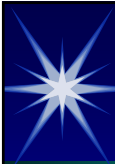


HCMC AIDS PREVENTION ASSOCIATION

Le Thuy Lan Thao M.D., M.P.H,
Deputy Chief of HCMC AIDS Standing Bureau



HCMC AIDS PREVENTION ASSOCIATION

1. Rationale
2. Legal framework
3. Regulations for establishment of an Association under Government Decree # 88
4. Conditions and procedures for Association establishment
5. Draft of the HCMC AIDS Prevention Association
6. The establishment process of AIDS Prevention Association in HCMC



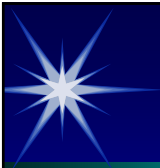
Rationale

- HIV/AIDS is a social issue → response from the whole society
- Many other countries' experiences show that “the success of AIDS Programs depends on **multi-sectorial cooperation** and **the participation of the society into the programs**”
 - ☞ HCMC's Multi-sectorial Cooperation Model:
Provincial AIDS Committee → promote strengths of all the local sectors, mass organizations and agencies
 - ☞ The participation of Communities, voluntary groups, religious organizations and individuals...



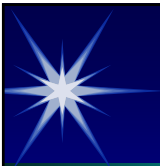
Rationale

- ❖ Challenges, difficulties in mobilizing the participation of the community:
 - ✓ No legal framework for consolidating and managing the work of the social, religious, and voluntary organizations taking part in the City's AIDS response.
 - ✓ No legal framework for social, religious and voluntary organizations participating in AIDS prevention
 - ✓ No actions on mobilizing the participation and supports for the effective response to AIDS from the private sector, companies/enterprises, artists and individuals in the City
- **The needs for establishing the AIDS Prevention Association**



LEGAL FRAMEWORK

- ❖ Consistent with the Central Party and Government's policies in socializing the AIDS prevention and control activities (Law on HIV/AIDS; Party Directive 54 –CT/TW)
- ❖ Provincial Party's Decision 01/NQ-TU on the Program of Action to implement Directive 54 – CT/TW of Secretariat regarding to strengthening the leadership for the response to HIV/AIDS in the new situation *“Review the situation and establish a Provincial social organization on HIV/AIDS prevention and control in order to enhance socializing this task”*



LEGAL FRAMEWORK

- ❖ The Gov. Decree 88/2003/ND-CP regarding organization, activities and management of an Association;
- ❖ The Circular 01/2004/TT-BNV of Ministry of Home Affairs: The Guidance on how to implement the Decree 88/2003/ND-CP



REGULATIONS FOR ASSOCIATION'S ESTABLISHMENT IN DECREE 88/NĐ-CP

- Association: is a voluntary organization of the civilians, and Vietnamese organizations those who have the same occupation, interest, gender, purpose of association, acting on regular basis to protect the legal rights and benefits of association's members; effectively supporting program's activities, contributing to the national social-economic growth.
- The establishment of an association requires the approval of the authorized government agencies



REGULATIONS FOR ASSOCIATION'S ESTABLISHMENT IN DECREE 88/NĐ-CP

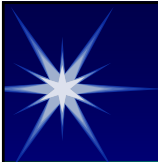
- Association is organized and operates according to regulations which are approved by the authorized governmental agencies conforming to Vietnam's legal system; according to principles of voluntary basis, self-management and self-budgeted and take full legal responsibility itself.
- Association is able to have a legal status, a stamp, and bank accounts; It has the rights to choose its name and symbol according to legal regulations.



CONDITIONS AND PROCEDURES FOR ASSOCIATION ESTABLISHMENT

1. Conditions of Association Establishment

- The goals of operation conforming to the laws. It does not have the similar names and activities areas with the previous associations which established in the same area
- Association's regulations
- A head office
- having enough members: ≥ 50



CONDITIONS AND PROCEDURES FOR ASSOCIATION ESTABLISHMENT

2. Mobilizing Board for establishing an Association

- To form an association, there must be a Mobilizing Board for establishing an Association. This board must be acknowledged by the Government agencies with the same area of operation. Number of members: ≥ 5 members
- After being recognized, the Mobilizing Board will:
 - + Call for individuals and organizations to participate to the Association
 - + Complete the documents to ask for permission to establish the Association
 - + Submit the documents to the Authorized Government agencies (by the Head of the Board)



CONDITIONS AND PROCEDURES FOR ASSOCIATION ESTABLISHMENT

3. Documents for establishment

- ✓ Association establishment request
- ✓ List of members in Mobilizing Board recognized by the Authorized Government agencies
- ✓ Draft of Association's regulations
- ✓ Tentative work plan
- ✓ CV of the Head of the Board that verified by the authorized agencies
- ✓ Documents certifying the association's assets and the head office



DRAFT DECREE FOR HO CHI MINH CITY AIDS PREVENTION ASSOCIATION

- ❖ Name in Vietnamese: Hội phòng chống AIDS TP. Hồ Chí Minh
International name: Ho Chi Minh City AIDS Prevention Association
- ❖ Ho Chi Minh City AIDS Prevention Association is a social, professional and voluntary organization for civilians and organizations those who are working on HIV/AIDS and residing in Ho Chi Minh City.

DRAFT DECREE FOR HO CHI MINH CITY AIDS PREVENTION ASSOCIATION

- ❖ Goals of Ho Chi Minh City AIDS Prevention Association: to unite and consolidate individuals and organizations working on HIV/AIDS for a better cooperation, mutual help and assistance to contribute to the city's fight against HIV/AIDS; as well as to protect and look after the legitimate rights of the Association's members.
- ❖ Ho Chi Minh City AIDS Prevention Association has a wide range of activities and its own head office. The Association also has legal status, stamp, and bank account according to legal regulations.

ESTABLISHMENT PROCESS OF HO CHI MINH CITY AIDS PREVENTION ASSOCIATION

1. Mobilizing Board establishment

- ❖ The nomination of The Association's Establishment Mobilizing Board: ≥ 5 people
- ❖ Request for the approval of the Association's Establishment Mobilizing Board (in which clarifies names of the proposed people, principles, goals, areas of operation, scopes of activities of the Association, the tentative time of Association's establishment, and the temporary venue of Association's meetings)
- ❖ The list of Mobilizing Board members
- ❖ Ho Chi Minh City People's Committee or Ho Chi Minh Provincial AIDS Committee issue the Approval of the Mobilizing Board

ESTABLISHMENT PROCESS OF HO CHI MINH CITY AIDS PREVENTION ASSOCIATION

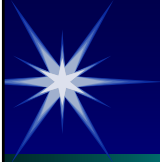
2. Mobilizing Board's Duties:

- ❖ Mobilize citizens, organizations to participate into the Association; get signatures of every member including individuals, organizations who has registered (at least 50 people)
- ❖ Complete documents for establishing the Association and submit to City People's Committee, City Domestic Affairs Department
- ❖ Organize a meeting after getting the approval on establishing the Association from City People's Committee
- ❖ Dissolve right after an Executive Board has been elected by the Congress

ESTABLISHMENT PROCESS OF HO CHI MINH CITY AIDS PREVENTION ASSOCIATION

❖ Tentative members of the Mobilizing Board: 12-15 people

1. Dr. Truong Xuan Lieu: Director of HCMC Health Department, Vice chairman of HCMC AIDS Committee
2. Le Thuy Lan Thao, Mph, M.D : Deputy Chief of PAC Office
3. Representatives from organizations working on prevention: Youth, Women, Union...
4. Representatives from organizations working on Care and Treatment
5. Representatives from organizations, volunteer groups working on AIDS prevention and control
6. Representatives from religious organizations
7. Representative of PLWHA...



DISCUSSION POINTS

1. The rationale of establishing An AIDS Association
2. Name, goals of HCMC AIDS Association
3. Members of Mobilizing Board
4. Who (organizations, individuals) will be the members:
 - Health workers
 - Social workers
 - Union
 - Religion
 - PLHIV
 - ...