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**UNIVERSAL PERIODIC REVIEW**

**Report of the Working Group on the Universal Periodic Review\***

**Viet Nam**

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## **Introduction**

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fifth session from 4 to 15 May 2009. The review of Viet Nam was held at the 10th meeting on 8 May 2009. The delegation of Viet Nam was headed by H.E. Pham Binh Minh, First Vice-Minister of Foreign Affairs. At its meeting held on 12 May 2009, the Working Group adopted the present report on Viet Nam.
2. On 8 September 2008, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Viet Nam: Burkina Faso, Canada and Japan.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Viet Nam:
  - (a) A national report submitted in accordance with paragraph 15 (a) (A/HRC/WG.6/5/VNM/1);
  - (b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/5/VNM/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/5/VNM/3).
4. A list of questions prepared in advance by Argentina, Canada, the Czech Republic, Denmark, Hungary, Latvia, Norway, Sweden, the Netherlands and the United Kingdom of Great Britain and Northern Ireland was transmitted to Viet Nam through the troika. These questions are available on the extranet of the UPR.

## **I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS**

### **A. Presentation by the State under review**

5. H.E. Pham Binh Minh, First Vice-Minister for Foreign Affairs, stated that Viet Nam attaches importance to the UPR national report, regarding it as a United Nations member's obligation and an opportunity for comprehensive and participatory review of its human rights achievements and future measures. A special task force composed of members from more than 20 national legislative, judiciary and administrative departments was established. To make the report as comprehensive, objective and authoritative as possible, consultations were held with dozens of NGOs and academic institutions. Viet Nam has also learnt from international experience and received cooperation from international partners in many ways. The UPR report and nearly 100 pages of annexes provide detailed information on the human rights implementation.
6. Viet Nam pursues a consistent policy of respecting and ensuring human rights as enshrined in its Constitution. This policy stems from the recognition that human rights are the universal values of mankind, including the right to national self-determination which is upheld in today's core human rights conventions.
7. The policy is also rooted in Viet Nam's thousands of years of history and culture. Fifty-four ethnic groups have been living together in peace on the Vietnamese soil without any ethnic

conflict. The Vietnamese people love peace and humane values while staying open to diversity and outside values, including the major religions like Buddhism and Christianity that have come to thrive in Viet Nam since very early. The will of Viet Nam also represents the aspirations of the Vietnamese people throughout the colonial rule that deprived them of the most fundamental freedoms and the war of national defence following Viet Nam's regained independence in 1945.

8. The people's support stands behind the success of the independent Viet Nam in overcoming enormous ordeals and hardships and in leading the comprehensive renewal process recognized by the international community. This support indeed demonstrates the enjoyment by the people of their human rights.

9. Viet Nam attaches great importance to building a comprehensive legal system to guarantee and promote human rights. About 13,000 laws and by-laws have been enacted or revised since 1986. Draft laws and ordinances of the National Assembly are subjected to people's comments via the mass media. The Constitution and legal normative documents stipulate the rights and measures to guarantee civil and political human rights in Viet Nam in conformity with international treaties. Viet Nam's efforts in this regard have been commended by the United Nations and international partners.

10. The monitoring and supervising system and the law enforcement system in Viet Nam, which are constantly reformed in accordance with the principle of a State ruled by law, encompass all State agencies and various organizations and people's participation. The National Assembly supervises all activities of the State. All its Q&A sessions with Government members are broadcast live.

11. The Master Plan on Administrative Reform 2001 – 2010 is aimed at making the administrative system cleaner, stronger, more democratic, professional, modern and effective in the people's interest. All Government agencies have their own inspecting mechanism in their respective areas of responsibility. The judicial system serves as the means for protection of justice and human rights, for enforcement of the law and the fight against crimes and law violations.

12. Various organizations, the mass media and citizens' indirect and direct participation through their representative bodies or legal mechanisms are important components of the machinery of human rights protection. The people take voluntary and active part in running for election, nominating and voting representatives from different social strata into the governing bodies at all levels. Many raise their concerns and questions to their representatives related to the functioning of the State agencies. Q&A sessions of the National Assembly are closely watched by the people. Viet Nam has about 380 nationwide mass associations and numerous associations at the local and grassroots levels. There are 18 nationwide sectoral trade unions and 6,020 local trade unions. Some 600 foreign NGOs operate in Viet Nam.

13. The mass media have been growing rapidly in diverse forms and with rich content, becoming important forums for the people and contributing actively to the process of renewal, the fight against corruption and other vices. The number of print press agencies and publications now reach 700 and 850 respectively, tripling the 1990 figure. Over 15,000 licensed journalists are working in Viet Nam. Regular Internet users account for nearly 24 per cent of the population, which is higher than the Asian average of 18 per cent. Presently 95 per cent communes of extreme difficulties have radio stations, including those broadcasting in ethnic minority

languages. According to a recent ITU report, Viet Nam was among the top 10 countries in 2002-2007 in terms of the growth rate of IT coverage, usage and skills.

14. Religious and belief activities are now a vibrant social feature. There are over 20 million followers of different religions. Over 80 per cent of the population has a belief. The United Nations Day of Vesak was organized in Hanoi in 2008 with the participation of Buddhists and dignitaries from 74 countries and territories. Viet Nam will host the World Buddhist Summit in 2010. A Holy See delegation comes to Viet Nam annually to exchange views on religious issues of mutual interest and acknowledges positive developments in the life of catholic community.

15. Members of ethnic minorities participate in an increasingly equal manner in the country's socio-political life. The twelfth National Assembly (2007-2011) includes 87 deputies of ethnic minorities, accounting for nearly 18 per cent of all deputies. Ethnic minority members are present in the People's Council at provincial, district and communal levels and assume high positions, including the highest portfolio, in State agencies and varied organizations.

16. Viet Nam has attained significant achievements in promoting women's rights as measured by CEDAW indicators. It has been rated by the World Bank and Asian Development Bank as the Asian country most rapidly narrowing the gender gap in the past 20 years. Vulnerable groups, such as children and people with disabilities, receive special attention from the State, society and family. Children and people with disabilities have been able to enjoy better care and protection in various fields and to express views on issues of interest to them in line with CRC and CPD. Viet Nam was the second country in the world and the first in Asia to sign CRC and it signed CRPD.

17. Protection and promotion of economic, social and cultural rights in Viet Nam have made significant progress. Efforts to deal with social problems have brought about tangible, positive changes. People's cultural life is advanced. After 20 years of renewal, per capita income has increased five-fold and the percentage of households living under the national poverty line decreased from about 60 per cent to 13 per cent. Viet Nam has been recognized by the United Nations and many development partners as one of the countries with the most impressive achievements in poverty reduction. As reported by the United Nations, Viet Nam had attained or surpassed many of the MDGs and was capable of attaining them all by 2015.

18. The percentage of poor ethnic minority households has been reduced by 3 to 5 per cent per year; 90 to 95 per cent of school-age children are enrolled and all districts have secondary schools. Thirty ethnic minority groups have their own languages and scripts and ethnic minority languages are used in primary and secondary-level textbooks and television and radio programmes for ethnic minorities.

19. The UPR report of Viet Nam has described in detail lessons drawn from achievements in protecting and promoting human rights. These include placement of the human being at the centre of development, the close relationship between protection of human rights and national independence and sovereignty, the importance of maintaining political stability, promoting economic development in parallel with expanding social welfare, and enhancing the people's awareness of and capacity to exercise their rights.

20. These accomplishments also derive from Viet Nam's foreign policy of openness and increasingly active participation in regional and international human rights mechanisms and activities, including those of the General Assembly, the Human Rights Council and the Asia-

Europe Meeting. Viet Nam is now working with other countries in the region to establish a human rights body of the Association of Southeast Asian Nations (ASEAN). Viet Nam also has technical cooperation and human rights dialogues with Australia, Norway, Switzerland, the United States, the European Union and other countries and international organizations.

21. A number of special rapporteurs have visited Viet Nam and the Government has recently extended invitations to five other special procedures to visit.

22. Viet Nam is conscious of the shortcomings and difficulties and challenges to be addressed. The legal system of Viet Nam still lacks coherence while remaining overlapped and even contradictory in some areas. The development of the legal system has not matched the changes in life, leading to misinterpretation and difficulties in enforcement, affecting efforts to ensure constitutionality, feasibility and transparency. The effectiveness of information provision, education and awareness enhancement in relation to the law remains limited. The system of law enforcement needs to be strengthened. A segment of public servants remain unfamiliar with the human rights treaties to which Viet Nam is party and occasionally have insufficient knowledge of government policies and the law.

23. These shortcomings have objective causes, including the fact that Viet Nam remains a poor country that has to cope with the aftermaths of war, for example by supporting the many victims of bombs, mines and Agent Orange/dioxin. The population is scattered throughout the country, including in remote and harsh areas with varying languages, customs and habits. The international environment with major economic upheavals, the outbreak of pandemics, environmental degradation and transnational crimes, is another factor. Viet Nam is still victim of hostile activities like terrorism, sabotage, and attempts to destabilize the country and infringe upon national security and territorial integrity. There are subjective causes, namely the slow pace of change in some policy areas, the poor quality of implementation and the shortcomings of institutional and human capacity.

24. A number of priorities were identified in the UPR national report of Viet Nam: continue to attach importance to poverty reduction, health care, development of the social safety net and human resources, expansion and improvement of the education and training system and effective implementation of the master plan for public administration reform, the strategy for the development of the legal system and the judicial reform strategy; take specific steps to realize these priorities; accede to additional human rights treaties; and strengthen cooperation with regional and international human rights mechanisms.

25. Viet Nam is committed to building a strong country with prosperous people and a just, democratic and advanced society, to protecting and promoting democracy and human rights as both the goal and the driving force of renewal.

26. Viet Nam hopes that the working session will be a manifestation of cooperation and constructive dialogue, in line with the objectives for which the UPR mechanism was created by United Nations member States to achieve.

## **B. Interactive dialogue and responses by the State under review**

27. During the interactive dialogue, statements were made by 60 delegations. Additional statements by 16 delegations which could not be delivered during the dialogue due to time

constraints are posted on the UPR extranet when available\* A number of delegations praised the national consultation held for the preparation of the UPR report and the comprehensive presentation. Reference was made to Viet Nam's struggle for national independence in the context of the realization of the right to self-determination. Support was expressed for ongoing reforms in various areas, including the judicial reform with particular reference to the Doi Moi policy. A number of delegations praised Viet Nam's rapid economic growth and social development with particular emphasis on its effective poverty reduction strategies, and it was highlighted that Viet Nam was one of the first countries to fulfill MDG 1 (poverty reduction). Significant achievements in economic, social and cultural rights were highlighted. Viet Nam was praised for its improvements in basic education, the right to health, including reduction of infant mortality, the right to food and the right to education. Positive remarks were made on progress in gender equality, promotion of women's rights and protection of the rights of persons with disabilities. Reference was made to Viet Nam's adherence to a number of international human rights instruments.

28. Noting the commitment to promoting the right to self-determination, Algeria recommended (a) continuing to uphold the promotion of human rights and fundamental freedoms, particularly for the exercise by people under foreign occupation to their right to self-determination. Praising the poverty reduction strategy, Algeria recommended (b) continuing to implement the strategy to further lower the rate of poverty, and (c) sharing best practices and experience in this field with interested countries, inter alia by contributing actively to strengthening South-South cooperation in this regard, and (d) continuing to implement credit-for-jobs projects and to promote labour market development. Algeria recommended that Viet Nam (f) give due attention to reconciling the universal values of human rights with its specific circumstances, and (e) continue fulfilling its obligations under the international treaties to which it is a party and consider acceding to CAT.

29. Venezuela noted the great efforts to overcome the devastation suffered in the struggle for national liberation. It appreciated the effective reduction of the poverty rate from 58.1 per cent in the 1990s to 13.8 per cent in 2008. In the framework of the right to development, it recommended that Viet Nam share with other countries its successes and good practices on the guiding principles of solidarity and socialism.

30. The Russian Federation welcomed the preparation of the national report through wide consultation and recommended that Viet Nam (a) continue to involve the appropriate political and social organizations in work to encourage and promote human rights. Highlighting support to the poorest including orphans and persons with disabilities, it recommended (b) continuing the very successful and socially oriented economic policy, including by providing drinking water to poor households and special hardship regions, and (c) participating actively in international cooperation to encourage and protect economic social and cultural rights. It urged Viet Nam to (d) share its positive experiences with other countries and, highlighting results achieved in gender equality, to (e) continue efforts to inform the wider society about the laws concerned and the rights of women in general, widely use the mass media to raise awareness of gender equality and publish the appropriate papers and documents in ethnic minority languages.

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\* Belgium, Congo, Czech Republic, Djibouti, Hungary, Ireland, Latvia, Luxembourg, Mozambique, Nicaragua, Senegal, Slovakia, Slovenia, Spain, United Arab Emirates and Uzbekistan.

31. Thailand noted that one of Viet Nam's challenges was to strike the right balance between the imperatives of economic development and the need to enlarge civil liberties. Thailand recommended (a) continuing its poverty reduction efforts as a means of laying the groundwork for the further enhancement of human rights of its people, and (b) providing and expanding human rights education and training for all relevant Government authorities to build capacities of officials and ensure effective implementation of human rights-related laws.

32. The Philippines noted that Viet Nam intends to ratify the Convention against Transnational Organized Crime and the Palermo Protocol. It commended Viet Nam's support for the establishment of the ASEAN human rights body and asked whether Viet Nam had plans to establish an independent national human rights institution. The Philippines recommended (a) sharing experiences in promoting agricultural productivity and sustainability, local development and good governance with other developing countries, (b) further increasing the use of ethnic languages in schools and the mass media, and (c) continuing the programme of building affordable housing for low-income families to promote broader enjoyment of the right to adequate housing by 2020.

33. The Lao People's Democratic Republic underlined that since unification in 1975, after over 30 years of post-war reconstruction, the country had overcome tremendous obstacles and successfully implemented the renovation policy. It recommended that Viet Nam (a) continue to maintain and strengthen its economic, political and social model to guarantee the full participation of the population in public and security affairs; (b) share its experience and best practice, especially in how to achieve the MDGs, with other countries; (c) continue to bring down poverty in urban and rural areas along with the maintenance of peace, stability and the protection of environment to boost up the country's socio-economic development, industrialization and modernization to achieve the MDGs.

34. Cuba referred to the successes of Viet Nam based on a system freely chosen by the people, and the protection of the rights of ethnic minorities. Cuba acknowledged in particular the results achieved in protecting the rights of persons with disabilities, many of whom were direct victims of the unbridled aggression including napalm bombing and use of notorious chemical agents. Cuba recommended the Government to (a) continue with its efforts to promote and protect the rights of persons with disabilities and share its experiences in this regard; (b) continue to take measures to provide education and health care, especially in mountainous areas and to the population of ethnic minorities and with their involvement.

35. Canada applauded the positive impact that Viet Nam's economic gains have had on human rights, and welcomed improvements in the areas of equality between men and women, education and religious freedom, including for ethnic minority groups. Canada recommended measures which would contribute to freedom of expression, in particular that Viet Nam (a) increase the independence of media from the State, including by allowing privately-run media; (b) bring its press laws into compliance with article 19 of ICCPR; (c) adopt a whistleblower law so that those who identify corruption are protected from prosecution or harassment; and (d) adopt access-to-information legislation. Canada noted that laws are sometimes applied to restrict the freedom of association. It recommended that Viet Nam (e) reduce the use of security laws that limit public discussion about multi-party democracy or criticism of the Government, including by bringing security and propaganda laws into compliance with ICCPR; (f) reduce the length of prison sentences for non-violent crimes; (g) register all individuals detained under security laws, and make this information publicly available; (h) provide people detained under security or propaganda laws with fundamental legal safeguards, including representation by legal



counsel of their choice throughout the proceedings and a public trial; (i) issue a standing invitation to all special procedures of the Human Rights Council.

36. China noted that Viet Nam encourages balanced development of the economic sectors, gives priority consideration to education, health, infrastructures, human resources, poverty reduction and vulnerable and disadvantaged groups, and has dramatically improved living standards. China recommended that Viet Nam (a) take active measures to close the gap between rich and poor and between the mountainous and urban areas; (b) continue to help ethnic groups to increase awareness of their rights and responsibilities so that they can improve their living conditions and better enjoy their rights.

37. Myanmar noted the discussions about establishing an ASEAN human rights body and Viet Nam's openness in acknowledging its existing human rights challenges. Myanmar recommended further intensifying its engagement with the international community, especially with developing countries to exchange and share its best practices relating to the efforts on strengthening the rule of law and socio-economic development.

38. Indonesia recommended that Viet Nam (a) continue to improve its legal system and give particular attention to its human rights laws and regulations in order to make them more mutually cohesive. It appreciated Viet Nam's commitment to the process of establishing a regional human rights mechanism as mandated by the ASEAN Charter. Indonesia observed that Viet Nam is already party to several core human rights instruments, and recommended that it (b) ratify other core human rights conventions.

39. Singapore noted that Viet Nam has come a long way in rebuilding after decades of war. Concerning poverty eradication, the proportion of people below the national poverty line has been cut from over 60 per cent in 1990 to 13.8 per cent in 2008. Regarding the rights of the child, Viet Nam was the first in Asia and second in the world to sign CRC. Singapore commended Viet Nam's achievements and recommended that it continue to improve in the following areas: poverty eradication, rights of the child, women's rights and rights of persons with disabilities.

40. The Democratic People's Republic of Korea appreciated a series of measures for human rights noting the achievements in the economy and other sectors. It recommended (a) continuing ongoing efforts for the betterment of the disadvantaged groups in society, including people with disabilities; (b) furthering efforts to engage all social and political organizations of the country in the promotion and protection of human rights; and (c) sharing with other countries its experiences in poverty reduction and agricultural development.

41. Norway recommended that Viet Nam (a) promptly fulfil its aim of limiting the use of capital punishment by reducing the scope of crimes subject to the death penalty, (b) give individuals, groups and organs of society the legitimacy and recognition to promote human rights and to express their opinions or dissent publicly, (c) adopt appropriate measures to disseminate widely and ensure full observation of the Declaration on Human Rights Defenders, (d) ensure that the media can operate freely and independently, and (e) ensure that the amended press law complies with ICCPR and that the legal framework allows the existence of privately owned media.

42. Noting the right to development, Malaysia recommended to that Viet Nam (a) speed up the law reforms and public administration programmes aimed at deepening and broadening

democratic norms, principles and standards; (b) consider accession to the United Nations Convention against Transnational Organized Crime and its protocol to prevent, suppress and punish trafficking in persons; and (c) consider accession to the ILO Forced Labour Convention.

43. The Islamic Republic of Iran recommended (a) taking concrete measures for further promotion and protection of economic, social and cultural rights, including the right to development for better realization of the MDGs; (b) continuing judicial reform towards a healthy, strong, democratic and efficient judicial system, which is necessary as an enabling condition for the promotion and protection of human rights; (c) cooperating with the international community and neighbouring countries particularly in the fight against transborder organized crime, and fight against trafficking in women and children; (d) strengthening efforts in fighting against corruption, which negatively affects the enjoyment of human rights of everyone.

44. Brazil commended the Government for involving civil society in efforts and recommended that the Government (a) establish a permanent independent human rights monitoring body; (b) review the list of crimes for which the death penalty is imposed, with a view to abolishing capital punishment; (c) enhance women's access to health care, in particular sexual and reproductive health services; (d) accomplish progressively human rights goals set forth in resolution 9/12.

45. Sweden welcomed the efforts to improve access to health and education and recommended that Viet Nam (a) take further measures to prevent violence and discrimination against ethnic minorities. Sweden noted from the national report the more than 20 million Internet users in Viet Nam and recommended that (b) full respect for freedom of expression, including on the Internet, be incorporated in the forthcoming media law reform. Sweden recommended that Viet Nam (c) step up efforts to enable early ratification of CAT and (d) take further action to enforce the women's rights laws that have been passed and ensure that women are informed of their rights.

46. Noting challenges in connection with opening to the market economy, Benin recommended (a) adopting various measures for prevention and early diagnosis of transmissible diseases and pandemics, notably HIV/AIDS, by giving priority to vulnerable groups, particularly national minorities, the poor and sex workers, and (b) continuing efforts aimed at the promotion and protection of human rights.

47. The Netherlands recommended that the Government (a) ensures that press laws are in compliance with article 19 of ICCPR, (b) authorize independent and privately-run newspapers and magazines, and (c) lift restrictions on Internet usage such as filtering and surveillance. It welcomed steps towards the ratification of the United Nations Convention against Corruption. The Netherlands noted the generous number of invitations, and recommended that Viet Nam (d) consider issuing a standing invitation to all United Nations special procedures.

48. Australia welcomed the increasingly frank bilateral human rights dialogue between Australia and Viet Nam. It recommended that Viet Nam (a) consider strengthening press freedom protections contained in the 1999 press law to support these objectives; and (b) continue to work to ensure that key pieces of national legislation, including the 1999 Penal Code and 2003 Criminal Procedures Code, are consistent with its international human rights treaty commitments. Australia welcomed Viet Nam's commitment to consider accession and recommended that it (c) accede to CAT in a timely manner.

49. Yemen, noting the rapid economic growth which had enabled Viet Nam to strengthen sectors like education, health, infrastructure, human resources and poverty reduction, recommended that it share its experiences and lessons learned with other developing countries.
50. Cambodia appreciated the overall efforts and progress made by the Government in economic, social and administrative reform. It recommended that Viet Nam (a) continue its sustainable efforts and share its experiences and best practices in the area of poverty reduction with other developing countries, especially through the programme of South-South cooperation, while participating in international efforts to promote the right to development. It recommended that Viet Nam (b) continue efforts in its current economic and political platform to protect and guarantee people's rights, namely religious freedom, and continue and enlarge social security networks for the poor, vulnerable and other disadvantaged groups, improving their well-being and their participation in social associations and social groups.
51. While commending Viet Nam for its recent progress in terms of freedom of religion, the United Kingdom remained concerned that implementation of legislation remains patchy, particularly at the provincial level. It recommended that Viet Nam (a) engage substantively with international experts on the development of its media law and work to increase the independence of media institutions; (b) continue to build policy dialogue between the Government and independent civil society organisations; (c) engage in dialogue with international experts on legal developments, including the review of its Penal Code to allow less scope for open interpretation by judges and courts; (d) continue to undertake comprehensive training programmes for local officials and monitor progress on implementation of legislation; (e) re-engage with the Special Rapporteur on freedom of religion.
52. Egypt noted the rising economic growth, a sharp decline in poverty levels and progress in the areas of education, gender equality and the right to food. Egypt recommended (a) continuing efforts aimed at improving social security in the country, especially at this time of economic and financial crises; (b) continuing efforts to improve all political as well as economic, social and cultural rights in conformity with the universally agreed human rights standards and norms; and (c) devising plans and strategies enabling it to reach out to remote areas and members of the population and hence improve their living conditions and ensure the protection of their rights.
53. The Libyan Arab Jamahiriya noted that Viet Nam was among the first to implement a long-term plan for persons with disabilities, enabling them to be fully integrated in society. Notwithstanding efforts, there were a number of poor people and persons with disabilities who suffered from discrimination. It recommended that Viet Nam make the necessary efforts to improve the living conditions, stability and integration within society of persons with disabilities.
54. Japan noted that it has for many years assisted Viet Nam in developing the legal system and expressed its intention to continue to assist. Japan recommended that Viet Nam (a) continue to make further efforts to advance the human rights of socially vulnerable people, including ethnic minorities, persons with disabilities, women, children, persons with HIV/AIDS and victims of human trafficking; (b) develop its domestic legal system and ensure the appropriate execution of the law towards the implementation of the international human rights instruments to which it is party.
55. Highlighting Viet Nam's excellent results in, inter alia, poverty reduction, Mexico recommended (a) taking necessary measures to establish a national human rights institution in accordance with the Paris Principles; (b) enhancing its cooperation with the United Nations

special procedures, particularly extending an invitation to the Working Group on Arbitrary Detention; and, with a view to complementing the initiatives taken by the Government concerning ethnic minorities, (c) favourably considering the ratification of ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

56. Azerbaijan noted the legal basis existing in Viet Nam to protect and promote children's rights. It recommended that the Government (a) continue its efforts in the field paying inter alia particular attention to vulnerable groups such as children, women, persons with disabilities and ethnic minorities. It asked whether Viet Nam envisaged establishing a national system to receive, monitor and investigate complaints on child abuse. It noted that patriarchal attitudes and domestic violence still remain a challenge. It recalled that a number of the country's reports to treaty bodies are overdue, and asked about the reasons. Azerbaijan recommended that Viet Nam (b) consider ratifying ICRMW and CPD; and (c) establish a national human rights institution in compliance with the Paris Principles.

57. Sri Lanka stated that Viet Nam more than any other country has stood up for the human rights of its own people and throughout the world by fighting for national independence, freedom and social progress. It noted that nothing is more precious than independence and freedom, which the people of Viet Nam have demonstrated. Sri Lanka commended the national report of Viet Nam and urged that the five lessons contained in the national report be disseminated as widely as possible and that Viet Nam disseminate its rich experience globally as much as possible.

58. Noting that Viet Nam is faced with challenges in vocational training, improving natural disaster management and protection of vulnerable groups, the Syrian Arab Republic recommended (a) continuing its efforts to meet these development challenges, achieve sustainable development and enhance the State capacities to protect rights and fundamental freedoms of all Vietnamese citizens; and (b) sharing the five lessons included in its national report with developing countries.

59. New Zealand welcomed the commitment to strengthen cooperation and recommended that Viet Nam (a) issue a standing invitation to all special procedures and, in particular, that it seeks visits by the Special Rapporteurs on freedom of religion or belief, freedom of expression, torture and violence against women. It recommended that Viet Nam (b) permit independence of the media, improves its implementation article 19 of ICCPR and allow the establishment of privately-run media organizations. New Zealand was interested to hear what steps Viet Nam is taking to combat discrimination against women. It recommended that Viet Nam (c) take steps to abolish the death penalty and increase transparency around its use; and (d) establish a national human rights institution, in accordance with the Paris principles.

60. Austria referred to article 120 of the Criminal Procedure Code and asked if the Government is considering any changes. Austria recommended that the Government (a) take concrete steps to effectively ensure that all persons deprived of their liberty are brought before a judge without delay. Referring to concerns about Decree No. 89/198, it recommended that the Government (b) provide public information on how many detention camps the police and military have in fact set up and how many persons are detained therein; and (c) ensure unhindered access to legal representation by persons detained in such facilities. Austria recommended (d) intensifying efforts to combat child prostitution, providing effective support to the children affected and sensitizing the police to this problem in particular through adequate training courses.

61. Switzerland was carefully monitoring measures to deal with corruption. It noted that mass media play a crucial role and recommended that Viet Nam (a) ensure that the review of the press law follows the international standards on this subject, particularly with respect to protection of journalists. It recommended that Viet Nam (b) revise its legislation on the death penalty to bring it into line with existing international standards on the subject, especially concerning transparency. Switzerland urged Viet Nam (c) to fully implement the land law and (d) to issue a standing invitation to all special procedures.

62. Bangladesh stated that rapid economic progress, pro-people policies and ongoing legal reform will contribute to improvements. Bangladesh recommended that the Government (a) share its successful development experiences in the area of poverty alleviation, agricultural reform, education and health care with other developing countries; (b) strengthen its efforts in generating social awareness on positive gender roles, targeting particularly alleviation of existing gender-based disparities in education and the labour market; and (c) continue ongoing legal reforms and seek technical assistance from relevant international partners if deemed necessary.

63. Asking whether Viet Nam would accept a visit by the Special Rapporteur on freedom of opinion and expression, Finland recommended (a) allowing media to take their watchdog role in society, (b) amending its press law to comply with ICCPR, and (c) repealing or amending its Penal Code to ensure that it cannot be applied in an arbitrary manner to prevent the freedom of expression. Asking whether Viet Nam would accept a visit by the Special Rapporteur on extrajudicial, summary or arbitrary executions, Finland recommended (d) imposing a moratorium on executions immediately with the ultimate goal of abolishing the death penalty altogether.

64. Germany noted the concerns of the Committee on the Rights of the Child about the increasing level of child prostitution and sex tourism and asked about measures taken. Germany recommended (a) strengthening cooperation with United Nations human rights mechanisms; (b) inviting and facilitating the visit of the Special Rapporteur on freedom of religion and belief; (c) establishing a national human rights institution in accordance with the Paris Principles; (d) taking all necessary measures to end restrictions on the rights to freedom of expression and peaceful assembly. It also recommended (e) publishing all information about the imposition and use of the death penalty, including information on executions carried out and (f) reducing the number of offences liable for the death penalty.

65. Turkey encouraged the Government to extend an open invitation to all special procedures and recommended that the Government (a) take concrete action to strengthening the legal basis for the accountability of State authorities and improvement of judicial scrutiny over their activities. It asked about measures to improve the juvenile justice system and recommended the Government to (b) pursue judicial and administrative reforms with a time-bound action plan to build an effective, open and transparent legal system based on the rule of law. It recommended that the Government (c) ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons and (d) continue its socio-economic development plans and take targeted measures to ensure active participation of women in the labour market.

66. The United States recommended that Viet Nam (a) demonstrate its commitment to article 69 of its Constitution, article 19 of ICCPR and article 19 of the Universal Declaration of Human Rights by ensuring freedom of expression for members of the press without fear of arbitrary arrest or prosecution, provide for the free flow of information on the Internet and abolish restrictive regulations on blogging and the media; (b) demonstrate its commitment to articles 50

and 69 of the Constitution, articles 19, 21, and 22 of ICCPR and article 20 of the Universal Declaration by allowing individuals to speak out on the political system and by releasing all prisoners of conscience, such as Father Nguyen Van Ly, Nguyen Van Dai and Le Thi Cong Nhan, and abolish vague “national security” provisions such as articles 84, 88, and 258 used to convict those who voice dissent against the Government or its policies. It recommended that the Government (c) in accordance with article 70 of the Constitution, speed the process for the local registration of churches and religious organizations as mandated under the framework on religion and allow for an equitable resolution of property disputes as required under the Constitution and the Prime Minister’s decree on religious property, and (d) recognize the United Buddhist Church of Vietnam and allow it to function independently of the Vietnamese Buddhist Sangha as well as allow multiple branches of the Hao Hao and Cao Dai faiths.

67. Morocco requested further information on the Peoples’ Inspection Councils and Public Investment Surveillance Councils. Morocco recommended: (a) reinforcing advocacy and information measures through specific human rights education and training programmes; (b) continuing paying attention to equality of opportunities, and creating favourable conditions for people residing in rural and mountainous areas; (c) taking supplementary measures to support access of minority children to education by helping them maintain and develop their traditions and languages; (d) continuing national efforts aimed at combating forced labour and trafficking in persons; (e) taking necessary measures to prevent, suppress and punish trafficking in persons, particularly women and children.

68. India noted that the Committee on the Rights of the Child welcomed national action plans on children and trafficking in women and children, and it appreciated acknowledgments of challenges including the rich-poor gap and urban-rural disparity. It recommended that the Government (a) continue to pay special attention to disadvantaged sections of the society, in particular the ethnic minorities and persons with disabilities, so as to ensure their fuller participation in the socio-political life of the country. It also recommended that the Government (b) continue its efforts to preserve the language and culture of the country’s ethnic minorities.

69. In responding to statements, the delegation of Viet Nam noted the Government’s principle to guarantee social equality to allow all people to enjoy the benefits of development. The Government is determined to take stronger measures, such as additional programme in areas with a high proportion of poor households, vocational training for farmers, implementation of insurance and voluntary insurance, programmes on social housing for the poor, students, migrant workers, ethnic minorities, allocation of land for production, and provision of added resources for social safety from the State budget. The target is to bring the poverty rate below 10 per cent in 2010.

70. The delegation noted that international standards on the rights of employees and on trade unions are stipulated and protected in the Constitution and laws, and that Viet Nam has signed and ratified a number of ILO conventions. Vietnam’s trade union has nearly 8 million members in enterprises of both State and private sectors and is the legitimate representative body in protecting the interest of employees. Vietnam is studying the contents of the remaining conventions, including ILO Conventions 87 and 98.

71. Viet Nam will strictly enforce the law on gender equality and the law against domestic violence, which was adopted in 2006.

72. The delegation noted that Viet Nam is a unified country with 54 ethnic groups, 53 of which are minorities making up nearly 14 per cent of the population. The equal political rights of the ethnic minorities are proclaimed in the Constitution, and any ethnic-based division or discrimination is forbidden. The proportion of ethnic minorities in all levels of the administration is increasing. Nationalities enjoy equality in education and health care, and the cultural identities, language and scripts of all nationalities are preserved and promoted. Viet Nam builds houses for poor ethnic minority people, promoting education and builds boarding schools for ethnic minority students. Languages and scripts of the ethnic minorities are taught in their schools and public offices; the areas of ethnic minority people have seen rapid development and improved conditions, with places of worship preserved and upgraded. The delegation acknowledged that ethnic minority areas still lag behind in terms of development

73. On religious issues, the State considers religion and belief a legitimate demand of the people, as proclaimed in the Constitution and legal documents. Viet Nam has 20 million followers of Buddhism, Catholicism, Protestantism and Islam, among others. Religious activities as Vesak of Buddhism, Christmas and Easter of Catholicism and Protestantism and Ramadan of Islam are organized with the participation of hundreds of thousands of followers. Viet Nam has also allocated land for the religions to build worshipping places. Religious texts have been printed in ethnic minority languages, such as Bana, Ede, Jarai and Khmer.

74. The Criminal Code had stipulated 44 offences subject to the death penalty; that was now reduced to only 29 offences and the death penalty was only applied to extremely serious crimes, such as drug trafficking and cruel murder to deter the criminals. Public opinion in Viet Nam is not yet ready for the complete removal of the death penalty. In 2006, Vietnam revised the law on complaints and denunciation, which allows organizations and individuals to lodge lawsuits in the judicial court to review the decisions made by administrative agencies related to the legitimate rights of the plaintiff.

75. The delegation stated that Viet Nam has enacted codes, laws and provisions to ensure social safety and deal strictly with acts infringing on national security and social stability, including the 1999 Criminal Code and the 2004 Law on National Security. The laws related to national security are in conformity with Viet Nam's socio-economic and political conditions as well as the international laws that Viet Nam has acceded to. There are no so-called "prisoners of conscience" and no one is arrested for criticizing the Government; only those who violate the laws have to bear criminal responsibility.

76. The delegation stated that any violations committed by individuals, State agencies or law enforcement officers shall be strictly dealt with in accordance with the law in force. Joining CAT is in principle in conformity with the policy and law of Viet Nam, which is taking speedy steps to join this Convention.

77. On the conditions of detention and reform of inmates and those subjected to temporary detention and investigation and interrogation, the delegation noted that all citizens have the right to complaints, and that in case of miscarriage of justice, those involved in the proceedings must compensate and can even be prosecuted criminally. The delegation reaffirmed that Vietnamese law prohibits all acts of torture and there is no practice of torture or degrading treatment of law offenders and those under detention for investigative purposes. It also stated that there are no detention camps of the military or police in Viet Nam. Every year, the State grants special amnesty for inmates with good conduct. In early 2009, 15,000 inmates were commuted and released.

78. Furthermore, the courts abide by the principle of equality, and no one is deemed guilty and punished, including being put under probation, until so found and sentenced by the court. Judges and people's grand juries are independent and only abide by the law, and Vietnamese law has strict rules on temporary arrest and detention. The delegation referred to an increased interest in judicial reform, which aims to make court hearings more democratic and transparent. The courts have ordered cash compensation for 80 per cent of those making petitions for remedy, and the rest of the cases are being settled.

79. The delegation referred to Constitutional provisions and stated that the rapid development of the press in Viet Nam testifies to the freedom of speech, freedom of press and the right to information. The press, inter alia, monitors the implementation of laws and is indispensable for combating corruption. Every citizen has the right to provide feedback on socio-economic development plans and programmes, and many cases of corruption and wrongdoing have been detected and denounced by the people and brought to justice. With people's feedback, authorities have cancelled or adjusted many major construction projects. The Government has implemented training and retraining programmes for over 2,000 journalists, thus helping improve the quality and reliability of the media. The law stipulates that socio-political and professional organizations are allowed to publish newspapers, and a new draft press law will consider allowing enterprises to publish newspapers.

80. Côte d'Ivoire noted that Viet Nam provides appropriate nutrition for its population and that 20 per cent of its budget is dedicated to education. It recommended that Viet Nam (a) continue and enhance efforts to reduce the level of poverty, especially for vulnerable groups, so as to boost employment, improve access to health and increase available social housing, and (b) continue reforming the judiciary and civil service and building a State based fully on the rule of law.

81. While commending the efforts, the Republic of Korea expressed concern that some parts of the rural population, ethnic minority women and children and persons with disabilities benefit little from the improved economic conditions. It recommended strengthening efforts in the areas of civil and political freedoms that include freedom of expression and the press and freedom of religion.

82. Nigeria noted challenges faced, including limited resources, inadequate training for judicial personnel and the high unemployment rate. Nigeria called on the international community to provide the necessary resources. Nigeria recommended that Viet Nam (a) ratify CPD and put in place the draft law on people with disabilities in timely fashion; (b) sign and ratify the CAT as recommended by the Committee on the Elimination of Discrimination against Women in 2007; and (c) improve prison conditions.

83. Argentina recommended that Viet Nam (a) take the necessary steps to comply with ICCPR, particularly to reduce cases of arbitrary detention and ensure that the right to a fair trial based in law is guaranteed; (b) take the necessary steps to ensure that citizens can fully enjoy these rights; (c) consider the possibility of inviting the Special Rapporteurs on freedom of expression and freedom of religion to visit the country. Argentina recommended (d) ratification of the second Optional Protocol to ICCPR to abolish the death penalty; until this happens it commends the reduced number of crimes to which this penalty is applicable and hopes that this will be done in accordance with international standards and in full transparency. Argentina recommended that Viet Nam (e) ratify CED, the Rome Statute, the Palermo Protocol and the conventions on refugees and stateless persons. It asked about experiences in reforming the



judicial system, rebuilding institutions in a post-conflict situation, and on measures to reduce hunger and meet the needs of vulnerable groups.

84. South Africa noted that promotion and protection of the human rights of persons with disabilities, especially those wounded in the war, is an example of a best practice to be emulated. It recommended ratifying CPD.

85. France referred to a draft bill in 2008 to revise the criminal code to reduce the number of crimes to which capital punishment is applicable, and asked when this is likely to be approved. It asked if Viet Nam would be willing to host visits by all requesting special rapporteurs and not only those working on economic, social and cultural rights. It asked about measures to prevent, combat and eradicate discrimination and violence against persons belonging to ethnic minorities. France recommended that the Government (a) take measures advocated by the Human Rights Committee to bring to an end restrictions to freedom of expression and opinion and to end, notably, restrictions on the creation of private media at the same time; (b) set up a national human rights institution in accordance with the Paris Principles; and (c) sign and ratify the Rome Statute.

86. Lebanon commended the ongoing efforts and noted that these have to be measured against the challenges of poverty, lack of adequate infrastructure and global crisis. Lebanon recommended that Viet Nam (a) maintain its commitment to strike a balance between the opening up of their economy and minimizing the adverse impacts on the most vulnerable and disadvantage groups in the society. It recommended that Viet Nam (b) uphold the progress it has achieved in ensuring religious freedom to the different communities and ensuring that religious and belief activities continue to be a vibrant and enriching feature of Vietnamese society.

87. Italy recommended (a) stepping up efforts to ensure the full respect of freedom of religion and worship, including by reviewing laws and provisions at all levels, related to the freedom of religion, in order to align them with article 18 of ICCPR; (b) giving a positive reply to the request to visit the country made by the Special Rapporteur on freedom of religion in 2008; (c) fully guaranteeing the right to receive, seek and impart information and ideas in compliance with article 19 of ICCPR; and (d) developing a national strategy to include in the school system at all levels appropriate measures in the field of human rights education in accordance with the Plan of Action 2005-2009 of the World Programme for Human Rights Education.

88. Mauritius urged the international community to continue to assist in the area of poverty reduction. It noted developments to, inter alia, strengthen the legal basis for the accountability of State authorities in implementing human rights treaties. Mauritius asked for information on any plans to establish a national human rights institution, as also recommended by the Human Rights Committee, and on any challenges faced in this regard. It sought more information on any recent reforms to the judicial system, including with respect to legal aid.

89. Chile appreciated the efforts to fight extreme poverty. Chile recommended to Viet Nam that it consider (a) ratifying CAT and (b) the Optional Protocol thereto as soon as possible. Chile also noted the intention expressed to reduce the scope of the application of this punishment. Chile asked for more information about actions intended to redress, inter alia, the need to maintain social and political stability in order to achieve development, what Viet Nam understands by this concept, and how Viet Nam is going to ensure stability without imposing one single model on society.

90. Poland recommended (a) establishing a permanent independent human rights monitoring body, including child rights monitoring body. Noting reports that members of particular religious groups are facing serious limitation in the exercise of their right to freedom of religion and belief, Poland recommended (b) ensuring that legislation and the practice of the State are in full compliance with the requirements of article 18 of ICCPR. It recommended (c) repealing ordinance 44 on regulating administrative justice, which authorizes administrative detention, house arrest or detention in special protection centre and psychiatric facilities for two-year renewable periods without trial.

91. Pakistan referred to ongoing challenges acknowledged, and asked about specific measures being considered to ensure and enhance socio-cultural harmony among various ethnic and religious minorities. Pakistan recommended that Viet Nam (a) give priority and pay special attention to the problems faced by different minority groups, in particular the student community; (b) expedite implementation of its voluntary commitments; (c) enhance effectiveness of its legal, executive judiciary and law enforcements reforms, in line with international human rights standards.

92. Burkina Faso encouraged Viet Nam to further cooperate with the various United Nations special mechanisms, which would be proof of transparency and cooperation. Burkina Faso urged Viet Nam to continue its efforts in favour of the effective respect of individual and collective liberties. Burkina Faso recommended Viet Nam to strengthen its institutional mechanisms for the promotion and efficient protection of human rights by implementing the various international Conventions to which it is party and called upon the international community to back Viet Nam in this endeavour.

93. Brunei Darussalam appreciated Viet Nam's cooperation in ASEAN's efforts towards establishing a human rights body. Brunei Darussalam supported Viet Nam's commitments to continue working with other countries, the United Nations and agencies to ensure better enjoyment of human rights in the country.

94. Palestine noted the fight against gender disparities as a matter of concern, and commended that the situation is improving due to the Law on Gender Equality. It noted that Viet Nam still has to deal with the maintenance of poverty for some categories of the population, epidemics, natural disasters and climate change, which the leadership of the country is fully aware of. Palestine recommended Viet Nam to pursue its work, with the proper perspective it shows continuously, particularly in the training of its governmental staff.

95. Nepal noted with great appreciation the increasing role of the National Assembly in legislating and managing diverse views. It recommended Viet Nam to continue its efforts to preserve languages and culture of ethnic minorities and to promote and protect economic, social and cultural rights of its people, and share its experience on poverty reduction and agriculture development.

96. Zimbabwe recommended (a) sharing and exchanging its experiences with other nations, especially developing ones, in legal system reforms and (b) continuing the momentum on the provision of quality goods and services especially in education and health and in the disadvantaged areas that are difficult to access and those with a high preponderance of minorities.

97. Tunisia congratulated Viet Nam for the ideology underpinning political action being focused on the people, constituting both a purpose and driving force of political and social development. Tunisia welcomed the commitments of Viet Nam in paragraph 88 of the national report, and recommended it to continue the reforms under way, notably the attention to the promotion of the rights of women and children, and providing necessary protection and personal fulfilment.

98. Belarus noted considerable development in all sectors and the particular importance of having the right to work properly guaranteed. Belarus recommended that Viet Nam (a) continue the process of acceding to the appropriate ILO Conventions. Belarus noted that Viet Nam tries to comply with its obligations, and recommended that it (b) continue to accede to international human rights instruments and the regular reporting system attached thereto.

## II. CONCLUSIONS AND/OR RECOMMENDATIONS

99. The recommendations formulated during the interactive dialogue have been examined by Viet Nam and the recommendations listed below enjoy the support of Viet Nam:

1. Continue fulfilling its obligations under the international treaties to which it is a party (Algeria);
2. Consider ratifying the Convention on the Rights of Persons with Disabilities (South Africa) (Azerbaijan) (Nigeria) and put in place in timely fashion the draft law on people with disabilities (Nigeria)
3. Accede to CAT in a timely manner (Australia) (Sweden) (Nigeria); as recommended by the Committee on the Elimination of Discrimination against Women in 2007(Nigeria); consider acceding to CAT (Algeria); consider ratifying CAT (Chile)
4. Consider accession to the United Nations Convention on Transnational Organized Crime (Malaysia) and its Protocol to prevent, suppress and punish trafficking in persons, especially women and children (Malaysia) (Argentina) (Turkey)
5. Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, the Conventions relating to the Status of Refugees and the Status of Stateless Persons and the Rome Statute of the International Criminal Court (Argentina)
6. Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Azerbaijan)
7. Continue to accede to international human rights instruments and the regular reporting system attached thereto (Belarus)
8. Consider ratifying other remaining core human rights conventions (Indonesia)
9. Develop its domestic legal system and ensure the appropriate implementation and execution of the law towards the implementation of the international human rights instruments to which it is a party (Japan)

10. Speed up the law reforms and public administration programmes aimed at deepening and broadening democratic norms, principles and standards (Malaysia)
11. Engage in dialogue with international experts on legal developments, including on the review of its Penal Code to allow less scope for open interpretation of these provisions by judges and courts (United Kingdom); continue to work to ensure key pieces of national legislation, including the 1999 Penal Code and 2003 Criminal Procedures Code, are consistent with its international human rights treaty commitments (Australia)
12. Strengthen its institutional mechanisms for the promotion and efficient protection of human rights by implementing the various international conventions to which it is party and call upon the international community to back it in this endeavour (Burkina Faso)
13. Continue efforts aimed at the promotion and protection of human rights (Benin); take concrete measures for future promotion and protection of economic, social and cultural rights, including the right to development for better realization of the MDGs (Islamic Republic of Iran)
14. Continue efforts to improve all political as well as economic, social and cultural rights in conformity with the universally agreed human rights standards and norms (Egypt)
15. Further efforts to engage all appropriate social and political organizations in the promotion and protection of human rights (Democratic People's Republic of Korea) (Russian Federation)
16. Give due attention to reconciling the universal values of human rights with the specific circumstances of Vietnam (Algeria)
17. Continue providing and expanding human rights education and training for all relevant Government authorities to build capacities of officials, and ensure effective implementation of human rights-related laws.(Thailand); continue to undertake comprehensive training programmes for local officials, monitor progress on implementation of legislation(United Kingdom)
18. Reinforce advocacy and information measures through specific human rights education and training programmes (Morocco)
19. Develop a national strategy to include in the school system at all levels appropriate measures in the field of human rights education in accordance with the Plan of Action 2005-2009 of the World Programme for Human Rights Education (Italy)
20. Accomplish progressively human rights goals as set forth in resolution 9/12 (Brazil)
21. Pursue its work, with the proper perspective it shows continuously, particularly in the training of its government staff (Palestine)

22. Enhance cooperation with the United Nations special procedures (Germany) (Mexico)
23. Reengage with Special Rapporteur on freedom of religion (United Kingdom)
24. Continue to uphold the promotion of human rights and fundamental freedoms, particularly for the exercise by people under foreign occupation of their right to self-determination (Algeria)
25. Devise plans and strategies enabling it to reach out to remote areas and members of the population and hence improve their living conditions and ensure the protection of their rights (Egypt)
26. Continue paying attention to equality of opportunities and creating favourable conditions of people residing in rural and mountainous areas (Morocco)
27. Continue efforts to inform the wider society about the laws concerned and about the rights of women in general, and widely use the mass media to raise awareness of gender equality and publish the appropriate documents in ethnic minority languages (Russian Federation); take further action to enforce and implement the laws that have been passed and take measures to ensure that women are informed of their rights (Sweden)
28. Strengthen its efforts in generating social awareness of positive gender roles, targeting particularly alleviation of existing gender-based disparities in education and the labour market (Bangladesh)
29. Continue to make further efforts to advance the human rights of socially vulnerable people, including persons with disabilities (Democratic People's Republic of Korea) (Japan) ethnic minorities, women, children, persons with HIV/AIDS and victims of human trafficking (Japan)
30. Continue its efforts to promote and protect the rights of persons with disabilities, and share its experiences in this regard (Cuba)
31. Make the necessary efforts to improve the specific conditions of persons with disabilities in order to improve their life, stability and integration within society (Libyan Arab Jamahiriya)
32. Revise its legislation on the death penalty bearing in mind existing international standards on the subject, especially concerning transparency (Switzerland)
33. Fulfil the Government aim of limiting the use of capital punishment promptly by reducing the scope of crimes subject to the death penalty (Norway); reduce the number of offences punishable by the death penalty (Germany)
34. Cooperate with the international community and neighbouring countries particularly in the fight against transborder organized crime, and fight against trafficking in women and children (Islamic Republic of Iran)

35. Intensify its efforts to combat child prostitution, provide effective support to the children affected and sensitize its police forces to this problem in particular through adequate training courses (Austria)
36. Strengthen efforts in fighting against corruption, which negatively affects the enjoyment of human rights by everyone (Islamic Republic of Iran)
37. Continue national efforts aimed at combating forced labour and taking necessary measures to prevent, suppress and punish trafficking in persons, particularly women and children (Morocco)
38. Continue to improve its legal system and give particular attention to its human rights laws and regulations in order to make them more mutually cohesive (Indonesia); continue its judicial reforms towards a healthy, strong, democratic and efficient juridical system which is necessary as an enabling condition for the promotion and protection of human rights (Islamic Republic of Iran)
39. Continue with the reform of the judiciary and civil service and build a State based fully on the rule of law (Côte d'Ivoire); pursue the judicial and administrative reforms with a time-bound action plan to build an effective, open and transparent legal system based on the rule of law (Turkey); enhance effectiveness of its legal, executive judiciary and law enforcements reforms, in line with international human rights standards (Pakistan)
40. Continue ongoing legal reforms and seek technical assistance from relevant international partners, if deemed necessary (Bangladesh)
41. Take concrete action to strengthen the legal basis for the accountability of State authorities and improvement of judicial scrutiny over their activities (Turkey)
42. Take the necessary steps to comply with ICCPR and make sure the right to a fair trial based in law is guaranteed (Argentina)
43. Take concrete steps to effectively ensure that all persons deprived of their liberty are brought before a judge without delay (Austria)
44. Take the necessary steps to ensure that citizens can fully enjoy the rights to freedom of expression and freedom of religion (Argentina)
45. Fully guarantee the right to receive, seek and impart information and ideas in compliance with article 19 of ICCPR (Italy)
46. Introduce and seek prompt passage of access-to-information legislation (Canada)
47. Take steps to ensure that full respect for the freedom of expression, including on the Internet, is implemented in current preparations for media law reform (Sweden)
48. Consider strengthening press freedom protections contained in the 1999 press law (Australia); ensure that the review of the press law follows the international standards on this subject, particularly with respect of the protection of journalists

- (Switzerland); ensure that press laws are in compliance with article 19 of ICCPR (Netherlands)
49. Adopt appropriate measures to disseminate widely and ensure full observation of General Assembly resolution 53/144 (Norway)
  50. Uphold the progress it has achieved in ensuring religious freedom for the different communities and ensuring that religious and belief activities continue to be an enriching feature of Vietnamese society (Lebanon)
  51. Continue to maintain and strengthen the economic, political and social model of Viet Nam to guarantee the full participation of the population in public and security affairs (Lao People's Democratic Republic)
  52. Strengthen efforts in the areas of civil and political freedoms, including freedom of expression and the press and freedom of religion (Republic of Korea)
  53. Continue efforts in its current economic and political platform that aim at protecting and guaranteeing people's rights, namely religious freedom (Cambodia)
  54. Continue to pay special attention to the disadvantaged sections of the society, in particular ethnic minorities and persons with disabilities, so as to ensure their fuller participation in the socio-political life of the country (India)
  55. Continue to implement credit-for-jobs projects and to promote labour market development (Algeria)
  56. Continue its socio-economic development plans and take targeted measures to ensure active participation of women in the labour market (Turkey)
  57. Continue its programme of building affordable housing for low-income families aimed at promoting broader enjoyment of the right to adequate housing by 2020 (Philippines)
  58. Enhance women's access to health care, in particular to sexual and reproductive health services (Brazil)
  59. Adopt various measures for prevention and early diagnosis of transmissible diseases and pandemics, notably HIV/AIDS, by giving priority to vulnerable groups, particularly national minorities, the poor and sex workers (Benin)
  60. Continue efforts aimed at improving social security in the country, especially at this time of economic and financial crisis (Egypt)
  61. Continue to implement the poverty reduction strategy to further lower the rate of poverty (Algeria)
  62. Continue its poverty reduction efforts as a means of laying the groundwork for the further enhancement of the human rights of its people (Thailand)

63. Continue the momentum on the provision of quality goods and services, especially in education and health and in the disadvantaged areas that are difficult to access and those with a high preponderance of minorities (Zimbabwe)
64. Participate actively in international cooperation to encourage and protect economic, social and cultural rights and to share positive experiences with other countries (Russian Federation)
65. Continue with its very successful and socially-oriented economic policy, including by for example providing proper drinking water to poor households and to special hardship regions (Russian Federation)
66. Continue to bring down poverty in urban and rural areas along with the maintenance of peace and stability and protection of the environment to boost up the country's socio-economic development, industrialization and modernization to achieve the MDGs (Lao People's Democratic Republic)
67. Take active measures to close the gap between rich and poor and between the mountainous and urban areas (China)
68. Continue to take measures to provide education and health care, especially in mountainous areas and for ethnic minorities and with their involvement (Cuba)
69. Maintain its commitment to striking a balance between the opening up of its economy and minimizing the adverse impacts on the most vulnerable and disadvantaged groups in the society (Lebanon)
70. Continue and enhance efforts to reduce the poverty level, especially for vulnerable groups, so as to boost employment, improve access to health and increase available social housing (Côte d'Ivoire)
71. Continue and enlarge social security networks for the poor, vulnerable and other disadvantaged groups, improving their well-being and their participation in social associations and social groups (Cambodia)
72. Fully implement the land law passed (Switzerland)
73. Continue to improve in the following areas: poverty eradication, rights of the child, women's rights and rights of persons with disabilities (Singapore)
74. Continue its efforts in poverty reduction paying particular attention, inter alia, to vulnerable groups such as children, women, persons with disabilities and ethnic minorities (Azerbaijan)
75. Continue to help ethnic groups to increase awareness of their rights and responsibilities so that they can improve their living conditions and better enjoy their rights (China)
76. Continue its efforts to preserve the languages and culture of ethnic minorities (Nepal) (India)



77. Give priority and pay special attention to the problems faced by different minority groups, in particular their student communities (Pakistan)
78. Further increase the use of ethnic languages in schools and the mass media (Philippines)
79. Take supplementary measures to support access of minority children to education by helping them maintain and develop their traditions and languages (Morocco)
80. Share experiences in promoting agricultural productivity and sustainability, local development and good governance with other developing countries (Philippines)
81. Share its experiences and lessons learned with other developing countries (Yemen)
82. Continue the reforms under way, notably the attention to the promotion of the rights of women and children, providing for the necessary protection and their personal development (Tunisia)
83. Continue its efforts to meet the development challenges in such areas as vocational training, improving natural disaster management and protection of vulnerable groups, achieve sustainable development and enhance the State's capacities to protect rights and fundamental freedoms of all Vietnamese citizens; share the five lessons included in its national report with developing countries (Syrian Arab Republic)
84. Share best practices and experience in the field of MDG 1 with interested countries, inter alia by contributing actively to the strengthening of South-South cooperation in this regard (Algeria)
85. Continue its sustainable efforts and share its experiences and best practices in the area of poverty reduction with other developing countries, especially through the programme of South-South cooperation, along with its participation in international efforts to promote the right to development (Cambodia)
86. Further intensify its engagement with the international community, especially with developing countries, to exchange and share its best practices relating to the efforts on strengthening the rule of law and socio-economic development (Myanmar)
87. Share with other countries its experiences in poverty reduction and agricultural development (Democratic People's Republic of Korea) (Nepal) (Bangladesh), education and health care (Bangladesh)
88. Share and exchange its experiences with other nations, especially developing ones, in legal system reforms (Zimbabwe)
89. Continue its efforts to promote and protect the economic, social and cultural rights of its people and share its experience in poverty reduction and agricultural development (Nepal)
90. Share its experiences and best practices, especially on how to achieve the MDGs, with other countries (Lao People's Democratic Republic)

91. Disseminate the five lessons contained in the national report and their rich experience globally as much as possible (Sri Lanka)
92. Share with other countries its successes and good practices on the guiding principles of solidarity and socialism (Venezuela)
93. Expedite implementation of its voluntary commitments (Pakistan).

100. The following recommendations will be examined by Viet Nam which will provide responses in due time. The response of Viet Nam to these recommendations will be included in the outcome report adopted by the Human Rights Council at its twelfth session.

1. Consider accession to the ILO Forced Labour Convention (Malaysia); continue the process of acceding to the appropriate ILO conventions (Belarus); favourably consider the ratification of ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. (Mexico)
2. Consider positively extending an invitation to visit the country to the Working Group on Arbitrary Detention (Mexico).

101. Viet Nam noted the following recommendations and indicated that they pertain to measures which have been implemented or are currently being implemented.

1. Provide people detained under security or propaganda laws with fundamental legal safeguards, including representation by legal counsel of their choice throughout the proceedings and a public trial (Canada);
2. Reduce the length of prison sentences for non-violent crimes (Canada);
3. Adopt a whistleblower law so that those who identify corruption are protected from prosecution or harassment (Canada);
4. Step up efforts to ensure the full respect of freedom of religion and worship, including by reviewing laws and provisions at all levels related to the freedom of religion, in order to align them with article 18 of ICCPR (Italy) (Poland),
5. Take further measures to prevent violence and discrimination against ethnic minorities (Sweden).

102. The recommendations noted in the report in paragraphs 35 (a), (b), (e) and (g) (i); 41 (b), (d) and (e); 44 (a) and (b); 47 (b), (c) and (d), 51 (a) and (b); 55 (a); 56 (c); 59 (a), (b), (c), and (d); 60 (b) and (c); 61 (d); 63 (a), (b), (c) and (d); 64 (b), (c), (d) and (e); 66 (a),(b), (c) and (d); 83 (c) and (d); 85 (a), (b) and (c); 87 (b); 89 (b); and 90 (a) and (c) above did not enjoy the support of Viet Nam.

103. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and /or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.

## **Annex**

### **COMPOSITION OF THE DELEGATION**

The delegation of Viet Nam was headed by H.E. Mr. Pham Binh Minh, First Vice-Minister of Foreign Affairs and composed of 28 members:

#### **A. Representatives from Government agencies**

H.E Ambassador Vu Dung, Permanent Representative of the Socialist Republic of Viet Nam to the United Nations, the World Trade Organization, and other international organizations at Geneva;

Mr. Nguyen Hong Vinh, Standing Vice-Chairman of the Central Council for Theoretic Issues;

H.E . Ambassador Le Hoai Trung, Director-General, Department of International Organizations, Ministry of Foreign Affairs;

Mr. Pham Ngoc Dan, Director-General, Department of Internal Affairs, Office of the Government ;

Mr. Tran Phi Tuoc, Director-General, Department for International Cooperation, Ministry of Labour, War Invalids and Social Affairs;

Mr. Le Van Nghiem, Director-General, Department for External Public Information, Ministry of Information and Communications;

Mr. Hoang Phuoc Hiep, Director-General, Department of International Law, Ministry of Justice;

Mr. Vu Anh Quang, Minister Counselor, Deputy Permanent Representative of the Socialist Republic of Viet Nam to the United Nations, the World Trade Organization, and other international organizations at Geneva;

Ms. Pham Thi Kim Anh, Deputy Director-General, Department of International Organizations, Ministry of Foreign Affairs;

Ms. Vy Xuan Hoa, Deputy Director-General, Department for Ethnic Minorities Policies, Committee for Ethnic Affairs;

Ms. Nguyen Thi Bach Tuyet, Deputy Director, Department of International Cooperation, Committee for Religious Affairs, Ministry of Home Affairs;

Ms. Bui Thi Minh, Judge, Criminal Court of the Supreme People's Court;

Mr. Nguyen Thanh Son, Deputy Chief, Human Rights Office, Ministry of Public Security;

Mr. Do Hung Viet, Assistant Director-General, Department of International Organizations, Ministry of Foreign Affairs;

Mr. Pham Binh Dam, Head of Division, National Centre for Interpretation and Translation, Ministry of Foreign Affairs;

Mr. Truong Quoc Giao, Deputy Head of Division, Ministry of Public Security;

Mrs. Nguyen Thi Xuan Huong, Counselor, Permanent Mission of the Socialist Republic of Viet Nam to the United Nations, the World Trade Organization, and other international organizations at Geneva;

Mr. Nguyen Xuan Ang, Counselor, Permanent Mission of the Socialist Republic of Viet Nam to the United Nations, the World Trade Organization, and other international organizations at Geneva;

Mr. Vu Van Mien, Counselor, Permanent Mission of the Socialist Republic of Viet Nam to the United Nations, the World Trade Organization, and other international organizations at Geneva;

Mr. Le Hai Trieu, Third Secretary, Permanent Mission of the Socialist Republic of Viet Nam to the United Nations, the World Trade Organization, and other international organizations at Geneva;

Mr. Do Minh Thuong, Attaché, Permanent Mission of the Socialist Republic of Viet Nam to the United Nations, the World Trade Organization, and other international organizations at Geneva;

Ms. Nguyen Thi Thu Quynh, Desk Officer, Department of International Organizations, Ministry of Foreign Affairs;

Ms. Phung Thi Lan Huong, Desk Officer, Department of International Organizations, Ministry of Foreign Affairs;

Mr. Tran Chi Thanh, Desk Officer, Department of International Organizations, Ministry of Foreign Affairs;

Mr. Ngo Le Hoang Vu, Desk Officer, Department of International Organizations, Ministry of Foreign Affairs.

#### **B. Representatives from social organizations**

Prof. Dao Tri Uc, Standing Vice- Chairman and Secretary-General, Viet Nam Lawyers' Association;

Mr. Pham Quoc Toan, Vice Chairman, Viet Nam Journalists' Association;

Mr. Pham Huu Nghi, Vice Director, Institute on State and Law, Viet Nam Academy of Social Sciences.

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