

ADVANCE QUESTIONS TO VIETNAM

CZECH REPUBLIC

- Noting with interest, from the national report, that the government of Viet Nam “is seriously considering signing the Convention against Torture,” we would like to ask what measures the Government of Viet Nam has been taking/intends to take in order to accede to CAT and OP CAT.
- According to the UN compilation report Viet Nam has not agreed to a country visit with a representative of the Special Procedures since 1998, although there were some requests sent. We would like to ask whether the Government of Viet Nam has considered allowing these Special Procedures mandate holders to visit the country. We would very much welcome a positive signal in this regard and an indication of possible time frame when these visits could take place.
- Has the Government of Viet Nam considered issuing a standing invitation to the Special Procedures of the Human Rights Council?
- We would like to learn more about the Strategy on Judicial Reform and the Strategy on the Development of the Legal System as mentioned in the national report (paragraph 13).

SWEDEN

- Credible reports show that freedom of expression and association continues to be tightly controlled in Vietnam. In its conclusions from its latest consideration in 2002 of Vietnam, the Human Rights Committee expressed its concern about the extensive limitations on the right to freedom of expression in the media and the fact that the Press Law does not allow the existence of privately owned media. Credible reports indicate that the authorities have increased their efforts to tighten control over the Internet through new regulations, by monitoring by Internet café owners and internet service providers, and by filtering and blocking websites. Reports also show that many people do not dare to express their opinion because they fear to be accused of “spying” or “abuse of the democratic freedoms”.
- Could the Government of Vietnam elaborate on its plans for press law reform and other measures it is taking to ensure full respect for the freedom of expression in accordance with international standards?
- The articles 5, 6, 39 and 133 of the 1992 Constitution protect the rights of the ethnic minority groups within the country. Sweden welcomes efforts to address the issue of discrimination of the ethnic minorities. At the same time, concerns have been raised in relation to the persistence of discrimination and violence against minorities. Credible reports from 2008 show continued harassment of the ethnic minority Montagnards in the Central Highlands, including forced denunciation of their religion, short-term detentions and ill-treatment. The report states that more than 200 Montagnards sought asylum in neighbouring Cambodia.
- What further measures will the Government of Vietnam take to prevent violence and discrimination against ethnic minorities?
- Vietnam is not a state party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), but its constitution prohibits

torture and other inhuman and degrading treatment. Credible reports from 2008 state, however, that there is evidence of torture and ill-treatment of political prisoners, including beatings and the use of electric shock treatment.

- What measures is the Government of Vietnam taking to ensure the well-being of prisoners and detainees in compliance with its constitution and international standards?
- Could the government elaborate on its plans with regard to possible ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment?

THE NETHERLANDS

- Vietnam explicitly acknowledges the important role of the media for achieving sustainable development and a successful fight against corruption, by demanding accountability of the government. At the same time, there is according to reports currently a high degree of state control over the operations of the media, which poses constraints on the freedom of the press. What ways does Vietnam foresee to encourage the media to take up its desired active role, e.g. through the draft revised press law?
- On page 19 of Vietnams national report for the UPR, Vietnam commits itself to consider acceding to a number of international human rights conventions to which it is currently not yet a Party. The Netherlands noted that the United Nations Convention Against Corruption (UNCAC) was missing from this list. Given the devastating and undermining impact of corruption on sustainable growth and development, on the Vietnamese population's daily enjoyment of its rights and therefore on overall political and social stability, we would like to ask the government of Vietnam if it is considering to ratify this convention?
- On page 20 of Vietnams national report for the UPR, the Government states it will consider inviting a number of Special Rapporteurs. The ones listed are focussed on economic, social and cultural rights only. Since Vietnam itself states that the purpose of such visits is to create a better understanding of the country's situation and assist Vietnam in better ensuring human rights, Vietnam could also only gain from exchange and dialogue in the field of civil and political rights, as well as economic, social and cultural rights. What is preventing Vietnam from issuing a standing invitation to all UN Special Rapporteurs and procedures in the field of human rights?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please elaborate further on the role civil society in Vietnam played in the preparation of your national report for this process?
- We note that Vietnam is considering signing the Convention Against Torture. Could you outline the timetable as to when this Convention will be signed?
- What steps is Vietnam taking to raise the awareness of Vietnam's human rights legislation and treaty obligations among public servants at national and local levels?

Could you please elaborate on the existence of a national human rights institution in Vietnam and if it is in full compliance with the Paris Principles?

What steps is Vietnam taking to establish an independent monitoring body to investigate (alleged) human rights abuses by public officials, including members of the security services, as recommended by the Human Rights Committee?

We note that the domestic review of Vietnam's media law has been postponed until 2010. What revisions does the government envisage to the law and how will these steps be used to further develop the media environment in Vietnam?

Could you please tell us when the review of crimes which attract the death penalty will be concluded, and whether Vietnam will be continuing on a path towards eventual abolition?
