



ADDRESS BY

THE VICE MINISTER OF FOREIGN AFFAIRS

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**AT THE 18TH SESSION OF THE UN
HUMAN RIGHTS COUNCIL'S
UPR WORKING GROUP, REVIEW OF VIET NAM**

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*Mr. President,
Excellencies Ambassadors,
Ladies and gentlemen,*

It is an honour for me to lead the Vietnamese delegation at this 18th Session of the Human Rights Council UPR working group, the second cycle on review of the promotion and protection of human rights and fundamental freedoms in Viet Nam.

Mr. President,

Peace, development and guarantee of human rights always represent the common desire of the international community. These are the areas where the United Nations, particularly the Human Rights Council, have been exerting a central role. Nevertheless, persisting regional conflicts and global economic - financial crisis have significantly affected the enjoyment of fundamental rights and freedoms of the people around the world. In such context, the Vietnamese Government has doubled efforts to implement its human rights policies, including the UPR recommendations accepted at the previous cycle.

Viet Nam views the UPR as an effective and successful mechanism of the Human Rights Council in human rights promotion and protection worldwide, rested on the principles of universality, fairness, consensus, cooperation and dialogue. Hence, Viet Nam has been serious, open and ready for dialogue from the very first cycle, throughout the implementation of UPR recommendations and during its preparation for the 2nd cycle. Our efforts were to ensure that the protection and promotion of human rights in Viet Nam is not merely a duty of the Government, but rather an inclusive process that involves all stakeholders, especially of each individual person as the key beneficiary.

In its first UPR cycle in May 2009, Viet Nam received 123 recommendations from 60 countries, five among which had already been implemented on the ground prior to the review, and 96 were accepted. Furthermore, while some recommendations were not accepted for their irrelevance to Viet Nam's circumstances, they were still seriously studied by the Vietnamese Government for possibilities of implementation.

Immediately following the adoption of Viet Nam National Report by the Human Rights Council, the Vietnamese Prime Minister approved the master plan for the implementation of UPR recommendations. 17 competent Ministries and Agencies were tasked to develop their own plans for implementation in specific areas. Progress report must be submitted to the Government on an annual basis.

To date, all accepted recommendations have been seriously and actively implemented in all domains, particularly the development of laws and policies on human rights, poverty reduction, sustainable economic development, social security, employment, education and healthcare, fundamental freedoms of citizens and rights of the vulnerable groups.

An overview of Viet Nam's implementation of UPR recommendations can be found in its National Report for the 2nd Cycle, which elaborates achievements and challenges in the promotion and protection of human rights in the country, including in the implementation of the accepted recommendations. The report was drafted with a comprehensive approach thanks to the active contributions of Government agencies, local authorities, mass organizations, professional organizations, non-governmental organizations and the people. The consultation process was an opportunity for open and candid dialogue between all stakeholders to identify challenges and priorities in the efforts to ensure the people's better enjoyment of human rights.

To provide you with full and detailed information, we have circulated to you the table on how each accepted recommendation from the previous review has been implemented.

I take this opportunity to once again express deep gratitude to all countries attending Viet Nam's first review for their recommendations, questions and comments over the human rights promotion and protection in Viet Nam. The Vietnamese Delegation looks forward to your continued interest, support and inputs at this 2nd cycle review.

*Mr. President,
Ladies and gentlemen,*

It is always the consistent policy of Viet Nam to respect, protect and promote all fundamental human rights and freedoms, which provides the guiding principle for all strategies and policies for our national socio-economic development. Article 3 of the 2013 Constitution prescribes that "the State ensures and promotes the people's ownership; recognises, respects, protects and ensures human rights and rights of citizens". In the process of comprehensive reform, we have maintained an environment of peace and stability, sustained economic growth and improved people's material and cultural life. This has created necessary preconditions for the promotion and protection of human rights in all political, civil, economic, cultural and social domains.

A top priority of Viet Nam remains, as it has always been in the past, promoting the improvement and completion of its legal system, policies and institutions on human rights protection and promotion, building a rule-of-law

state, and further ensuring the fundamental rights and freedoms of the people. In that line, Viet Nam has developed and been implementing the Strategy on Judicial Reforms until 2020 to build a clean, strong, democratic, strict and fair, and step-by-step modernised judicial system for national development and protection of the people.

The adoption of the 2013 Constitution by the National Assembly was the most important event in the country's political life. The entire Chapter II of the Constitution with 36 provisions is exclusively dedicated to human rights and the rights and obligations of Vietnamese citizens. The 2013 Constitution is a step forward toward a rule-of-law state and institutionalised human rights in conformity with the international norms and conventions on human rights, to which Viet Nam is a party. Before its submission to the National Assembly, the draft Constitution was made available on the mass media for ten months. Over ten million comments from political and social organisations and the people were directed to the drafting committee. This is yet another testimony to the consistency of Viet Nam's policy and the social consensus on human rights protection and promotion.

With regard to the building of the legal framework for the rule-of-law State, twenty five key laws have been enacted or amended since 2009 for better respect and exercise of human rights. Among them are the Criminal Code, Labour Law, Land Law, Law on Trade Union, Law on Complaints, Denunciation Law, Law on the Elderly, Law on the People with Disabilities, Law on Trafficking in Persons, Law on Lawyers, Law on Publication, and Press Law, among others. Furthermore, the Government has approved and implemented forty one national socio-economic development strategies and programmes, where priorities are awarded to vulnerable groups.

Viet Nam has been recognised internationally as one of the top performers in poverty reduction. The implementation of the Comprehensive Strategy on Growth and Poverty Reduction, founded on the Socio-Economic Development Strategy for 2001-2010, has helped Viet Nam slash its national poverty rate, under national poverty line, from 58.1% in 1993 down to 14.8% in 2007 and 7.8% in 2013, thus enabling the country to be among the earliest to attain the MDG on poverty reduction. Viet Nam has completed five out of eight MDGs ahead of schedule, which was praised by the UN as a model of success.

Amid domestic socio-economic difficulties resulting from the global financial and economic downturn, the Vietnamese Government still prioritised social security and improvement of its people's living standards. For that reason, no social security programmes has been cut down during the period. In 2011-2012, the Government spent over US\$ 1 billion for health insurance subsidies to the poor and the ethnic minorities, free healthcare to children under six

years of age, and tuition fee exemption and lunch subsidies to the poor children and ethnic minority children. Moreover, the decent economic growth of 5.5-6% between 2009-2012 permitted Viet Nam to accomplish the many set targets in labour, employment, healthcare, education and social security, such as creating 1.5 million new jobs every year, keeping unemployment below 2%, and completing the universalisation of primary and secondary education. The UNDP 2010 Report on Human Development recognised Viet Nam as a top ten performer in terms of income growth in forty years.

In Viet Nam, the freedoms of information, speech and expression are enshrined in the Constitution and various relevant laws, ensured in practice by State agencies, and encouraged by the diverse emergence of the press and mass media, including the Internet. The voice and aspiration of the people are always listened to and taken seriously during the formulation of laws and policies on every key issue of the country. Socio-political organisations and the people have been actively participating in the National Assembly's hearing and comment sessions on key policies as well as in roundtables, debates, and mass media interactions on key political, social and economic issues. This has become part of daily life of the Vietnamese people. Dozens of millions of inputs for the Constitution revision within a mere 10 months of availability on the Internet and major national newspapers and magazines testified to the freedoms of information and expression of the Vietnamese people in practice.

By the end of 2013, there were a total of 997 print newspapers with 1084 publications (as against 676 print newspapers with nearly 700 publications in 2009), nearly 17,000 registered journalists, 01 national news agency, 67 broadcasting stations, 101 TV and 78 radio channels, 74 electronic newspapers and magazines, 336 social networks and 1174 e-portals. The Vietnamese now have access to most of the world's key broadcasting companies, and are online with all aspects of the international life via the Internet.

The Internet has been booming in Viet Nam. By December 2012, the number of Internet users in Viet Nam reached 30.8 million (the figure in 2010 and 2008 was 26 million and 20 million respectively), accounting for 34% of the population (higher than the world average of 33%). There are some 3 million bloggers. According to the International Telecommunication Union's report, Viet Nam ranks third and eighth in Southeast Asia and Asia, respectively, in terms of internet users.

There are 460 associations, social and professional organisations active at provincial, inter-provincial and national levels as against the figure of 380 in 2009; 20 business trade union organisations; over 36,000 associations, unions of association and clubs at local levels operating in all walks of life. The

associations are particularly active in social domains, humanity and charity, especially supply of services in education, training, healthcare and environment. The associations also have increasingly active role in providing advice and comments for guidelines, policies and laws of the State as well as socio-economic development programs of the Government and local authorities.

The consistent policy of Viet Nam is to respect, ensure and create enabling conditions for all people to exercise the freedom of religion and belief, strictly prohibit any discrimination for religious and belief reasons, and guarantee the activities of religious organizations by laws. 95% of the Vietnamese population practices faith, including all major religions of the world such as Buddhism, Catholicism, Protestantism, and Islam. There are 8500 religion – and – belief related activities of different scopes taking place annually throughout the country, making up rich, diverse cultural life with strong local identities.

Viet Nam consistently pursues the policy of equality, solidarity, mutual respect and mutual assistance for shared progress among the ethnic groups. The ethnic minorities enjoy enabling conditions to participate in the political system, social governance, and state governance. The political representation of ethnic minorities is on the rise. The number of National Assembly Deputies of ethnic minority origins is always higher than their proportion of the population. From 2006 to 2012, 160 legal normative documents were enacted on socio-economic development for the ethnic minority and mountainous areas. Despite budget constraints, over US\$ 2.5 billion was appropriated for socio-economic development of the ethnic minority and mountainous areas.

Furthermore, the Government has adopted the Project on “Preservation and Development of Ethnic Minorities’ Culture until 2020”, which awards higher priority to ethnic minorities of smaller population size. A number of cultural heritages of ethnic minorities have been recognised as the world cultural heritages, such as the “Space of Gong Culture in the Central Highlands”, “My Son Sanctuary” and many others listed as national cultural heritages.

Mr. President,

Viet Nam’s role and contribution have earned international recognition, indicated by the very high votes for Viet Nam at the election for the Human Rights Council for 2014-2016. The Vietnamese Government once again reiterates its commitment to collaborating with all countries and making responsible contributions to the work of the Human Rights Council, in order to raise its effectiveness, transparency and role as the most important mechanism of the UN on human rights.

To implement the UPR recommendation on accession to international conventions on human rights, Viet Nam signed the Convention against Torture in November 2013. Under the defined roadmap, we will ratify the Convention against Torture and the Convention on the Rights of People with Disabilities in 2014. With that, Viet Nam will be Party to 7/9 UN's core human rights treaties. In June 2012, Viet Nam signed and ratified the Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children. Viet Nam has also signed a number of ILO conventions related to labour and employment, including the Employment Policy Convention (No. 122) and the Maritime Labour Convention (No.186).

To implement the reporting obligation of international conventions on human rights to which Viet Nam is a party, we have presented reports on the International Convention on the Elimination of All Forms of Racial Discrimination in February 2012, the Convention on the Rights of the Child in May 2012, submitted reports on the International Convention on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women and is in the process of drafting the report on the International Covenant on Civil and Political Rights.

To implement the recommendation on cooperation with Special Procedures of the Human Rights Council, we have received 5 Special Procedures in the past 4 years, including the Independent Expert on Minority Issues (July 2010), Independent Expert on Extreme Poverty and Human Rights (August 2010), Independent Expert on Foreign Debt (March 2011), Special Rapporteur on the Rights to the Highest Attainable Standard of Health (December 2011) and Independent Expert in the Field of Cultural Rights (November 2013). We have also sent invitation to Special Procedures on food, education, freedoms of religion or belief to visit Viet Nam in 2014 as well as considering inviting other Special Procedures in the subsequent years. I wish to take this opportunity to thank Special Procedures for their visits and positive assessments about Viet Nam as well as their identifying of challenges we have to address for better ensuring human rights.

Viet Nam advocates dialogue and cooperation on human rights, which give us the opportunities to engage in straightforward, constructive interactions on human rights issues of mutual interest. We have put in place periodic bilateral dialogues on human rights with a number of countries while also working actively with UN specialised agencies on human rights. The Vietnamese Government is always ready to provide full information on the issues of interest, either directly in dialogues or in periodic reports with regards to the protection and promotion of human rights in Viet Nam, including the National Report under the UPR mechanism.

At the regional level, Viet Nam has made remarkable contribution to the establishment and operation of the ASEAN Inter-Governmental Commission on Human Rights (AICHR), ASEAN Commission on Protecting and Promoting the Rights of Women and Children (ACWC). Especially, Viet Nam has joined other ASEAN countries in developing and adopting the ASEAN Human Rights Declaration in November 2011. This is the first instrument establishing the framework on enhancing cooperation in and protection of human rights in the region, showcasing the commitment of ASEAN countries to respecting and ensuring fundamental rights and freedoms of the people in the region.

In addition, Viet Nam has collaborated with the UNDP in implementing the Project on capacity building for implementation of international conventions on human rights in Viet Nam, with focus on dissemination of the results of Viet Nam's implementation of international obligations in human rights, especially the implementation of the UPR recommendations.

With the fore-mentioned achievements, the Vietnamese people now lead a continually improved life with better enjoyment of their fundamental rights and freedoms.

Mr. President,

Notwithstanding the enormous achievements in national development as well as protection and promotion of human rights, Viet Nam remains a developing country struggling with limited resources. With the territory stretching a length of over 2000 kilometers, the diversity in ethnicity, language, religion, belief, geography and soil have created a distinct identity and values for Viet Nam. However, these characters also present challenges to the protection and promotion of the fundamental rights and freedoms of the people. On top of that, consequences of wars, natural disasters, pandemics, climate change as well as the negative impacts of globalization, such as global economic crisis and downturn also add enormous burden to the already strained resources and undercut the effects of policies on economic development and social security. This directly affects the enjoyment of rights of the Vietnamese people. The legal system, though being constantly supplemented and improved, still sees lack of uniformity, overlapping, conflicts and failure to keep abreast with the reality; law enforcement is not consistently effective, thus negatively affecting the enjoyment of fundamental rights and freedoms of the people.

Fully conscious of these difficulties and challenges, the Vietnamese Government will continue improving the legal system on the basis of the new Constitution for better implementation of fundamental rights and freedoms of the people as well as ensuring the harmonization and conformity between the national law and international legal standards; step up administrative reform

programs to prevent and drive back red tape, corruption, expand democracy and raise the efficacy of the ruled-by law state, and enhance national institutions on human rights protection. In addition, national programs have been implemented in specific areas to raise the accessibility of disadvantaged groups to the social security system; raise awareness about gender equality; improve community healthcare toward a healthy society with fully accessible healthcare services, both physical and mental. At the international level, Viet Nam advocates the continued strengthened cooperation with all countries, UN mechanisms and specialized agencies. We will participate in an active and responsible fashion to the work of the Human Rights Council, seriously deliver on the obligations of international Convention to which Viet Nam is a party and enhance the effectiveness of the periodic bilateral human rights dialogues.

*Mr. President,
Ladies and gentlemen,*

Protection and promotion of human rights is an uninterrupted, steadfast process with a long-term vision. In that process, efforts by individual countries cannot produce the desired outcome without support and assistance of the international community on the basis of the principles of equality, respect for independence, sovereignty and constructive dialogue. These are also the principles for Viet Nam's participation in the UPR process. Viet Nam will make active contribution to the common work of the Council. We welcome and are willing to listen to the inputs, comments and recommendations from you.

Finally, I once again thank you for your kind attention.