

Danh sách các tổ chức của xã hội dân sự đã đóng góp vào UPR của Việt Nam

(*) Chỉ có các tổ chức của xã hội dân sự trong danh sách được Liên Hiệp Quốc công nhận

Civil society

- AI Amnesty International*, London, United Kingdom
- ATLP Association Tourner la PAGE, Maurepas, France
- CSW Christian Solidarity Worldwide, Surrey, United Kingdom
- ECLJ European Centre for Law and Justice*, Strasbourg, France
- FIDH and VCHR International Federation of Human Rights*, Paris, France and Viet Nam
- Committee on Human Rights
- GIEACPC Global Initiative to End All Corporal Punishment of Children
- HRW Human Rights Watch*, New York, United States
- INDIG INDIG, Hawaii, United States
- International PEN International PEN,* London, United Kingdom
- IRPP Institute on Religion and Public Policy, Washington D.C., USA
- KKF Khmers Kampuchea-Krom Federation, NJ, USA
- UNPO Unrepresented Nations and Peoples Organization, The Hague, the Netherlands

Danh sách các câu hỏi gởi trước từ các quốc gia tham dự cuộc lượng duyệt UPR 5 về Việt Nam

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 Vietnam's 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?

ADVANCE QUESTIONS SUBMITTED TO VIET NAM- ADDENDUM

ARGENTINA

Derechos económicos, sociales y culturales.

- El "Programa para la eliminación del hambre, la reducción de la pobreza y la creación de empleo" es señalado en varios informes como una herramienta importante y efectiva en materia de cumplimiento de los derechos económicos, sociales y culturales en Vietnam. *Al respecto, la Delegación argentina desea conocer las líneas generales del programa y cómo*

atiende en concreto las necesidades de los grupos más vulnerables de la sociedad. Además, desea saber si tienen previsto tomar medidas para que la crisis económica en curso no afecte la situación de los sectores menos favorecidos de la población de Vietnam.

CANADA

- Could Vietnam provide statistics on how many individuals were arrested, tried and convicted each year on charges relating to state security or anti-state propaganda? If not, could Vietnam explain why such information cannot be provided?
- In the recent court appeal of Catholic protesters, the judges indicated that there is no right to representation by a defence lawyer except in capital cases. Could Vietnam elaborate on the mechanisms in place in the justice system for cases such as this? What legal protection is there for lawyers who defend people in politically-sensitive cases?
- More than 60 countries around the world have issued standing invitations to all special procedures of the Human Rights Council. Would Vietnam consider extending a standing invitation to all special procedures of the Human Rights Council?
- What steps is Vietnam taking to ratify or accede to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children?

DENMARK

- We note that the Judicial Reform Strategy until 2020 foresees a reduction and limitation of the application of capital punishment. However, the current number of 29 crimes with capital punishment in the Penal Code has not been lowered since 1999 and capital punishment is still maintained for non-violent crimes such as corruption. When will the Government of Vietnam take concrete steps to restrict the use of the death penalty and set out a clear roadmap towards its eventual abolition, including an early moratorium, as well as publish statistics on the use of the death penalty in Vietnam?
- A free and open media is a key tool in the Government of Vietnam's declared battle against corruption. While the Vietnamese constitution guarantees press freedom and the freedom of expression of the media, extensive limitations exist on press freedoms and the right to freedom of expression in the media. When will Vietnam take steps to guarantee the media freedom from strong state control and censorship?
- Detention conditions appear to be extremely harsh, and reports have been received about beatings and torture. What steps are taken to deal with these problems?
- Denmark welcomes the commitment of Vietnam to consider accession to the UN Convention Against Torture (UNCAT). As work has been ongoing for some time to assess such a potential accession to UNCAT, when will Vietnam make public a clear time table or road map for its accession to UNCAT?

HUNGARY

- What does the Government of Vietnam do for the revision of the group of crimes imposing death penalty? How does she explore the possibilities to replace death penalty with other penal sentences in the future?
- What steps does the Government of Vietnam take for the harmonisation of Vietnamese law with paragraphs 69-70 of the Constitution in order to protect the right to freedom of religion and to prevent administrative restrictions on different religious communities?
- What does the Government of Vietnam do for the improvement of the conditions of detention and for the prohibition of the detention of prisoners for a longer period without any fair trial or without a sentence of an independent court?
- What does the Government of Vietnam do for defining discrimination properly in her law? What steps have been taken for the establishment of an institutional framework for the detection, data collection, and protection of victims by the Government?

LATVIA

- According to the information by the Office of the UN High Commissioner for Human Rights, 63 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council.
- Considering previous cooperation of Viet Nam with special procedures mandate holders (Special Rapporteur on freedom of religion or belief (19 - 28 October 1998)) and despite the pending requests by 6 Special Rapporteurs to visit Viet Nam - would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

NORWAY

- How did the Socialist Republic of Viet Nam involve civil society organisations in the elaboration of its national report?
- How is the work on the amendment of the Press Law progressing, and how will the amendment of this law improve the situation for media and press freedom in the Socialist Republic of Viet Nam?
- Are there any plans to review national security laws to ensure that all state security provisions or anti-state propaganda provisions are clearly and narrowly defined to better conform to international norms and constitutional provisions guaranteeing rights protection, including freedom of expression?
- Norway takes note of the national report where Viet Nam states its determination in addressing remaining problems such as discrimination, maltreatment and violence against

women. What steps will be taken to bring about changes in traditional attitudes and in gender stereotyping?

- How can Viet Nam ensure that sufficient human capacity and resources are available to implement its international and national commitments to promote gender equality?
- In 2002 the Human Rights Committee recommended Viet Nam to establish an independent human rights monitoring body. What steps is Viet Nam taking to establish such an independent national human rights institution?
- What concrete steps is Viet Nam taking to ratify or accede to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children?
- Does the Government of Viet Nam have plans to ratify ILO Convention No. 87 concerning Freedom of Associations and Protection of the Right to Organise and Convention No. 98 concerning the Application of the Principles of the Right to Organise and Bargain Collectively?
- Is the Government of Viet Nam planning to further reduce the scope of crimes subject to the death penalty, including the elimination of all non-violent crimes? What steps could be taken to by Viet Nam to publish national statistics on death sentences imposed and executions carried out?