**ADVANCE QUESTIONS TO VIET NAM**Generated on 06 May 2024 17:50

**BELGIUM**

* Does the government of Vietnam consider ratifying the Convention for the Protection of All Persons From Enforced Disappearance, the second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty and the Rome Statute of the International Criminal Court?
* Is the government of Vietnam considering issuing a standing invitation to the UN Special Procedures and responding positively to outstanding requests by Special Procedures to visit the country, including the special rapporteur on human rights defenders, the special rapporteur on extrajudicial, summary or arbitrary executions and the independent expert on sexual orientation and gender identity?
* What measures will Vietnam take to ensure that prisoners have reasonable access to the outside world, family, lawyers of their choice, medical care and independent courts, as well as to ensure that all disciplinary measures are conform to international law standards, including the Nelson Mandela Rules? Does Vietnam provide access for independent monitoring bodies to all detention centers and prisons?
* Does the government of Vietnam consider reviewing and amending the law on marriage and family (art. 8) to entitle same sex couples to marriage and equal rights and obligations in marriage?
* How will the government of Vietnam guarantee the right to freedom of opinion and expression, both offline and online? Does Vietnam consider reviewing and amending the cybersecurity law to ensure its alignment with the ICCPR? Will the government investigate and release those detained solely for the peaceful exercise of their rights to freedom of expression, association and assembly?

**CANADA**

* Comment le gouvernement implique-t-il la société civile dans la transition énergétique pour garantir qu’elle soit inclusive, équitable et durable ?
* Quel est l’échéancier du gouvernement pour modifier la Loi sur les syndicats et émettre une Loi sur les associations afin de protéger les droits des travailleurs à former un syndicat indépendant ?
* Le gouvernement envisage-t-il de réduire encore le nombre d’infractions passibles de la peine de mort?

**CHINA**

* Could Viet Nam elaborate more on its steps taken to build a socialist country governed by law?
* What measures has Viet Nam taken to facilitate the participation of stateholders and development partners in the UPR process?

**CUBA**

* Please provide specific information on Sustainable Development Goals implementation strategy in Viet Nam.
* How human rights are educated in the national education system?

**GERMANY**

* Germany acknowledges Vietnam’s existing legislation on the rights of trans persons, as provided for by article 37 of the civil code, and Vietnam’s efforts to draft implementing legislation ensuring that trans people can change their assigned sex in identity documents. Where does Vietnam stand in this process and how can international partners support?
* How many individuals have been prosecuted on charges related to articles 109, 117 and 331 of Vietnam’s penal code in the reporting period? How many of these have been released as innocent? How many of these convictions have been reviewed within the reporting period?
* What measures has the government of Vietnam taken to ensure that non-governmental organisations and interested individuals can raise their opinions and concerns regarding climate change and climate policy?
* How many claims of torture have been reported in the reporting period? How many of them have been investigated? How many have been confirmed and led to which consequences?
* Which nutrition standards are currently in place in Vietnam’s prisons?
* When will Vietnam ratify ILO convention 87 as foreseen in the EU-Vietnam Free Trade Agreement?

**LAO PEOPLE'S DEMOCRATIC REPUBLIC**

* How the implementation of the National Action Plan on Women, Peace, and Security can contribute to the promotion of gender equality?
* How are languages of ethnic groups being taught in schools?

**LIECHTENSTEIN**

* What steps has Viet Nam taken to ratify the Rome Statute in its 2010 version?
* What steps has Viet Nam taken to ratify the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, both supplementing the United Nations Convention against Transnational Organized Crime?
* What steps has Viet Nam taken to ratify the Optional Protocol of the Convention against Torture (OP-CAT)?
* What steps has Viet Nam taken to ratify the Optional Protocols to the International Covenant on Civil and Political Rights?
* What steps has Viet Nam taken towards the full and legal abolition of the death penalty?
* What steps has Viet Nam taken to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure?
* What steps has Viet Nam taken to join the Code of Conduct regarding Security Council action against genocide, crimes against humanity or war crimes, as elaborated by the Accountability, Coherence and Transparency Group (ACT)?

**NETHERLANDS (KINGDOM OF THE)**

* The Netherlands commends Viet Nam for its work on the United Nations Convention Against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) since it ratified this convention in 2015. Viet Nam and the Netherlands have worked together on implementing the UNCAT in Viet Nam. Despite these important efforts, concerns remain over prison conditions, in particular for prisoners convicted under national security laws and prisoners on death row. There have been a number of deaths in custody, as well as credible reports of prisoners being denied access to adequate medical treatment. What steps will the government take to ensure that all prisoners are treated in line with its obligations under the International Covenant on Civil and Political Rights (ICCPR) and the UNCAT? What steps will Viet Nam take to ensure independent investigation of allegations of mistreatment, torture or deaths in custody?
* Since Viet Nam’s review under the third cycle, a number of NGO leaders have been arrested on tax evasion charges. It was indicated that their arrests were unrelated to their (environmental) work. The Netherlands is concerned by indications that the NGO leaders seem to be treated, tried and sentenced more severely than suspects in other tax evasion cases. What safeguards are in place to ensure access to justice and a fair trial for NGO leaders and how could these differences in sentences have occurred? Two specific cases of concern are Dang Dinh Bach and Hoang Thi Minh Hong, who were held in pre-trial detention and received disproportionate prison sentences.
* In recent years, Viet Nam has ratified a number of important ILO Conventions, such as Convention 98 on collective bargaining in 2019 and Convention 105 on elimination of forced labor in 2020. Could the government please outline the plans and timeline for the ratification of ILO Convention 87? How will domestic labor laws be amended to allow for the formation of independent labor unions and guarantee the right to freedom of association?
* Foreign missions in Viet Nam regularly submit requests to the Ministry of Public Security to attend public trials. Unfortunately, members of the diplomatic community as well as family members of the person standing trial are routinely denied entry into the Court buildings for these trials. What actions will Viet Nam take to ensure the transparency of and access to judicial proceedings?

**PORTUGAL**

* Portugal on behalf of the Group of Friends of the NMIRF: 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?
* Portugal on behalf of the Group of Friends of the NMIRF: 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, which, inter alia, clusters all the above, manages them in national databases, coordinates implementation actions across government, monitors progress and impact, and then streamline reporting procedures back to the UN? 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?

**SLOVENIA**

* What measures are in place to combat ageism and eliminate age discrimination in all its forms, and to protect the human rights of older persons?
* What timeline does Viet Nam envision for changing the definition of the child to all persons under 18 years of age, in line with the Convention on the Rights of the Child?

**SPAIN**

* Does the government intend to carry out the necessary legislative reforms in order to protect the free exercise of media freedom, freedom of association and of peaceful assembly?
* Is the government planning to adopt any legislation to recognize same-sex marriage?
* Does the government plan to adopt any measure in order to avoid the imposition of long sentences on human rights defenders in the country?

**SWEDEN**

* What steps is Vietnam taking to ensure that civil society and non-governmental organizations can operate fully and freely, without fear of reprisals, in the country?
* When will Vietnam ratify and fully implement ILO 87 into national law, in line with the commitments made by Vietnam to ratify all labor standards core conventions of the ILO as part of the negotiation of the EU-Vietnam Free Trade Agreement?
* What steps are Vietnam taking to improve prison conditions in the country so as to ensure conformity with the UN Standard Minimum Rules for the Treatment of Prisoners (the Mandela rules) – including access to sufficient health care services, sufficiently nutritional food, and right for family members to visit?

**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

* Will Vietnam agree to a visit from one of the UN Special Procedures in the next cycle?
* What steps will Vietnam take over the next cycle to ensure compliance with the UN Convention Against Torture?
* Can Vietnam confirm what legislative steps it will take to ratify International Labour Organisation Convention 87 and provide an indicative date for ratification?
* Will Vietnam commit to ratification of the Convention for the Protection of All Persons from Enforced Disappearance?
* What steps will Vietnam take to ensure that lawyers are able to practice freely and represent clients in court cases without fear of harassment, intimidation or arrest?

**UNITED STATES OF AMERICA**

* What steps is Vietnam taking to bring provisions of the 2015 Penal Code, 2018 Law on Cybersecurity, 2016 Press Law, 2016 Access to Information Law, and related decrees that curtail freedom of expression online and offline into compliance with its international human rights obligations under the International Covenant on Civil and Political Rights?
* The government has maintained that NGO leaders such as Dang Dinh Bach, Hoang Thi Minh Hong, and others were not arrested for their work, but for tax evasion and had to be treated as others who have broken the law. How does Vietnam explain their disparate treatment and sentencing when nearly 99 percent of tax evasion cases do not result in pretrial detention and lengthy prison sentences?
* Vietnamese authorities’ efforts to reach outside their borders to coerce, harass, intimidate, unjustly surveil, and censor human rights defenders, activists, journalists, and others undermine Vietnam’s commitment to a rules-based international order and respect for human rights and fundamental freedoms. What steps will Vietnam take to end its transnational repression practices and related violations of other countries’ sovereignty?
* We commend Vietnam for its ongoing steps to advance the rights of LGBTQI+ persons. What further steps will Vietnam take to promote policies on marriage equality, gender affirmation, and other protections against discrimination for LGBTQI+ persons and what is the timetable for those steps?
* What is Vietnam’s plan to develop and implement safeguards to prevent misuse of commercial spyware?
* We commend Vietnam for ratifying the ILO convention on elimination of forced labor (105) and the right to collective bargaining (98). When will Vietnam amend its domestic labor laws to allow the formation of independent labor unions?
* What is Vietnam doing to reduce discrimination against and increase support for members of marginalized ethnic minority groups and persons with disabilities in the country’s social, economic, and educational systems?

**VENEZUELA (BOLIVARIAN REPUBLIC OF)**

* What are the vulnerable groups receiving particular attention and support in the policies designed in the National Target Program on sustainable poverty reduction?
* What are the measures to facilitate the people’s participation in and contribution to the SDG implementation plans and strategies.