths means that they are impassable by persons with physical disabilities, and so the drop kerbs are used mainly for motorcyclists to access on footpath parking.

33. The Hanoi Project includes components for the construction of a Bus Rapid Transit (BRT) line (the first in Hanoi) and a section of the second ring road (RR2). Extensive consultation took place with representatives of persons with various disabilities during preparation of the Hanoi Project in 2005 and 2006. This corresponded with a period of considerable interest and activity by the World Bank (and USAID) for accessible transport. As a result, the road and BRT components in the project were designed to be accessible. During the detailed design stage in 2009 and 2010, designs were checked to ensure these objectives were maintained. The civil works contracts for the construction of the initial sections of the BRT and the Ring Road 2 are expected to be let in 2011.

34. The Haiphong project is at the feasibility study stage. The project includes components for the construction of a 20 kilometre section of arterial road, and a pilot project for the transformation of public transport services in one 26 kilometre corridor. No consultation with persons with disabilities (or other members of civil society) has so far taken place. However consultation should take place during the forthcoming detailed design stage. The Haiphong project was presented to the Board in March 2011. Detailed design for the works is to commence in 2011.

35. Legal and Regulatory Framework  There is a recent Law on Persons with Disabilities (June 2010), but no supporting national level enabling regulations. These are currently being prepared, (by consultants commissioned by MoT), but no completion date has been indicated. A set of technical standards and guidelines prepared by the MoT in 2009 is in use, but these have no legal status. So design engineers are not required to use them. There is a small and active accessible Transport unit within MoT, which has good working relations with VNAH. There appear to be no separate regulations or guidelines at a city government level.
36. **Awareness** Within professionals engaged on urban transport projects, there is an awareness of accessible transport, of the needs of persons with disabilities and of the co-benefits to other members of society of accessible transport measures – particularly the elderly, and pregnant women, but bus users more generally. VNAH also indicated that some operators were aware. However the general view was that decision makers were not sufficiently aware, nor many design professionals or bus operators.

37. **Budgets.** Budget restrictions were cited as a reason for pilot schemes not being implemented or maintained, or for a more proactive approach to provision of accessible transport facilities. However with the exception of purchase of low flor buses, the amounts of money were quite small.

38. **Overall Assessment.** WB has made a significant contribution towards accessible transport in Vietnam through urban transport projects. The conditions are in place that would allow WB with limited effort and resources to continue to support accessible transport in Vietnam, or to expand this support.

**DRAFT Recommendations**

39. The following draft recommendations to improve the quality of mobility services and outcomes for the mobility impaired in Vietnam are made after initial discussions with the persons listed in Annex 2. Most of these recommendations are framed as proposed actions to be taken by persons, agencies or NGO’s already working in the field of Accessible Transport in Vietnam. They merit further discussion before being agreed to or adopted both in one to one meetings with such agencies and with all interested parties in a workshop. If requested, the World Bank could provide support as a facilitator or catalyst for their further development and implementation, as well as direct financial support for implementation of adopted recommendations.

40. **Regulatory Framework, Standards and Guidelines** It is proposed that
   a. MoT and consultants commissioned by MoT should complete the preparation of enabling regulations for the implementation in the transport sector of the provision of the Law on Persons with Disabilities (Law Nr. 51/2010/QH12 – 17 June 2010)
   b. MoT should update (using international references as appropriate), the design guidelines published in 2009, (in paper and electronic formats), disseminate them and encourage their use.
   
   If requested, the World Bank could provide knowledge, financial support, and connections with international organisations representing persons with disabilities that have a lot of experience in this area. For example - Disabled People international (DPI), and the Asia-Pacific Development Center on Disability (based in Bangkok).

41. **Plans and Programs.** It is proposed that MoT should formulate a five year program for planning, design and implementation of accessible transport, including preliminary costs and budgets. The program could include these activities:
   a. Completion of regulatory framework, standards and guidelines
   b. Establishment of accessible transport programs in cities and transport agencies
   c. Inclusion of budgets for accessible transport in national budget processes
   d. Pilot projects
   e. Facilitating the production of low floor buses in Vietnam
   f. Facilitating the production of accessible railway carriages in Vietnam
   g. Creation of a peak body for Accessible Transport – to fulfil a role for accessible transport similar to the role of the National Road Safety Committee in relation to road safety.
h. Awareness raising for government staff, private transport companies, DoT, and also for the general public on making streets accessible to all.

i. Development of training programs

j. Capacity building and institutional development of central and local government departments and agencies

The draft program should be prepared with inputs from representatives of NGO’s and discussed at a workshop before being finalised. If requested, the World Bank could provide inputs of knowledge and financial support.

42. **Awareness Raising**

   It is proposed that

   a. MoT, VNAH, and other agencies should continue the planning, design and implementation of campaigns to raise awareness of the needs of persons with disabilities, and the benefits of accessible transport. The target audiences for the campaign would include national and city level government officials and decision makers, engineers and other professionals involved in the design and verification of the design, of accessible transport facilities, and operators of transport services. City DoT should be involved in delivering the training.

   b. Universities and other academic institutions should assess the need for upgrades in the design of undergraduate courses in accessible transport, and then providing support to upgrade the course content.

   c. MoT and academic institutions should assess the need for training courses in accessible transport for

      i. Engineers and other professionals involved in the design and verification of the design, of accessible transport facilities

      ii. Transport operators, particularly bus, taxi, Vietnam Rail and future metro

      iii. Bus and taxi drivers.

   The draft program could be discussed at a workshop before being finalised. If requested, the World Bank could provide inputs of knowledge and financial support.

43. **Toolkit for World Bank Task Team Leaders (TTL)**

   Ensuring that accessible transport is considered in the planning, design and implementation of projects need not place great demands on the resources available to TTL, provided they are given some assistance to facilitate the task. If the Government of Vietnam is in agreement, it is proposed that a toolkit should be prepared which provides information on Vietnam, including:

   a. Law on Persons with Disabilities

   b. Regulations

   c. Design Standards in current use (whether Vietnamese or overseas)

   d. Details of MoT and other government agency units/focal points for accessible transport

   e. Names of NGO representing persons with disabilities, including contact persons

   f. Copies of useful background and reference material on accessible transport programs or projects in Vietnam

44. **World Bank Projects**

   It is proposed that for current and pipeline projects, TTL, County and Sector Managers should:

   a. Ensure that the accessible transport measures included in the current Hanoi UTDP are implemented.

   b. Ensure that the projects currently in preparation include design for accessible transport in the components, subject to the agreement of GoV.
c. Encourage implementing agencies project management units (PMU’s) to arrange for the participation of and consultation with representatives of persons with disabilities in the planning and design of accessible transport facilities in projects.

d. In projects with public transport components, assist the PMU in undertaking an operational, financial and economic evaluation of the use of low floor buses for regular bus routes, and as an option for BRT routes. (Low floor of 250 mm or 320 mm at least between front and middle doors). The evaluation should take into account the impact on the city budget and the potential for obtaining reasonably priced low floor buses made in Vietnam.

e. Consider proposing the inclusion of low cost demonstrate projects in existing projects and those under preparation to pilot various aspects of accessible transport, with funding provided from within existing or proposed project finance.

f. Include monitoring of the impacts of the interaction between the improvements to accessible transport, disability, and access to work, economic opportunities and health services in the results frameworks of projects.

45. **Donor Coordination** The World Bank could act as the lead in coordination of the inclusion of accessible transport in the transport programs of other donors. A number of donors including from France, Germany and Japan, both official central government ODA and other agencies are working in Vietnam. It would be beneficial to ensure these efforts are coordinated to ensure the best use is made of the scare resources. Subject to the agreement of GOV to this proposal, as a first step, an effort could be made to coordinate the efforts on the various public transport projects being planned, designed or implemented in Hanoi, HCMC and other cities.

46. **Workshops** – It is proposed that workshops should be organised on an annual basis to discuss the above proposals. The workshops should involve participants including civil society, representatives of organisations for persons with disabilities, central and local government agencies, international agencies and vehicle manufacturers. It is proposed that an initial workshop be organised to discuss the proposals discussed above and to:

   i. Review what has happened since 2005
   ii. Recognize and disseminate identified good practices
   iii. Discuss the programs of all donors
   iv. Develop a consensus on the actions/agenda to improve the quality of mobility services and outcomes for the mobility impaired in Vietnam.
   v. Agree a desirable staging of actions
   vi. Identify proposals in the action plan to be put to the World Bank and other donors for support

Subsequent annual workshops would review progress and adjust the scope and timing of the program.
Annex 1 Terms of Reference for the Vietnam Transport Specialist

This specialist will

1. Identify a nationally experienced Vietnamese expert in the field. Collaborate with the nationally experienced Vietnamese expert to document for Vietnam:
   a. Policies and regulations on accessibility for urban transport
   b. The technical standards relating to disabled-friendly/inclusive design
   c. The quality of disabled-friendly infrastructure and mobility services customized for the mobility impaired
   d. Surveys on the needs of people with disabilities
   e. Surveys that highlight the interaction between disability and access to work, economic opportunities and health services

2. Initiate collaboration with a national NGO or Government Agency and conduct a survey of local-level federations to identify:
   a. Barriers to addressing the needs of persons with disabilities
   b. Good practices related to the provision of mobility services for the disabled in different communities in Vietnam
   c. Awareness of and attitudes to the transport needs of persons with disabilities amongst transport practitioners, operators and officials.

3. Follow-up to good practices identified in the survey with field visits to the identified locations — and conduct mini-case studies that document (combination of notes and short films as appropriate) these good practices.

4. Prepare a short summary of recommendations (including possibly next steps for an extension of this work) to improve the quality of mobility services and outcomes for the mobility impaired in Vietnam.

5. Organize a workshop (ideally co-hosted with a bigger conference/workshop organized by national NGO or Government Agency, or targeting transport related government officials, rather than a separate stand-alone workshop) to
   a. Recognize and disseminate identified good practices; and
   b. Develop a consensus for recommendations/agenda to improve the quality of mobility services and outcomes for the mobility impaired in Vietnam.

The Outputs from the Vietnam Specialist would be:
- Good practice documentation (in English and Vietnamese)
- Short note on recommendations for next steps (in English and Vietnamese)
- Organizing and implementing workshop.
## Annex 2  Persons Met

<table>
<thead>
<tr>
<th>#</th>
<th>Name</th>
<th>Position and Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nguyen Thi Phuong Hien</td>
<td>Head of the Transport, Environment and Development Center, Transport Development and Strategy Institute, Ministry of Transport</td>
</tr>
<tr>
<td>2</td>
<td>Dr. Tung Hoang</td>
<td>Vice Dean of Transport Engineering, National University of Civil Engineering, Hanoi</td>
</tr>
<tr>
<td>3</td>
<td>Dr. Dinh Van Hiep</td>
<td>Executive Deputy Director, Institute of Planning and Transportation Engineering, National University of Civil Engineering, Hanoi</td>
</tr>
<tr>
<td></td>
<td>Dr. Chu Manh Hung</td>
<td>Director, Environment Department, Ministry of Transport (MoT)</td>
</tr>
<tr>
<td></td>
<td>Mr. Hien,</td>
<td>Specialist, Environment Department, MoT</td>
</tr>
<tr>
<td></td>
<td>Mr. Nguyen Huu Tien</td>
<td>Specialist, Environment Department, MoT</td>
</tr>
<tr>
<td></td>
<td>Mr. Hang</td>
<td>Specialist Environment Department, MoT</td>
</tr>
<tr>
<td></td>
<td>Mr. Wien</td>
<td>Policy Department, MoT</td>
</tr>
<tr>
<td></td>
<td>Mr. Trung,</td>
<td>International Relations Department, MoT</td>
</tr>
<tr>
<td></td>
<td>Ms. Yiu,</td>
<td>Vietnam Directorate for Road Administration, MoT</td>
</tr>
<tr>
<td></td>
<td>Ms. Hien,</td>
<td>Vietnam Directorate for Road Administration, MoT</td>
</tr>
<tr>
<td></td>
<td>Mr. Yen</td>
<td>Vehicle Improvement Specialist, MoT</td>
</tr>
<tr>
<td></td>
<td>Mr. Nguyen Hoang Hai</td>
<td>Director, Tramoc, Hanoi Department of Transport (DoT)</td>
</tr>
<tr>
<td></td>
<td>Ms Han</td>
<td>Hanoi DoT</td>
</tr>
<tr>
<td></td>
<td>Mr Bui Van Toan</td>
<td>Country Director, Vietnam Assistance for the Handicapped (VNAH)</td>
</tr>
<tr>
<td></td>
<td>Ms Duong Thi Thu Huong,</td>
<td>Program Officer, VNAH</td>
</tr>
<tr>
<td></td>
<td>Ms Nguyen Hong Ha</td>
<td>Project Manager, Hanoi Independent Living Center</td>
</tr>
<tr>
<td></td>
<td>Paul Vallely</td>
<td>Transport Sector Coordinator, World Bank (WB) Hanoi Office</td>
</tr>
<tr>
<td></td>
<td>Ms. Phuong Tran</td>
<td>Task Team Leader, Transport Sector, WB Hanoi Office</td>
</tr>
<tr>
<td></td>
<td>Ms. Van Anh Trang</td>
<td>Task Team Leader, Transport Sector, WB Hanoi Office</td>
</tr>
<tr>
<td></td>
<td>Mr. Cuong Duc Dang</td>
<td>Task Team Leader, Urban Sector, WB Hanoi Office</td>
</tr>
<tr>
<td></td>
<td>Mr. Dan Mont</td>
<td>Social Sector Economist, WB Hanoi Office</td>
</tr>
<tr>
<td></td>
<td>Mr Laurent Pandolfi</td>
<td>Co-Director Institut des Metiers de la Ville (IMV), Hanoi Project Office</td>
</tr>
<tr>
<td></td>
<td>Dr. Shigeki Inoue</td>
<td>Executive Manager, Hakuhodo Universal Design</td>
</tr>
</tbody>
</table>
Annex 3  References

7. Barrier Free Public Transport in Germany, Federal Ministry of Transport, Building and Housing (BMVBV) and the Association of German Public Transport Undertakings (VDV), April 2003.
THE NATIONAL ASSEMBLY

Law Nr. 51/2010/QH12

The Socialist Republic of Vietnam

Independence - Freedom – Happiness

THE LAW ON PERSONS WITH DISABILITIES

Pursuant to the Constitution of the Socialist Republic of Vietnam in 1992 which has been amended and supplemented by a number of articles of the Resolution No. 51/2001/QH10;

The National Assembly of Vietnam promulgates the National Law on Persons with disability.

CHAPTER I

GENERAL PROVISIONS

Article 1: Scope of Justification and Subjects of Obligation

This Law regulates the rights and duties of persons with disabilities, responsibility of the State, the families of persons with disabilities and the society towards persons with disabilities.

Article 2: Definitions of Terms

For the use of this law, the following terms are hereby defined:

1. **Persons with disabilities** by definition of this Law are those who have impairment of one or more parts of their body, or functional impairment, which are shown in different forms of disability, and may cause difficulties in work, daily life and learning.

2. **Stigma towards persons with disabilities** means an attitude of looking down on or paying no adequate respect to the persons for reasons of his or her disability.

3. **Discrimination against persons with disabilities** is actions to keep away from, to disrespect, to deny, to exclude, to mistreat, to use bad languages for, to hold prejudice against, or to limit the due rights of persons with disabilities for reasons of his or her disability.

4. **Inclusive education** is an educational approach that accommodates persons with disabilities to study with persons without disabilities in the educational establishments.

5. **Special education** is an educational approach with which persons with disabilities study in the schools or educational establishments organized separately for persons with disabilities.
6. *Semi-inclusive (integrated) education* is an educational approach with which persons with disabilities study in the special class for persons with disabilities in the ordinary schools or educational establishments.

7. *Independent living* means the life of persons with disabilities who are independent in making decisions that directly affect their lives.

8. *Accessibility* means to ensure persons with disabilities have equal access to and use of public works, public transportation, information technology, cultural, sports, tourism and other services in order to fully integrate into social life.

**Article 3: Types and Classification of Disability**

1. Disability is categorized as:
   a) Mobility
   b) Hearing and Speaking
   c) Vision
   d) Mental
   e) Intellectual
   f) Other disability/impairments

2. Level of disability severity includes:
   a) Persons with severe disability are those who are unable to support themselves in their daily activities.
   b) Persons with moderate disability are those who are able to support themselves in some of their daily activities.
   c) Persons with minor disabilities are those who do not fall under provisions a and b of this Article.

3. The Government shall regulate the details on types and levels of disability as regulated under this Article.

**Article 4: Rights and Duties of Persons with disabilities**

1. Persons with Disability shall have the rights to:
   a) Equal participation as other members in all social activities;
   b) Independent living and inclusion into the community;
   c) Be exempted or reduced financial contribution to the social activities.
   d) Be entitled to the policies and support of the State including health care, rehabilitation, education, vocational training, employment, legal aids, accessibility in public construction, public transportation, information technology, cultural services, sports, tourism and other services that are appropriate to the person’s type and level of disability.
   e) Other rights as regulated by laws.

2. Persons with Disabilities shall be obliged to observe and fulfill the citizenship tasks as regulated by law.

**Article 5: State Policies on Persons with Disabilities**

1. Ensure annual budget to implement disability policies to support persons with disabilities;
2. Carry out programs and measures to prevent and mitigate disabilities caused by hereditary diseases, accidents, injuries, diseases and other causes;

3. Implement social protection for persons with disabilities; ensure rights of persons with disabilities to access to health care, education, vocational training, employment, cultural activities, sports, entertainment, and accessibility in construction, transportation and information technology. Priorities shall be given to children with disabilities and the elderly with disabilities;

4. Mainstream disability policies into socio-economic development policies and plans;

5. Ensure good conditions for persons with disabilities to access to rehabilitation services, so that they can overcome difficulties to live independently and inclusively;

6. Organize training for officials and staff who are involved in taking care of and providing consultation to persons with disabilities;

7. Encourage the involvement of all social forces and resources in supporting activities for persons with disabilities.

8. Create good conditions for operation of organizations of and for persons with disabilities.

9. Award organizations, institutions and individuals that have contribution in taking care of and supporting persons with disabilities.

10. Handle violations of this Law and other legal documents towards persons with disabilities.

Article 6: Involvement of Social Forces and Resources in Supporting Persons with Disabilities

1. The State encourage organizations, institutions and individuals to support, invest and provide technical assistance to carry out activities on orthopedics, rehabilitation, health care, education, vocational training, employment and provision of other services for persons with disabilities.

2. Individuals and organizations using their own budget for building orthopedic and rehabilitation centers, centers for education, vocational training and employment, and other establishments to provide services and support persons with disabilities shall be entitled to preferential policies regulated by laws.

Article 7. Responsibilities of organizations, institutions and individuals

1. Institutions and organizations shall, within their mandates, be responsible for taking care of, protect legitimate rights and benefits of persons with disabilities;

2. The Fatherland Front of Vietnam and its member organizations shall mobilize all social forces to assist persons with disabilities to access social services and lead an inclusive life; to participate in the development and monitoring the implementation of disability laws, policies, programs and projects.

3. All citizens are obliged to respect, help and assist persons with disabilities.

Article 8: Responsibilities of Families

1. Families shall bear the duty to raise awareness of family members on disability; carry out measures to prevent and mitigate disabilities caused by hereditary diseases, accidents, injuries, diseases and other causes;

2. Family members of persons with disabilities shall bear responsibilities as follows:

   a. Protect, nurse and take care of persons with disabilities;

   b. Create good conditions for persons with disabilities to access to health care services and exercise their rights and obligations;
c. Respect opinions and decisions that directly affect the lives of persons with disabilities and their families;

d. Implement provision 1 of this Article.

Article 9. Organizations of and for Persons with Disabilities

1. An organization of Persons with Disabilities (DPO) is a social organization established and operates according to the laws. DPOs represent legitimate rights and interests of persons with disabilities. DPOs shall be responsible to participate in planning, monitoring the implementation of disability laws, policies, programs and plans;

2. Organization for Persons with Disabilities is a social organization established and operates according to the laws of Vietnam in order to carry out supporting activities for persons with disabilities.

Article 10. Fund to Support Persons with Disabilities

1. The Fund to Support Persons with Disabilities is a fund for social and charity purpose that aims at mobilizing resources for support of persons with disabilities.

2. The Fund shall mobilize funding from the following sources:
   a. Voluntary contribution, donation from national and overseas organizations and individuals;
   b. Government funding;
   c. Other legal sources.

3. The establishment and operation of the Fund will conform to current legislation.

Article 11. Vietnam Disability Day

The day of 18 April is the Vietnam’s Disability Day.

Article 12. International Cooperation

1. International cooperation in disability related areas shall be carried out on the basis of respect of independence, sovereignty, territory, equality in accordance with Vietnam’s legislation and international legislation.

2. Areas of international cooperation on disability include:
   a) Develop and implement international cooperation programs and projects to support persons with disabilities;
   b) Participate as member of international organizations; become signatory and implement international treaties and agreements relating to persons with disabilities;
   c) Exchange information and experience in disability area.

Article 13. Information, Education and Communication

1. Information, education and communication on disability issues aim at preventing and mitigating disability, awareness-raising, changes in attitudes and behaviors, anti-stigma, anti-discrimination to persons with disabilities.

2. The contents of information, education and communication on disability include:
   a. Rights and duties of persons with disabilities;
   b. Laws, policies and programs on disabilities of Vietnam;
   c. Responsibilities of organizations, individuals and families to persons with disabilities;
   d. Causes of disabilities and measures to prevent and mitigate disabilities;
e. Anti-stigma, anti-discrimination to persons with disabilities.

3. The provision of information, education and communication on disability must be accurate, clear, realistic, and appropriate to the traditions and culture of Vietnam.

4. Responsibility of information, education and communication on disability issues:
   a. Organizations and agencies, within their mandates, shall carry out information, education and communication activities.
   b. People’s committees at all levels shall be responsible to carry out information, education and communication on disability issues to their local people.
   c. Mass media shall be responsible to prioritize the position, timing, length for program broadcasting, education and communication on disability issues on television, radio, newspapers as regulated by the Ministry of Information and Communication.

**Article 14. Forbidden Actions**

1. Stigmatize and discriminate against persons with disabilities;
2. Abuse physical body, dignity, honor, properties, legitimate rights and interest of persons with disabilities;
3. Urge, persuade or force persons with disabilities to commit actions which are against the law or social morals;
4. Make use of persons with disabilities, organizations of persons with disabilities, organizations for persons with disabilities; the image, personal information and conditions of persons with disabilities to make personal benefit or carry out illegal actions;
5. The responsible person not fulfilling his responsibilities of nursing, taking care of person with disabilities or refusing to take the above responsibilities when she/he is bound by the law to do so;
6. Create obstacles to a person with disabilities in his performing his rights to marriage, to raising his/her children;
7. Carry out non-transparent disability classification and certification.

**CHAPTER II**

**DISABILITY CERTIFICATION**

**Article 15. Responsibilities in Disability classification**

1. Disability classification shall be carried out by the Council on Disability Classification.
2. Disability classification shall be carried out by the Medical Examination Council in the following cases:
   a. The Council on Disability Classification is not able to conclude on level of disability.
   b. Persons with disabilities or their legal representative do not agree with the results done by the Council on Disability Classification.
   c. There are evidences showing inaccurate results of examination done by the Council on Disability Classification.
3. In the event that the Health Examination Council has concluded on the capacity of persons with disabilities to carry out daily activities and work, the disability classification shall be carried out according to government regulations.
Article 16. Council on Disability Classification

1. The Council on Disability Classification shall be established by the Chair of People’s Committee at commune, ward or town level (generally called commune level).

2. The composition of the Council on Disability Classification include:
   a. Chair of the commune people’s committee will be chair of the Council;
   b. Head of the commune health station;
   c. Social affair workers at commune level;
   d. Chairperson or deputy chairperson of the Fatherland Front, Women’s Union, Youth Union, Association of Veterans at commune level;
   e. Head of DPOs at commune level.

3. The Chair of the Council on Disability Classification shall be responsible for facilitating the Council activities on teamwork basis. The conclusion of the Council can be valid only if at least 2/3 members attend the disability classification meeting. The classification result shall be concluded based on majority vote. In case of even voting, the decision shall be made based on the vote of the Chair. The conclusion of the Council on Disability Classification shall be documented and signed by the Chair of the Council.

4. The Council on Disability Classification shall decide independently and shall be responsible before the law for the accuracy of the results.

5. Ministry of Labour, Invalids and Social Affairs (MOLISA) shall regulate in details the operation of the Council on Disability Classification.

Article 17. Disability Classification Approach

1. The disability classification as regulated by provision 1 of Article 15 will be carried out by the Council on Disability Classification through direct observation of persons with disabilities when they carry out their personal daily activities, using questionnaires with health and social criteria, or using other simple approaches.

   Ministry of Labour, Invalids and Social Affairs (MOLISA) shall be leading the process in cooperation with Ministry of Health and Ministry of Education and Training to regulate this Article in more details.

2. Ministry of Health shall be leading the process in cooperation with MOLISA to regulate the disability classification process according to provision 2 of Article 15 of this Law.

Article 18. Disability Classification and Certification Procedure

1. When there is need for disability classification, PWD or his/her legal representative shall have to submit application to the People’s Committee at the commune where the person with disability resides.

2. Within 30 days, the Chair of the Commune People’s Committee shall be responsible to call for a meeting of the Council on Disability Classification and inform the person with disability or his/her legal representative about the timing for carrying out disability classification.

3. The Council on Disability Classification shall organize disability classification, set up a personal profile for disability classification and conclude on the level of disability.

4. Within 5 working days after having classification result of the Council, the Chair of the Commune People’s Committee shall announce the conclusion of the Council and issue the disability certificate.
5. The process, procedures and documents for disability classification shall be regulated by MOLISA.

Article 19. Disability Certification
1. The Disability Certificate includes the following information:
   a. Full name, date of birth, gender of person with disabilities.
   b. Residency Address
   c. Type of disability
   d. Level of Disability
2. The disability certificate shall come into effect on the date of signature by the Chair of the commune people’s committee.
3. Minister of MOLISA shall regulate the process for the replacement, renewal and withdrawal of the disability certificate.

Article 20. Re-classification of disability
1. Person with disabilities or his/her legal representative shall have right to request a re-classification of disability in case of an event that changes the level of disability.
2. The process, procedures for disability classification and disability certification shall be carried out as regulated in Article 18 and 19 of this Law.

CHAPTER III
HEALTH CARE

Article 21. Primary Health Care for Persons with Disabilities at their locality
1. Health stations/centers at commune level shall bear responsibility as follows:
   a. Implement the communication, education and information dissemination programs on health care, disability prevention and mitigation; provide guidance to persons with disabilities in the matters of health care, diseases prevention and functional rehabilitation.
   b. Develop case management system for persons with disabilities.
   c. Provide health check-up and treatment within their areas of expertise to persons with disabilities.
2. The state shall ensure budget to implement points a and b under provision 1 of this Article.

Article 22: Health Check-Up and Treatment
1. The State shall ensure rights of persons with disabilities to access health check-up and treatment services on an equal basis as persons without disabilities;
2. Persons with disabilities shall be entitled to health insurance policies as regulated in the health insurance legislation.
3. Families of persons with disabilities shall have responsibilities for creating favorable condition for persons with disabilities to do health check-up and treatment.
4. Mentally ill persons who are in the excited or depressed mood and are likely to commit suicide or to jeopardize other people’s life are entitled to financial support for accommodation,
transportation and treatment fees during compulsory health treatment in health service facilities.

5. Organizations and individuals are encouraged to provide support in health check-up and treatment for persons with disabilities.

Article 23. Responsibilities of health check-up and treatment facilities

1. Carry out appropriate measures for health check up and treatment for persons with disabilities.

2. Give priorities in health check-up and treatment to persons with severe disabilities, persons with moderate disabilities, children with disabilities, the elderly with disabilities and pregnant women with disabilities in accordance with Vietnamese legislation on health check-up and treatment.

3. Provide counseling on early detection and prevention of disability and identifying innate disabilities in newly born babies to timely carry out appropriate treatment and rehabilitation measures.

4. Carry out renovation, upgrading of health check-up and treatment facilities/centers to ensure reasonable accommodation and accessibility for persons with disabilities.

Article 24. Orthopedics and Rehabilitation Centers

1. Orthopedics and rehabilitation center is a center providing orthopedic and rehabilitation services to persons with disabilities.

2. Orthopedics and rehabilitation facilities include:
   a) Orthopedics and Rehabilitation Institutes;
   b) Orthopedics and Rehabilitation Centers;
   c) Sanatorium and Rehabilitation Hospitals;
   d) Orthopedics and rehabilitation Department of health service facilities;
   e) Orthopedics and rehabilitation Section of social protection facilities;
   f) Other facilities established in accordance with the State regulations.

3. The establishment and operation of the Orthopedic and rehabilitation center shall follow the legal regulations;

4. The State shall ensure investment in building infrastructure of state-owned orthopedics and rehabilitation facilities.

Article 25. Community Based Rehabilitation (CBR)

1. Community Based Rehabilitation is an approach carried out in the community aiming to transfer knowledge on disability, rehabilitation skills and improve attitude of the society towards persons with disabilities, their family and the community to ensure equal opportunity and inclusion of persons with disabilities in the society.

2. Persons with disabilities shall be provided with favorable conditions to participate in community based rehabilitation programs.

3. Families of persons with disabilities shall be responsible to support persons with disabilities in community based rehabilitation program.

4. Orthopedics and Rehabilitation facilities shall have responsibilities to provide technical guidance in implementing community based rehabilitation program.
5. People’s Committee at all levels shall have responsibilities to formulate and implement CBR programs; provide good conditions for organizations, agencies and individuals to organize or participate in the implementation of CBR activities.

**Article 26. Scientific research, training of experts and technical staffs, production of orthopedics and rehabilitation equipment**

1. The State shall provide financial support through projects to organizations and agencies that conduct scientific research on disability issue and train experts on orthopedics and rehabilitation.
2. Enterprises that produce orthopedics and rehabilitation equipment and facilities, assistive devices that support persons with disabilities to lead daily life, study and work are entitled to borrow loan with preferential interest rate, tax exemption or reduction according to current legal regulations.
3. Orthopedics and rehabilitation equipment and facilities, assistive devices that support persons with disabilities in daily life, study and work provided through non-refundable aid programs or donated by foreign individuals and organizations shall be entitled tax exemption or reduction in accordance with current tax legislation.

**CHAPTER IV**

**EDUCATION**

**Article 27: Education for Persons with Disabilities**

1. The State ensures the rights of PWDs to education in accordance with the need and capability of persons with disabilities.
2. Persons with disabilities can start schooling at a later age than the regulated age; their registration for enrollment in educational establishment is given priority; they are exempted from subjects or activities for which they are not physically capable; they are entitled to exemption from, or reduction of, schooling fee and other contribution; they can start apply for scholarship and support for education tools and materials.
3. Persons with disabilities shall be provided with appropriate education tools, materials developed for persons with disabilities. Persons with hearing and speaking impairment shall be ensured to learn in classes by using sign language, persons with visual impairment shall be ensured to use Braille in classes according to national standards.
4. Minister of Education and Training shall be leading the process in regulating this Article in details, in cooperation with MOLISA and Ministry of Finance.

**Article 28. Educational Approaches for Persons with Disabilities**

1. Educational approach for persons with disabilities shall include: inclusive, integrated (semi-inclusive) and special education.
2. Inclusive education shall be the main approach applied for education of persons with disabilities. Integrated and Special Education approaches are applied only in circumstances when the conditions for applying Inclusive education have not been met.
3. Persons with disabilities, their families or their legal guardians shall choose an educational approach that is appropriate for person with disability’s individual development. Families of persons with disabilities shall be responsible to provide good conditions and opportunities in order for persons with disabilities to learn and develop their own individual’s abilities.
The State encourages persons with disabilities to participate in the inclusive education.

**Article 29. Teachers, Lecturers, administration staff and education support staff**

1. Teachers, lecturers, administration staff and education support staff who are involved in education for persons with disabilities shall be trained and upgraded professional qualifications to meet the educational needs of persons with disabilities.

2. Teachers, lecturers, administration staff and education support staff who are directly involved in education activities for persons with disabilities are entitled to subsidies and preferential policies in accordance with government regulations.

**Article 30. Responsibilities of the Education Establishments**

1. Ensure reasonable accommodations for persons with disabilities. Education establishments are prohibited from refusing entrance application of persons with disabilities.

2. Carry out new construction, and upgrading of education facilities to ensure accessibility for persons with disabilities.

**Article 31. Inclusive Education Support and Development Center**

1. The Inclusive Education Support and Development Center is an organization developing appropriate curriculums, equipments, teaching and learning materials, consultation and educational support services for persons with disabilities.

2. The Inclusive Education Support and Development Center shall undertake the following tasks:
   a. Identify disability in order to provide counseling on appropriate education approach for persons with disabilities;
   b. Carry out early intervention for persons with disabilities in the community in order to choose appropriate education approach;
   c. Provide counseling on psychology, health, education and job orientation in order to choose appropriate education approach;
   d. Support persons with disabilities in the families, communities and the education establishments;
   e. Provide training programs, curriculums, facilities, documents applicable to each type and level of disability.

3. Criteria for establishment of an inclusive education support and development center are:
   a) Having infrastructure, tools, equipments and services which are suitable to persons with disabilities;
   b) Having teachers, lecturers, administration staff and education support staff who are technically qualified to apply education approaches for persons with disabilities.
   c) Having training program, materials and guidelines that are suitable for persons with disabilities.

4. People’s Committee at provincial level, cities under central management shall establish or issue permit for the establishment of inclusive educational support and development centers.

5. Minister of Education and Training shall collaborate with the Minister of Labor, Invalids and Social Affairs to regulate in details the criteria for establishment and operation of inclusive educational support and development centers as regulated in provision 3 of this Article.
CHAPTER V
EMPLOYMENT AND VOCATIONAL TRAINING

Article 32. Vocational Training for Persons with Disabilities

1. The State shall ensure the right of persons with disabilities to free of charge vocational orientation and vocational training that are appropriate with their capacity, on an equal basis as others.

2. Vocational Training center shall be responsible to grant diplomat, certificate to persons with disabilities upon successful completion of the training as regulated by the Government.

3. Vocational training facilities shall ensure reasonable accommodation for persons with disabilities who attend vocational training courses, and shall be entitled to preferential policies according to current legislation.

4. Trainees with disabilities and teachers giving vocational training to persons with disabilities are entitled to policies in accordance with current laws.

Article 33. Employment for persons with disabilities

1. The State shall ensure rights of persons with disabilities to vocational rehabilitation, free of charge job counseling, job placement and job retention in accordance with the health and types of disabilities.

2. Institutions, agencies, organizations, enterprises and individuals shall neither reject job applications of persons with disabilities who are qualified for the positions nor create recruitment criteria that aim at limiting job opportunities for persons with disabilities according to legal regulations.

3. Institutions, agencies, organizations, enterprises and individuals employing persons with disabilities must place them in suitable jobs and ensure reasonable accommodations for employees with disabilities.

4. Institutions, agencies, organizations, enterprises and individuals employing persons with disabilities shall comply with current provisions on employment of persons with disabilities.

5. Employment/job service facilities are responsible for providing orientation and counseling to help persons with disabilities to find jobs.

6. Persons with disabilities who are self-employed shall be entitled to borrow loan with preferential interest rate for business development; to be trained in business management, technology transfer, and marketing of products in accordance with the current State legislation;

Article 34. Enterprises employing large proportion of their labor force as persons with disabilities.

Enterprises employing more than 30% of their labor force as persons with disabilities shall be entitled to support in ensuring reasonable accommodation, exempt from income tax, borrow loan with preferential interest rate; rent land with exemption from or reduction of land lease payment in accordance with the proportion of employees with disability, the level of disability of these employees and the size of enterprises.

Article 35. Policy to employ persons with disabilities

1. The State shall encourage organizations, institutions, and enterprises to employ persons with disabilities. Those who employ large proportion of their labor force as persons with disabilities shall be entitled to enjoy preferential policies as regulated in Article 34 of this Law.
2. The Government shall regulate specific policies to encourage organizations, institutions and enterprises to employ persons with disabilities as regulated in the provision 1 of this Article.

CHAPTER VI
CULTURE, PHYSICAL EDUCATION, SPORTS, ENTERTAINMENT AND TOURISM

Article 36. Cultural, physical education, sports, entertainment and tourism activities for persons with disabilities
1. The State shall provide support for organizing cultural, physical education, sports, entertainment and tourism activities that are appropriate for persons with disabilities, and shall create good conditions for persons with disabilities to enjoy cultural works, physical education, sports, entertainment and tourism.

2. Persons with severe disabilities shall be entitled to exemption from, and persons with moderate disabilities shall enjoy reduction of, ticket and service fees when using some cultural, physical education, sports, entertainment and tourism services as regulated by the Government.

3. Persons with disabilities shall be ensured rights to develop their talent and aptitude on sport cultural and artistic activities; to participate in composing, performing artistic works, practicing and competing in sports activities;

4. The State shall support the design and production of equipment, devices and facilities serving cultural and sports activities; encourage organizations, agencies and individuals to design and produce equipment, devices and facilities serving cultural, physical education, sports, entertainment and tourism activities suitable for persons with disabilities;

Article 37. Organize cultural, physical education, sports, entertainment and tourism activities for persons with disabilities
1. Cultural, physical education, sports, entertainment and tourism activities for persons with disabilities shall be integrated into the community’s cultural life, be diversified and aim at meeting the needs of persons with disabilities;

2. National Sports Festival for persons with disabilities, sports competitions and performance contest for persons with disabilities shall be organized taking consideration on the particularities of each type and level of disability, the needs of persons with disabilities as well as local socio-economic conditions.

Article 38. Responsibilities of cultural, physical education, sports, entertainment and tourism facilities
1. To provide materials, equipments, assistive devices to support and facilitate the access and participation of persons with disabilities in cultural, physical education, sports, entertainment and tourism activities; to prepare and arrange personnel, assisting devices and equipments to support persons with disabilities when organizing cultural, physical education, sports, entertainment and tourism events;

2. To implement new construction, retrofitting and upgrading projects to ensure accessibility for persons with disabilities;
3. To ensure the standards for safety, convenience, and suitability for persons with disabilities are applied in the design and production of devices and equipments serving cultural and sports activities of persons with disabilities.

CHAPTER VII

HOUSING, PUBLIC BUILDINGS, PUBLIC TRANSPORTATION AND INFORMATION TECHNOLOGY and COMMUNICATION

Article 39: Residential apartment blocks and Public Buildings

1. The design work for new construction, retrofitting and upgrading of public infrastructures, office buildings, residential apartment blocks must comply with national construction code and standards so as to ensure access and use of persons with disabilities;

2. The public infrastructures, office buildings, residential apartment blocks which were constructed prior to the date that this Law comes into effect and do not meet the accessibility requirements should be renovated and upgraded within a time schedule regulated in Article 40 of this Laws, to ensure access and use of persons with disabilities.

Article 40. Timeline for renovation/upgrading residential apartment blocks and Public Buildings

4. As of January 01st, 2010, the following public works/buildings shall be ensured the accessibility features:
   a. Government office buildings
   b. Train stations, bus stations and ports
   c. Health care and health check up stations
   d. Education and vocational training centers
   e. Culture, physical education and sports buildings

5. As of January 1st, 2025, all residential apartment blocks, office buildings, infrastructure works and social public buildings which do not fall under provision 1 of this Article shall ensure accessibility features.

6. The Government shall regulate in details the timeline for upgrading specific types of public works as regulated in provisions 1 and 2 of this Article.

Article 41. Persons with Disabilities participating in public transportation

5. Personal means of transport of persons with disabilities must comply with national technical standards and be suitable for the health condition of persons with disabilities. For personal means of transport that require user driving license, persons with disabilities shall be provided with training and granted driving license after training.

6. Persons with disabilities using public transport shall be entitled to use and carry along assistive devices free of charge.

7. People with severe disabilities and persons with moderate disabilities shall be entitled to exemption from or reduction of ticket fare and service fee when using some public means of transport as regulated by the Government.

8. Persons with disabilities shall be given priority to buy tickets, to be assisted and arranged comfortable seats when using public means of transport.

Article 42. Means of Public Transport
1. Means of public transport must have seats reserved for persons with disabilities, be equipped with assistive devices to support persons with disabilities to get in and out, and other equipments necessary to assist persons with disabilities.

2. Means of public transport must comply with the national accessibility code and standards to ensure access and use by persons with disabilities.

3. Transportation enterprises shall invest and provide means of transport with accessibility features at a percentage as regulated by the Government for specific period.

4. Means of transport with accessibility features as regulated by the national accessibility code and standards shall be entitled tax exemption or reduction according to current tax legislation on production and import activities.

**Article 43. Information Technology and Communication**

1. The State encourages organizations, agencies, enterprises and individuals operating in information technology to apply and develop information technology for persons with disabilities.

2. Mass media shall be responsible to reflect lives of persons with disabilities on the media. Vietnam Television shall be responsible to air programs with Vietnamese sub-title and sign language for persons with disabilities as regulated by Ministry of Information and Communication.

3. The State shall have preferential treatment policies in tax, credit and other incentives for research, design, production and provision of assistive devices and services to support persons with disabilities to access and use information technology and communication. The State shall support the compilation and publishing of documents in Braille for persons with visual impairment, documents for persons with hearing and speaking impairment and persons with intellectual impairment.

**CHAPTER VIII**

**SOCIAL PROTECTION**

**Article 44. Monthly Social allowance and Monthly nursing allowance**

1. Those who shall be entitled to the monthly social allowance include:
   a. Persons with severe disabilities, except the cases regulated in the Article 45 of this Law;
   b. Persons with moderate disabilities

2. Those who shall be entitled to the monthly nursing allowance:
   a. Families nursing persons with severe disabilities
   b. People taking care and nursing persons with severe disabilities.
   c. Persons with disabilities who fall under provision 1 of this Article who are pregnant or are raising children under 36 month old.

3. Persons with disabilities under provision 1 of this Article who are children or the elderly shall be entitled higher allowance norm compared to other persons with disabilities with the same level of disability.

4. The Government shall regulate the allowance norm for monthly social allowance and monthly nursing allowance for persons with disabilities falling under provisions of this Article.
Article 45. Nursing and Taking care of Persons with Disabilities in Social Protection Establishments

1. Persons with severe disabilities who have neither support nor the possibility to live with family or in the community shall be received to live in the social protection establishments.

2. The State shall provide financial support to take care of and nurse persons with severe disabilities at the public social protection establishments, including:
   a) Monthly allowance for nursing and taking care
   b) Purchase of materials and essential items for daily life
   c) Purchase of health insurance
   d) Purchase of conventional drugs
   e) Purchase of orthopedic devices, apparatus supporting functional rehabilitation;
   f) Funeral fee upon death;
   g) Monthly sanitary fee for women with disabilities in productive age

3. The Government shall regulate in details for the support cost norms as regulated under provision 2 of this Article.

Article 46. Funeral Fee Policy

Persons with disabilities receiving monthly social allowance shall be entitled to the funeral fee support upon death with norms regulated by the Government.

Article 47. Centers to Support Persons with Disabilities

1. Centers to support persons with disabilities are those providing counseling services, assistance, and nursing of persons with disabilities.

2. Center to support persons with disabilities include:
   a. Social protection establishment;
   b. Service center to support persons with disabilities;
   c. Independent living center;
   d. Other centers providing support to persons with disabilities.

3. The Government shall regulate criteria and requirements for the establishment, operation and dissolution of these centers.

4. The State shall invest in building infrastructures and ensure operational costs of state-owned centers to support persons with disabilities.

Article 48. Responsibilities of the Centers to Support Persons with Disabilities

1. Ensure compliance with the criteria and requirements for operation of Centers to support persons with disabilities; apply technical standards for nursing, assisting and providing counseling services for persons with disabilities applicable to each type of centers.

2. Retrofit and upgrade infrastructure and facilities to ensure accessibility for persons with disabilities.

CHAPTER IX
STATE RESPONSIBILITIES ON DISABILITY WORK

Article 49. State Management on Disability
1. The Government shall ensure unified state management on disability issues;
2. The Ministry of Labor, Invalids and Social Affairs is responsible to the Government for executing the role of the state management on disability;
3. Ministries, Ministerial agencies and Government agencies shall collaborate with Ministry of Labor, Invalids and Social Affairs to carry out state management on disability;
4. People’s Committees at all levels, within their responsibilities and authorities, shall be responsible for executing state management on disability.

Article 50. Responsibilities of Ministries, Ministerial Agencies and People’s Committees at all levels
1. Ministry of Labor, Invalids and Social Affairs shall have following responsibilities:
   a) Develop and submit to authorities for promulgation, or to promulgate within their responsibility, legal documents, programs, proposals, plans on disability;
   b) Lead and coordinate with Ministries, ministerial agencies, People’s Committees of cities and provinces under central management for enforcement and implementation of legal documents on disability; projects, proposals, and plans on disability;
   c) Develop and submit to the Government for approval of the procedures, documents, time duration and process for provision of monthly social allowance, funeral fee; procedures, process and documents for receiving persons with disabilities, conditions for discontinuing the nursing and taking care of persons with disabilities in Centers to support persons with disabilities;
   d) Develop and submit to the Government for approval of regulations on support staff working on disability, civil servants and staff involved in nursing and providing rehabilitation for persons with disabilities, and full-time staff of organizations of persons with disabilities;
   e) Set up professional qualification requirements for staff involved in taking care of persons with disabilities in Centers to support persons with disabilities;
   f) Provide professional training to staff and workers working on disability and taking care of persons with disabilities in families, communities and centers to support persons with disabilities;
   g) Develop and implement the awareness raising programs on disability.
   h) Inspect and monitor the enforcement and implementation of disability laws and policies;
   i) Carry out international cooperation in disability area;
   j) Develop and submit to the Prime Minister for approval of the National Action Plan to support persons with disabilities;
   k) Implement baseline survey on disability, develop and manage disability database and information, periodically publish report on disability;
   l) Perform the planning and management of orthopedics and rehabilitation establishments as well as centers to support persons with disabilities.

2. Ministry of Health shall have the following responsibilities:
   a) Carry out state management on providing health care for persons with disabilities;
b) Lead and coordinate with the Ministry of Labor, Invalids and Social Affairs to stipulate in details orthopedics and rehabilitation activities for persons with disabilities; to provide training on orthopedics and rehabilitation; to implement disability prevention programs; and provide guidance for the implementation of community-based rehabilitation programs for persons with disabilities.

3. Ministry of Education and Training is responsible for the followings:
   a) Carry out state management on education for persons with disabilities;
   b) Regulate national standards on sign language and Braille for the persons with disabilities;
   c) Do planning on special education system for persons with disabilities and the system of inclusive education support and development centers
   d) Provide training for teachers and supporting staffs; develop training programs, curricula and books for students with disabilities; provide teaching equipments and tools suitable for each type and level of disabilities;
   e) Lead and coordinate with the Ministry of Labor, Invalids and Social Affairs and Ministry of Health to implement special education programs for children with disabilities;

4. Ministry of Culture, Sports and Tourism shall be responsible for state management on culture, sports, entertainment and tourism for persons with disabilities; lead and coordinate the implementation of activities aiming at improving cultural and spiritual life of persons with disabilities;

5. Ministry of Construction shall be responsible for leading and coordinating with concerned ministries and bodies to issue and implement national accessibility building codes and standards to ensure persons with disabilities access and use residential apartment blocks, office building and public works.

6. Ministry of Transport shall be responsible for leading and coordinating with concerned ministries and bodies to issue and implement national technical codes and standards in means of transport, transportation infrastructure and supporting tools as well as priority policies for persons with disabilities when they use public transport.

7. Ministry of Information and Communication shall be responsible for issuing and providing guidance on implementation of national technical codes and standards in ICT accessibility for persons with disabilities; instruct and guide mass media agencies to inform and disseminate policies, laws and activities for persons with disabilities.

8. Ministry of Science and Technology shall lead and coordinate with concerned ministries and bodies to issue, provide guidance on implementation of regulations to encourage study, production and application of assistive devices for persons with disabilities.

9. Ministry of Finance shall be responsible for budget allocation for the implementation of policies, programs, proposals and projects supporting persons with disabilities; conduct survey and compile statistics on persons with disabilities.

10. Ministry of Planning and Investment shall appraise and approve government projects in taking care of, nursing, providing orthopedics and rehab services for persons with disabilities; coordinate with Ministry of Labor, Invalids and Social Affairs to conduct survey and compile statistics on persons with disabilities;

11. People’s Committees at all levels, within their function, responsibility and authority, shall be responsible for state management on disability; mainstream disability work into local socio-economic development plans; provide good conditions for persons with disabilities to perform their rights, duties and responsibilities; encourage organizations and individuals to support persons with disabilities.
CHAPTER X
EXECUTION PROVISION

Article 51. Law Application
1. Persons with disabilities who are accredited for making good contribution to the national revolution, and are receiving pension and monthly social insurance allowance shall not be entitled to preferential policy regulated in provision 1 under Article 44 of this Law. However, they shall be entitled to preferential policy regulated in provision 1 under Article 44 of this Law if the Law on persons accredited with contribution to the revolution and the Law on Social Insurance do not specify this support.
2. Persons with disabilities who are eligible to enjoy many preferential social protection policies are only entitled to enjoy the highest preferential policy.
3. Persons with disabilities who are nursed and taken care of in social protection establishments prior to the date of enactment of this Law, will continue to be taken care of and nursed in social protection establishments as regulated in provision 2 Article 45 of this Law.

Article 53. Execution Effect
1. This Law shall be enacted from January 1st 2011;
2. The Ordinance on Disabled Persons promulgated in 1998 shall be superseded as from the date of enactment of this Law.

Article 54. Implementation Guideline
The Government and other authorized agencies shall regulate in details all points, provisions and articles and other provisions regulated under this Law; and provide other necessary guidance to meet the state management requirements.

This Law was passed by the National Assembly of the Socialist Republic of Vietnam Term 12th, Session 07 on 17 June 2010.

Chairman of the National Assembly

Nguyen Phu Trong
(signed and sealed)
Report on the project of ‘Supports to the disabled from 2011 to 2020’

To: The Ministry of Labour, Invalids and Social Affairs

In response to the document No.1434/LĐTBXH-BTXH issued on 07/05/2010 by the Ministry of Labour, Invalids and Social Affairs on the results of the implementation of the project ‘Supports to invalids in the period of 2006 - 2010’, the Ministry of Information and Communication has the following report:

I. Assessment of the implementation of the project ‘Supports to invalids from 2006 to 2010

1. Work which has been done

Under the Decision No.239/2009/QĐ-TTg issued by the Prime Minister on 24/10/2006 on the approval of the project ‘Supports to invalids from 2006 to 2010’, the Ministry of Information and Communication issued the Decision No. 382/QĐ-BTTTT on 08/11/2007 on the approval of the project ‘Supports of access and use of communication and information technology from 2006-2010’.

Under the above mentioned decisions, the Ministry of Information and Communication has organized activities to assist the disabled to get access and use communication and information technology based on the annual allocated budget:

In 2007:

- Assist to develop a website which instructs the disabled how to get access to information technology.
- Survey the present situations of and demand on information technology product for the disabled between 2007 and 2008.
- Assist in the organization of the program 10.000 for the disabled.
- Assist to develop and test the model of information technology training for the disabled in 2007.
- Develop and test the model of working in the field of information technology for the disabled.
- Conduct research and propose mechanisms to support and provide information technology to the disabled in 2007.

Draft outline of the project ‘Supports of Transportation for Invalids in the period 2011 – 2020’

Preface

Protecting, caring and facilitating the disabled in community integration are activities of deep economic, political, social and humanity senses, and also good-will tradition of our people. To lift various barriers for the disabled to be able to fulfill their rights equally and to prove their ability to settle their lives and participate in social activities has been institutionalized in many legislative documents, most recently the Laws on the Disabled. All the factors to assist the disabled in independent living, community integrating such as health check-up, health care, function recovery, job creation, access to public facilities, means of transport, information technology, culture, sports, tourism services and other services...are fully regulated
in the Law on the Disabled. To deal with the above-mentioned factors, it is vital to address the role of the transport sector in promoting the accessible transport program because it is transport development that contributes in serving transport needs, facilitating favorable living activities of the community in general and of the disabled in particular.

The general target of the accessible transport program is to develop a complete, favorable system of transport (including such areas as road, railway, waterway, and airway transport), to ensure a safe and efficient operation for all transport participants.

During the period of 2011 – 2020, the main objectives in assisting the disabled in favorable transport are as follows:

- Continue to improve sets of policy documents in the area of accessible transport (Decree, Circular instructing the execution of the Law on the Disabled. The establishment of national technical norms on means of transport...)
- Continue to raise the consciousness on the disabled of management and service staff of means of transport.
- Develop models of access transport in road, railroad, and waterway transport.

I. Rationale and Reality

1. Development Viewpoint of the Party and the Government

The facilitation for the disabled to have an access to public facilities and to participate favorably in transport has always been one of the main factors that gain a lot of interest from the Party and the Government. This viewpoint has been concretized in all the general instruction documents on the area of the disabled: from the Ordinance on the Disabled. Decree No 55 1999 ND – CP on the 10th of July, 1999 specified some terms of the Ordinance of the Disabled to Instruction No 01/2006/CT-TTg on the 9th of January, 2006. Decision No 239/2006/QD-TTg on the 24th of October, 2006 by the Prime Minister and most recently the Law on the Disabled. In addition, the viewpoint on the development of access transport is also institutionalized in many specialized documents of the transport area such as Law on Road Transportation, Law on Railroad, Law on Civil Airline, Decree No 34/2010/ND-CP on the 2nd of April, 2010, and Decree 109/2006/ND-CP on the 22nd of September, 2006 by the Government. Decision No 35/2009/QD-TTg on the 3rd of March, 2009 by the Prime Minister approved the Strategy of Transportation Development to the year, 2020, with a vision to the year 2030, in which some regulations have been mentioned, stating that the composition of road transportation infrastructure, means of railway transport must ensure safe, favorable access for the disabled, together with policies on fare discount, punishment sanction on non-assisting behaviors to the disabled when participating in road transportation.

2. International Development Experience

In the world, accessible transport has been developed for the past 30 years and applied to most of the developed countries. The development of accessible transport has been promoted by international conferences on campaigning and building transport environment for the disabled, the elderly people, held as a forum for international leaders to exchange effective research results and policies on the topic of accessible transport.

Many developed countries have proposed the establishment of laws on the promotion of access transport. For example, the US, Canada, Australia and the UK have already had human rights. Recently, in the laws of many countries, there have been regulations instructing the execution of programs on accessible transport so that the public transport providers gradually
change their behaviors and policies and organize activities to support and provide services to ensure that the disabled can easily use different means of transport by:

- providing accessible vehicles and services.
- developing an action project of national transport management plan concerning access and access movements.

- Study ways of deployment and draw experiences on the management and establishment of background knowledge to design accessible transport. Implement the construction and operation of access transport systems.

II. Current Situation Assessment and Development Trend during the period of 2005 – 2010

1. Current Situation

For the past years, the Ministry of Transport has made a lot of efforts to develop accessible transport. There have been big, positive changes in facilitating the disabled to participate in transport and integrate into the community. Accessible transport development has been put into action programs on such areas as policy making, technical standard compilation for means of transport, propaganda for awareness enhancement, and deployment of some pilot projects... From the year 2005 to the year 2010, the Ministry of Transport presided, advised and issued 03 Laws, 03 Decrees, 02 Instructions, 09 Decisions and 03 Circulars to carry out the accessible transport program and deployed 4 big projects: organizing pilot accessible buses in Ho Chi Minh city and Da Nang; manufacturing pilot accessible buses according to issued standards; manufacturing 01 pilot railway carriage ensuring accessible transport standards; selecting the lines and announcing their uses with the total cost of 5,7 billion VND, in which the supporting budget from the State was 3 billion VND, and 2,7 billion VND was paid by the businesses. The implemented projects have brought about positive results. The number of disabled people participating in transport on 04 accessible bus lines (03 lines in HCM city and 01 in Da Nang) has increased annually, opening the possibility of developing such models in other localities.

2. Assessment on strong and weak points

Awareness

At present, there is not full and proper community’s awareness of accessible transport. Accessible transport is a new area in Vietnam so the awareness of the community, transport participants, and even the state management staff is still not strong enough, leading to slower pace of deployment of laws on accessible transport.

3. Causes

3.1. Infrastructure is not reliable enough for accessible transport.

The design of pavements, traffic nodes, zebra crossings traffic signal systems, stops, ticket boxes, train platforms etc., has not taken into account the need of the disabled.

The pavements in many places have not been used for their proper functions, being occupied as spaces for trading and parking. Many places have narrow pavements, in some places tree roots occupy most of the pavement’s breadth. The quality of pavements has not been ensured; there are no leading ways for the blind; pavements are bumpy. There are not enough caution signs at dangerous places. There are not enough standardized ways up and down.
Transport nodes are mostly of uniform levels. The disabled may face some difficulties when crossing the roads such as no direction-leading edges for the blind and no sounding sign systems. There are not enough ways up and down at the crossings, or they are blocked; at the nodes where there are traffic lights, the time set for passers-by is too short.

Many car stations and car parks use roads, air-circulating spaces, and spaces intended for departure and arrival stops. Car stations have not been equipped with proper infrastructure, with many stations having no departure lounges; ticket-offices are small and poorly equipped, with no supporting means for the disabled to move up and down more easily.

City bus stops have sign posts with only numbers of lines, names and routes. The pavements in many car stations and car stops are bumpy, making it difficult for the disabled to access. There are only a few bus stops being equipped with roofs and chairs for passengers but there is no information-supporting means for the disabled.

At the ticket-offices, there are no prior counters for the disabled. It is difficult for the blind to check the information on tickets. The deaf have difficulties in communicating with ticket sellers.

3.2. Means of transport are not suitable for access transport

At present, most means of transport have not met access requirements for the disabled. City buses, passenger coaches all have high floors, narrow doors and alleys, and steps of 20 to 30cm. On many buses, there are no prior positions for the disabled, and no spaces for wheel-chair repair. Rails and handles on buses are not suitably and properly arranged. There is not enough information-providing equipment (there are no electric notice boards or announcing-speaker systems). Doors are too narrow (70-75 cm) for wheelchairs. Railway carriage floors are too high with high steps (60 cm). There are no special carriages for the disabled. Toilets are narrow and unsuitable. There is a lack of information on trains.

3.3. There are not enough mechanisms and policies to encourage and provide favourable conditions to all economic sectors and social organization to develop accessible transport system.

To ensure the participation of the disabled in transport, the transport environment, from transport infrastructure to means of transport innovation, must be comprehensively improved. Transport participants’ awareness needs improving. Although there has been great interest and investment in the improvement of transport infrastructure systems, to ensure standards of accessible transport, there should be preparations and extra supply of investment expenditure which is needed for the work serving accessible transport. For passenger-carrying means of transport, the change requires a lot of time and a great amount of expenditure, which cannot be met by domestic transport businesses. Therefore, until now, most transport businesses, even tourism-service businesses have not showed enough proper interest in the investment of means and equipment for the disabled. If there are no favorable policies and mechanism, it will be very difficult to encourage agencies and businesses to take part in developing accessible transport systems.

III. Activities in the period of 2011 – 2020 (Appendix)

2. It is free for the specially-serious disabled, and there are discounts in ticket price and service fees for the serious disabled when they use service of culture, exercise, sports, entertainment and tourism according to regulations of the Government.

3. The State and society facilitate the disabled so that they would be able to develop their talents in culture, art and sport; take part in art creation and performance and sports training and competitions.
1. Individual means of transport of the disabled when taking part in transport must meet the national technical norms and must be suitable with health condition of the disabled. For individual means of transport which requires licenses, the disabled are entitled to be instructed and to get licenses.

2. The disabled when using public means of transport are entitled to use supporting means or corresponding assistance; they are entitled to bring suitable means, equipment free of charge.

3. The specially-serious and serious disabled are exempted from or entitled to have discounts in ticket price, service fees when using public means of transport according to regulations of the Government.

4. The disabled are prioritized to buy tickets, to be assisted, to be given favorable seats when using public means of transport.

**Article 42. Public means of transport**

1. Public means of transport must have prior spaces for the disabled; they must have supporting tools to get on and off or assistance suitable to the characteristics of the disabled.

2. Public means of transport for the disabled to use must meet national technical norms on accessible transport issued by authorized state agencies.

3. Agencies of public transport must invest and set means of transport meeting technical norms on accessible transport on transport routes according to rates regulated by the Government in different periods.

4. Public means of transport meeting national technical norms on accessible transport are exempted from or entitled to reduction in taxes according to regulations of laws on taxes on manufacture or import.
<table>
<thead>
<tr>
<th>No</th>
<th>Activities</th>
<th>Aims</th>
<th>Content</th>
<th>Cost (Million VND)</th>
<th>Implementation time</th>
<th>Presiding agencies</th>
<th>Co-operating agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Surveying invalids’ traveling need near or across rivers</td>
<td>To collect data and information on invalids’ traveling needs according to transport types to develop suitable transport plans</td>
<td>Surveying invalids’ traveling need near or across rivers</td>
<td>1000</td>
<td>2011</td>
<td>Vietnam Department of Inland Waterways</td>
<td>The Ministry of Transport and Departments of Transport</td>
</tr>
<tr>
<td>2</td>
<td>Conducting research to upgrade platforms, paths leading to and away from piers, and transport vehicles.</td>
<td>To conduct research for technical and textural solutions for typical piers, platforms and vehicle models according to terrain features of different areas.</td>
<td>Conducting research to upgrade platforms, paths leading to and away from piers, and transport vehicles.</td>
<td>3000</td>
<td>2010-2013</td>
<td>Vietnam Department of Inland Waterways</td>
<td>The Ministry of Transport and Departments of Transport</td>
</tr>
<tr>
<td>3</td>
<td>Developing national standards for piers, tourist ship piers, domestic passenger water vehicles and tourist hips to ensure access for invalids.</td>
<td>To perfect standard and reference system for accessible transport.</td>
<td></td>
<td>1200</td>
<td>2015-2017</td>
<td>Vietnam Department of Inland Waterways</td>
<td>The Ministry of Transport and Departments of Transport</td>
</tr>
<tr>
<td>4</td>
<td>Developing a pilot accessible bus route in Hanoi, Ha Nam and Can Tho</td>
<td>To meet invalids’ demand on public transport in cities and towns</td>
<td>- Surveying invalids’ demand on public transport in cities and towns.</td>
<td></td>
<td>2011-2015</td>
<td>Hanoi Public Transport Management and Operation Centre. Ha Nam and Can Tho Department of Transport</td>
<td>Ministry of Transport, Province and City’s People Committee, local Department of Labour, Invalids and Social Affairs</td>
</tr>
<tr>
<td>5</td>
<td>Disseminating laws on accessible transport</td>
<td>To raise awareness of accessible transport</td>
<td>Organizing conferences</td>
<td>2012-2020</td>
<td>Ministry of Transport</td>
<td>Agencies under the ministry</td>
<td></td>
</tr>
</tbody>
</table>
1. Introduction

At the Southeast Asian Inter-governmental Summit of the Decade (1993-2002) on the Invalid in October, 2002, governments approved ‘The Biwako Framework for Action of the Millennium’, which aims at a society of integration and non-obstacles for the rights of invalids in Southeast Asia. This is considered to be the orientation for regional policies in the new decade. Biwako framework raises issues and provides action plan and policies for a society of integration and non-obstacles for the rights of invalids.

Hereafter are seven priority areas in the Biwako framework:

1. ‘Self-established and self-run’ organizations of the disabled and the Association of Parents and Families of invalids.
2. Disabled women
3. Early identification, support and education of disabled children
4. Job training for invalids, including job creation by invalids themselves.
5. Access to buildings and public transport.
6. Access to the media, including information technology and propaganda.
7. Poverty reduction and elimination, capacity enhancement, social security and sustainable life.

2. Rationale and Reality

At the Seventh Meeting of Term XII of the Socialist Republic of Vietnam, the Laws on the invalid (Laws No. 51/2010/QH12 on 17/6/2010) were approved and came into effect from 01/01/2011.

The laws enforce stipulations on information and media for the disabled, including:

- Article 4 on the rights and obligations of the invalid, Point d Item 1 stipulates that invalids have the rights to get access to healthcare, function rehabilitation, education, job training, jobs, legal assistance, public transport,