

THE DEATH PENALTY IN VIETNAM

Death Sentences Doubled

- While the government accepted the recommendations to reduce offenses subjected to the death penalty (from Germany, Norway, Switzerland, Italy, Belgium, and Namibia) during the last UPR cycle and indeed had reduced 7 more offenses in 2015 when the Penal Code was revised, the number of **people sentenced to death have been doubled**.
- In 2018, 112 people were sentenced to death – **higher than 2017**, and 85 people were executed, as confirmed by the government.
- **More than 95 percent** of cases subjected to the death penalty related to drug offences and homicide.

Recommendations

- **Impose a moratorium** on the execution of all crimes, especially non-violent crimes, including those offenses which related to drugs;
- **Continue to reduce the number of cases** subjected to the death penalty involving drugs offenses, non-violent crimes, and homicide with extenuating circumstances;
- **Ratify the Second Optional Protocol** to the ICCPR before the midterm review of the next UPR cycle;

Transparency and Access to justice

- Information on the use of death penalty **is not made readily available to the public**, despite the fact that the government accepted recommendations on this issue from New Zealand and Switzerland during the last review.
- **Executions are conducted in secret** with unknown lethal drugs and no witnesses, except government's officials.
- Access to justice and the right to have adequate legal representation of the people **are still not realized in practice**.

Recommendations

- **Immediately** and **publicly** disclose what are the **lethal drugs** being used along with their dosage in all executions; **publish adequate and publicly accessible** information on the death penalty annually;
- **Uphold** the **right to a fair trial**, including the right to have **access to adequate legal presentation** from the beginning of a criminal investigation.
- Allow the families of death-row inmates, lawyers and journalists to **attend the executions**;
- **Initiate** the appropriate legal proceedings to **review** the case of Dang Van Hien, Ho Duy Hai, Le Van Manh, Nguyen Van Chuong, and Tyron Coetzee.

Prison Conditions and Inmates' Contact with the Outside

- Prison conditions and treatment of prisoners are **varied** in prison centers across the country, **arbitrarily** implemented at the mercy of correctional officers.
- **Inmates are still being pressured to confess** even after sentencing, which includes the use of solitary confinement, shackle, physical violence and rejection of family visits.
- **Improper** interference with family visit; **inadequate** food supply, and **lack** of medical care.
- **Limited contact with the outside world**; no visits from independent organizations, including the International Committee of the Red Cross; mail correspondence, phone calls are also limited.

Recommendations

- **Establish** a national mechanism that independently, effectively and regularly monitors and inspects all places of detention from non-government sectors;
- **Acceding** to the Optional Protocol to the Convention against Torture;
- **Ensure** the right of death row inmates to make **contact** with others, free to **receive** supply and be able to **communicate** by telephone;

Thank you

From the members of our coalition:

- ❑ Action by Christian for the Abolition of Torture
- ❑ And other organizations