

**National Network of Indochina Activists**  
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**Universal Periodic Review Submission – Vietnam for July, 2018**

**Introduction**

1. We are pleased to be able to submit this report in relation to the United Nations Human Rights Council Universal Periodic Review submission of the Socialist Republic of Vietnam.
2. We represent a network of activists living in cities and towns across the United States who have been doing voluntary, nonprofit work with the Vietnamese people for many years. Some of us started our activities during the United States war in Vietnam in the 1960's and 1970's and others of us have become more recently involved in social justice and humanitarian work focusing on issues such as Agent Orange, women's and labor rights, and poverty alleviation. We have organized and participated in wide range of people to people exchanges including arranging delegations of veterans, faith communities, workers, etc.
3. The authors of this submission travel frequently to Vietnam, most recently in January and June 2018. Over the years, we have traveled to more than 42 of the 63 provinces in Vietnam and have visited lowland and highland areas, coastal and forested regions, rural and urban and island areas from the south to the north of the country.
4. As our organization includes a spectrum of people in the U.S. including Vietnamese Americans, we have access to wide networks in many communities in Vietnam.
5. Over the past four years since our last submission, we have seen more positive developments in Vietnam's practice of human rights for its people. This continues to be true on from both the governmental and grass roots level with the strong role the Vietnamese constitution and laws guarantees for peoples' organizations and activities. In recent years, the Vietnamese people have been outspoken and effective in advocating for and achieving new rights as in accordance with the development of their country.
6. We are mindful of the fact that the Vietnamese people made incredible sacrifices to achieve and defend their independence against colonialism and imperialism, not least against our own country! It is our experience that the peoples' determination to maintain their sovereignty encompasses their dedication to human rights!
7. Below are some conclusions our members have drawn from our engagement with Vietnam over the past five years.

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## **Economic, Social and Cultural Rights**

### *Poverty Alleviation and Standard of Living:*

8. Vietnam remains a world leader in poverty alleviation, according to the UN's own figures. The official poverty rate has declined below 10%.

9. Emerging from more than one hundred years of colonialism, war and devastation, including being targeted with chemical warfare, particularly Agent Orange, its progress in improving the lives of its people continues to be extremely impressive!

10. In the past four years, every time we have traveled to Vietnam, we have witnessed remarkable improvements in the living conditions of the people.

11. In the cities, brick or modern housing has replaced most substandard housing and older public housing is now being rehabilitated or rebuilt, with former residents guaranteed homes in the new building. In the countryside, brick homes are rapidly replacing earthen houses. The government and people's organizations have built new houses for women headed and Agent Orange affected families. Most, if not all, of these houses have indoor plumbing and bathrooms and electricity.

12. Vietnam is food sufficient and has eliminated starvation. The level of malnutrition has declined rapidly. We recently visited new models of agricultural communes, run by ethnic minority women, which are producing sustainable, organic food to provide pesticide free food to improve the health of the people.

13. Basic health care and primary and secondary education continue to be universally available in every area of Vietnam down to the commune level and are provided at fairly low or no cost to all Vietnamese. We recently were able to visit a military/veteran's hospital and saw a very high level of care being provided to wounded and sick veterans.

### *Women's and Children's Rights:*

14. Merle recently led a U.S. Women's delegation to Vietnam to study the situation facing women. We found that Vietnam is making serious strides in fighting against domestic violence and supporting domestic workers. We visited domestic violence shelters and men's clubs for combatting domestic violence, clubs for the rights of domestic workers and women workers in a factory along with meeting with women leaders in the National Assembly. We were impressed by the work of the Vietnam Women's Union and the support it receives from the government of Vietnam. The Vietnam Women's Union, which has chapters in every single commune in the country, supports women to gain equality in all aspects of society from the workplace to the home.

15. Serious attention continues to be paid to combatting trafficking in women and other forms of violence against women and children. The development of the girl child and the education of girls is a great priority and literacy among women continues to be very high.

*Rights of Nationalities:*

16. Vietnam, a country with 54 nationalities, is committed to respecting the rights of each nationality. Since our last submission, we have traveled to several national minority regions where great efforts are being made to improve the lives of residents and to increase their representation in government bodies at all levels. Special emphasis continues to be placed on assisting national minority groups to preserve, maintain and develop their languages and cultures. Vietnamese linguists continue to assist certain nationalities to help develop written languages, where they previously had none. The contributions of Vietnam's nationalities are celebrated throughout the country and the educational system promotes this understanding among the students.

*Labor Rights:*

17. Vietnam continues to defend the dignity and labor rights of working people. This has always been a core value of economic and social rights in Vietnam. The labor movement in Vietnam is increasingly active and militant. Vietnamese workers feel free to express their right to collective action even to the point of striking. And in thousands of strikes a year, the workers win at least part of their demands. Vietnamese law provides that workers have the absolute right to form unions in every workplace and the right to strike and Vietnam is preparing to ratify several additional core labor convention of the ILO. The Vietnam General Confederation of Labour (VGCL) is developing more skill in collective bargaining, negotiating and representing its members in the private sector and is beginning to have shop floor representatives elected by the union members. There is also a new cooperation in representing and protecting women workers between the VGCL and the Vietnam Women's Union and a renewed focus on health and safety campaigns. We continue to believe that Vietnam's labor movement is one of the most successful in demanding and gaining decent pay and working conditions.

**Civil and Political Rights**

18. Vietnam continues to protect the civil and political rights of its people. There has been an increase in public and official reports on abuses of power and corruption and in the effectiveness of public opinion in impacting laws and regulations. We witnessed demonstrations in the capital, mainly concerning land use issues which proceeded without government interference. But more important, it is through the vast network of mass and neighborhood organizations that people's viewpoints on matters ranging from street vendors to official corruption is being heard and heeded! Quite a few bills proposed in the National Assembly have been shelved or significantly revised due to such public consensus. Vietnamese people are freer than ever to speak their minds on the issues that affect their lives. The Vietnamese press has been has continued to be outspoken about exposing corruption and malfeasance in government, even at the highest levels. Numbers of high ranking officials have been tried and convicted on corruption charges due to government and media exposures.

19. On a recent visit, we were able to meet with lesbian and gay community members in Vietnam and to hear about the growing movements for empowerment that are changing policy and hearts in Vietnam. The law now allows gay weddings (although not yet legal marriage) and

GLBTQ parades happen annually in several cities. We believe that Vietnam is moving forward to become a leader in GLBTQ rights in the near future!

20. Civil and political rights are given expression not merely on papers, but as a living process of community and citizen involvement that actually affects the direction of people's lives. What we have seen on our more recent visits to Vietnam is a widening of popular power and socialist democracy accomplished through the mass organizations, through local governments, through an increasingly active National Assembly and through the media.

21. Like every other country, Vietnam has the right and the duty to its people to ensure security, stability and sovereignty. While we cannot comment on the basis for decisions to imprison every person critics of Vietnam deem "political prisoners," we know that many are financially and politically supported by exiles including in our own country, that commit violent crimes to attempt to destabilize Vietnam. Nonetheless, Vietnam remains one of the safest countries in the world. It has reduced its use of the death penalty and has a much lower percentage of its population in prison and in the criminal justice system than the United States.

### **Agent Orange – a Continuing Human Rights Violation suffered by Vietnam**

22. As we said in our last submission, the United States war against Vietnam left a legacy of chemical and other warfare that continues to affect the Vietnamese people today. Land mines and other unexploded ordinance still kill and maim Vietnamese children and farmers. The most enduring crime perpetrated by the U.S. war upon the land and people of Vietnam is the spraying of the chemical weapon, Agent Orange. Containing dioxin, the most toxic chemical known to science, Agent Orange has affected from 3 to 4.8 million Vietnamese people and contaminates the land in a number of toxic hot spots.

23. The use of Agent Orange by the United States constitutes a severe violation of the human rights of the Vietnamese people and violates international law– violations that the U.S. has yet to acknowledge, accept responsibility for or redress.

24. It continues to fall to the Vietnamese people to address the human rights of the millions of victims. Agent Orange kills, sickens and maims generations of Vietnamese people. The smallest victims are still dying in utero or being born with the most horrific birth defects. We met these victims in cities and villages across Vietnam. Many of the children lie in their beds, lacking any consciousness for the entirety of their lives. Many others can barely survive with their severe disabilities.

25. The organization representing these victims in Vietnam, the Vietnam Association for Victims of Agent Orange/dioxin (VAVA) advocates for and takes care of these victims in almost every province in Vietnam. The Vietnamese government also provides significant funds to help the poorest victims as does the Vietnamese population. Caring for these victims places an enormous burden upon Vietnamese society. Yet, Vietnam is taking up the challenge of insuring the human rights of these victims while our own government is doing precious little!

### **A Final Note**

26. Nothing in this submission is meant to imply that our Network believes that everything in Vietnam is perfect or that there are no problems that remain for the Vietnamese people to solve. Every country, even those who have an excellent record of assuring the human rights of their people has room to improve.

27. But we again note that some criticisms of Vietnam's human rights record constitute malicious attempts by those outside Vietnam, including the U.S., to unlawfully interfere in the internal affairs of Vietnam and to violate Vietnam's sovereignty. It is also quite ironic that the United States has yet to take responsibility for its own extremely serious violations of the human rights of the Vietnamese people and to provide adequate funds to remediate the public health crisis they created, as explained above.

28. The United Nations has documented the growing imbalance between the rich and the poor globally, something which Vietnam is trying to address as a human rights issue internally and internationally. A recent report by the U.N. Special Rapporteur on extreme poverty and human rights on his mission to the United States of America<sup>2</sup> shows that this gap is growing in the U.S. as well, bringing increased poverty and threats to democracy.

29. The U.S., which has just quit the United Nations Human Rights Council, is still failing to meet core human rights standards (and indeed has failed to ratify many of the core human rights treaties.)

30. Recently, the U.S. has violated the human rights of migrants and refugees including babies and children many of whom, as of the day of this writing, sit in cages, separated from their parents.

31. The United States is also unique in its impact on the world in terms of its level of military intervention and refusal to reduce its impact on climate change. Its wars and interventions are human rights violations writ large, killing millions of people around the globe. The climate denial policies of the current U.S. administration deny the human rights of the planet and all those who depend on it!

## **Conclusion**

32. Based upon the foregoing, we submit that Vietnam is making continued progress in defending and guaranteeing the human rights of its people. Vietnam also serves as a beacon for human rights in the world in promoting equality, justice and the abolishment of all nuclear weapons! In keeping with its historic practice of addressing its mistakes and shortcomings, Vietnam is always striving to improve. We believe that Vietnam is engaging new forms of democracy which empower its people as socialism develops.

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<sup>2</sup> <http://undocs.org/A/HRC/38/33/ADD.1> and <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22533>