

**United Nations Human Rights Council**

**32nd Session of the UPR Working Group**

**Geneva, 22 January 2019**

**Recommendations and advance questions to**

**Vietnam**

Mr. President,

Germany welcomes Vietnam’s achievements in education, poverty reduction and gender equality as well as steps taken in order to reduce the number of offences punishable by death penalty and efforts to implement the UN Convention Against Torture.

However, Germany remains concerned about ongoing violations of freedom of expression, freedom of association and freedom of assembly, as well as about the situation of human rights defenders and the death penalty, leading to the following recommendations:

1. Conduct a review of all convictions on the basis of laws restricting freedom of expression and opinion, in particular convictions on the basis of articles 79 (now 109) and 88 (now 117) of the Penal Code, according to the revised penalty range for preparatory acts.
2. Further reduce the list of offences punishable by the death penalty, in particular eliminate the death penalty for “activities against the people’s government” (article 109), “espionage” (article 110) “embezzlement” (article 353) and “taking bribes” (article 354) as well as for serious drug offences.
3. Extend cooperation with UN Special Procedures, in particular by responding positively to pending requests for visits of Special Rapporteurs.
4. Improve access to vocational training - regardless of gender - through the creation of stable finance mechanisms (such as a student loan system and policies to reduce fees for students), in particular for vulnerable groups including people with disabilities and ethnic minorities.

Thank you, Mr. President.

**GERMAN ADVANCE QUESTIONS TO VIETNAM:**

1. Death Penalty: How many people sentenced to death are currently in detention? What substances are used to execute people sentenced to death? Is the government considering allowing international humanitarian organisations or international diplomats to visit individuals sentenced to death?
2. When does Vietnam plan to adopt a law on assembly/demonstrations to implement the constitutional right to freedom of assembly?
3. Why does the Press Act 2016 grant the right to establish press agencies only to the organisations listed under Article 14, and not to private persons or organizations?