

ADVANCE QUESTIONS TO VIET NAM (FIRST BATCH)

LAO PEOPLE'S DEMOCRATIC REPUBLIC

- What measures has Viet Nam taken to reduce inequality facing ethnic minorities and persons with disabilities?
- Please describe measures aiming at protecting and promoting the right to legal counsel and achievements as a result thereof.
- What policies has Viet Nam adopted in recent years to protect and promote the rights of elderly persons?

CHINA

- Could Viet Nam elaborate more on it's efforts aimed at preventing gender-based violence and providing healthcare for women?
- Could Viet Nam share it's experience and best practices on measures to prevent child sexual abuse and violence against children?
- How has the right to a fair trial been ensured in the Vietnamese judicial system?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- How will the Government of Viet Nam address the findings of the report by the UN Committee against Torture on Viet Nam of November 2018, that flagged serious concerns about the interrogation and ill treatment of prisoners by police to extract confessions, death in custody, and the treatment of death row prisoners, including the use of shackles?
- What steps will be taken by the Government to meet its obligations under the ICCPR in establishing an independent media, including by addressing the blocking of news media websites and by decriminalising defamation?
- What plans does the Government have to enhance protection of, and respect for, the right to freedom of assembly, including by reviewing the guidelines for security personnel in managing peaceful protest, to ensure implementation is transparent?
- What steps is the Government taking to foster a safe environment for civil society, including by investigating instances of force against activists?
- Is the Government considering to extend a standing invitation to all Special Procedures of the Human Rights Council, and to respond positively to the visit request by the UN Special Rapporteur on Freedom of Assembly?

GERMANY

- Death Penalty: How many people sentenced to death are currently in detention? What substances are used to execute people sentenced to death? Is the government considering allowing international humanitarian organisations or international diplomats to visit individuals sentenced to death?
- When does Vietnam plan to adopt a law on assembly/demonstrations to implement the constitutional right to freedom of assembly?
- Why does the Press Act 2016 grant the right to establish press agencies only to the organisations listed under Article 14, and not to private persons or organizations?

SWEDEN

- There have been numerous reports of human rights defenders and representatives of independent civil society being arbitrarily denied leaving Vietnam. How will the Government of Vietnam secure free and unrestricted travel for all its citizens?
- What measures will the Government of Vietnam take in order to ensure freedom of assembly and peaceful demonstration in line with ICCPR, including promoting a legal, administrative and fiscal framework in which non-profit organizations can be created and perform their activities without any obstacles?
- How will the Government of Vietnam implement article 37 of the Civil Code on gender re-assignment that was adopted in 2015 and the accepted recommendation made by Chile from the 2nd cycle to enact a law to fight against discrimination which guarantees the equality of all citizens, regardless of their sexual orientation and gender identity?
- How will the Government strengthen LGBTI-persons' full enjoyment of human rights?

ANGOLA

- Lors de l'EPU de 2014, l'Angola avait recommandé au Vietnam de prendre des mesures pour lutter contre la pauvreté. Considérant la croissance économique enregistrée ces dernières années, l'Angola aimerait savoir quelles ont été les priorités fixées par le Gouvernement vietnamien dans ce sens et comment explique-t-il le succès de ses mesures ?
- Dans le domaine de la justice, quelles seront les prochaines mesures à être prises en vue de renforcer la mise en œuvre des instruments internationaux ratifiés par les fonctionnaires de l'administration judiciaire, bien comme pour faciliter l'accès de la justice aux citoyens ?
- Dans le cadre de la CEDEF, quelles sont les mesures que les institutions compétentes nationales prétendent d'adopter pour empêcher les effets néfastes des pratiques et

stéréotypes discriminatoires sur l'exercice des droits des femmes et des filles, en particulier ?

BOLIVIA (PLURINATIONAL STATE OF)

- What policies has Viet Nam adopted in recent years to protect and promote the rights of woman?.
- What measures have Viet Nam taken towards achieving universal health coverage, especially for poor people and ethnic minority groups?

UNITED STATES OF AMERICA

- The United States recognizes that Vietnam ratified the Convention Against Torture in 2015. We note, however, that prison conditions remain harsh, including credible reports of physical abuse and denied or inadequate medical care, in particular for prisoners convicted under national security laws. Furthermore, we note reports that individuals in detention have been subject to physical abuse and torture, which has led to some deaths in custody. Will Vietnam commit to ensuring that all prisoners are detained in a manner consistent with Vietnam's obligations under the International Covenant on Civil and Political Rights as well as the requirements of the Convention Against Torture? Will Vietnam develop a police oversight mechanism to investigate claims of mistreatment, torture, and deaths in custody?
- Article 21 of the International Covenant on Civil and Political Rights, to which Vietnam is a party, protects the right of peaceful assembly. Nevertheless, Vietnam detained dozens of peaceful protestors during countrywide protests in June. Vietnamese authorities charged several under vague national security provisions including "abusing freedoms and democratic rights to infringe upon the State's interests or lawful rights and interests of organizations or individuals," which carries a sentence of up to seven years imprisonment and "producing, storing, spreading or disseminating information, documents or objects to oppose the State," which carries a sentence of up to 20 years imprisonment. Will Vietnam drop all charges against individuals detained for peacefully assembling in order to express dissent against the government?
- Vietnam is a party to the International Covenant on Civil and Political Rights (ICCPR), but continues to severely restrict freedom of expression in law and in practice. Will Vietnam halt the use of vague provisions of national security law to silence dissent? Will Vietnam release those individuals who are imprisoned for exercising their freedom of expression?
- Will the Government abolish Decision No. 76/2010 on the organization and management of international conferences and seminars in Vietnam and foster a more permissive operating environment for civil society?
- Vietnam's new Criminal Procedure Code provides for an adversarial judicial system where defendants have the right to cross-examine witnesses, and present a legal defense. These rights, however, are limited in practice. Political influence, endemic

corruption, and inefficiency limit an individual's fair trial guarantees. Will Vietnam commit to trying all individuals charged with criminal offenses, including those charged under national security provisions, without undue delay? Will Vietnam take steps to ensure the independence of its judiciary?

- The United States is encouraged by Vietnam's commitments towards respecting the rights of persons with disabilities and for LGBTI individuals. What steps will the Vietnamese government take to prohibit discrimination on these bases in public life, including employment, housing and the provision of public services? Will Vietnam consider a visit by the relevant UN Independent Experts?
- We note that the revised Penal Code carries a reduced penalty for the "preparation" of activities listed in articles 109 and 117 (79 and 88 of the 1999 Penal Code.) We note further the 2017 National Assembly Resolution Nr. 41/2017/WH14 stipulating a favorability principle in the event the new Penal Code carries less stringent penalties. Will Vietnam apply this reduced penalty in the case of activists who were convicted under the 1999 Penal Code?
- What steps will the Vietnamese government take to ensure that any cybersecurity law does not infringe on users' privacy, freedom of expression, or ability to access information? Can the Vietnamese government elaborate on how locally stored data would be used, housed, and protected?
- We welcome Vietnam's continued economic growth. The United States notes that this growth has not been matched by expanded protections for workers. The current law on trade unions establishes the Vietnam General Confederation of Labour as the *de facto* sole trade union federation. How will the Vietnamese government enact and implement laws to meet internationally recognized labor standards on freedom of association, collective bargaining, forced labor, child labor and employment non-discrimination?
- Will Vietnam allow the formation of independent labor unions, in part by ratifying the core ILO convention on freedom of association (87) by 2023, elimination of forced labor (105) by 2020, and the right to collective bargaining (98) in 2019?

VENEZUELA (BOLIVARIAN REPUBLIC OF)

- Does Viet Nam have any national plan on human rights awareness-raising and education? If yes, please give more details on such plan.
- Please, elaborate on protection of the rights to the health of prisoners.
- Please, elaborate on how the newly amended Criminal Code and Criminal Procedures Code meet Viet Nam's international human rights obligations.

PORTUGAL on behalf of the Group of Friends on NMIRF's

- Could the State-under-review describe its national mechanism or process responsible for coordinating the implementation of accepted UPR recommendations and the monitoring of progress and impact?
- Has the State-under-review established a dedicated 'national mechanism for implementation, reporting and follow-up' (NMIRF) covering UPR recommendations, but also recommendations/observations generated by the UN human rights Treaty Bodies, the Special Procedures and relevant regional mechanisms? If so, could the State-under-review briefly share its experience on creating such mechanism, including challenges faced and lessons learnt, as well as any plans or needs to strengthen the NMIRF in the future?