

**VIET NAM'S VOLUNTARY MID-TERM REPORT  
ON THE IMPLEMENTATION OF THE UPR THIRD CYCLE  
ACCEPTED RECOMMENDATIONS**

1. Viet Nam's consistent policy is to protect and promote human rights, which is enshrined in the Constitution and laws and demonstrated in all socio-economic development strategies and plans. This policy has laid the foundation for Viet Nam to seriously undertake its international obligations and commitments on human rights, including the accepted recommendations at the Universal Periodic Review (UPR) third cycle in 2019. Since then, the Vietnamese Government has reviewed the implementation process which is presented in this voluntary Mid-term Report.

2. Viet Nam accepted 241 out of 291 recommendations (about 83%) at the adoption session of its UPR Third Cycle Report at the United Nations Human Rights Council (HRC) in July 2019<sup>1</sup>. On December 31, 2019, the Prime Minister of Viet Nam approved the Master Plan to implement the accepted recommendations in Decision No. 1975/QĐ-TTg, which specifically assigned 18 Ministries to implement and submit a report on the implementation of these recommendations. This report reflects the active efforts of Viet Nam in proving its strong commitments and responsible contributions to the UPR process. It has been comprehensively developed with inputs from central and local government agencies, as well as relevant stakeholders, including socio-political organizations, professional organizations, non-governmental organizations, and the people. The report also integrates and builds upon Viet Nam's recent national reports on the implementation of relevant international conventions, including the mid-term reports on the implementation of the International Covenant on Civil and Political Rights (ICCPR) (March 2021), International Convention for the Elimination of All Forms of Racial Discrimination (CERD) (January 2021), Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (October 2020). This has helped

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<sup>1</sup> Viet Nam's first and second UPR reviews took place in May 2009 and February 2014, respectively.

ensure coherence and synchronization among related national reports of Viet Nam.

## **I. BACKGROUND**

3. The year 2021 witnessed important socio - political events in Viet Nam laying out new strategic visions for the development of the country, notably the 13<sup>th</sup> National Congress of the Communist Party of Viet Nam, the 15<sup>th</sup> National Assembly election and the forming of the new Government. Viet Nam has set the vision and development goals for the 2021-2030 period which affirm the goals of building a law-governed socialist State, improving people's livelihoods and protecting human rights.

4. Since 2020, the Covid-19 pandemic has profoundly affected all spectrum of life in Viet Nam, leaving multi-dimensional impacts on the efforts of the Government to ensure human rights for the people as well as significant strain on the socio-economic development of Viet Nam. The unemployment rate of working age was 3.98% (as of October 2021), an increase of 1.25 percentage point compared to the same period of the previous year; more than 70,000 companies went out of businesses. The enjoyment of human rights has been directly affected, especially livelihoods, travel and education due to the application of social distancing measures in many places to prevent the epidemic.

In addition to the difficulties caused by the pandemic, in recent years, Viet Nam has also faced the harsh impacts of natural disasters and climate change. In 2020 alone, there were over 458 events of natural disasters, causing 342 deaths or missing persons, and estimated economic losses of more than 33,5 trillion VND (about 1.5 billion USD). Extreme weather events especially in the Mekong River Delta have seriously endangered the country's sustainable food security, and profoundly affected people's livelihoods and interests.

5. Viet Nam's top priority in preventing the pandemic is to protect the life and health of the people and minimize the number of infections, severe cases and fatalities caused by Covid-19.<sup>2</sup> Thanks to a whole-of-government approach, the consensus and cooperation of the people as well as the collaboration and

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<sup>2</sup> As of March 25, 2022, there have been a total of 8,599,751 cases of COVID-19 in Viet Nam.

support of international partners, Viet Nam has carried out the largest vaccination program in history with over 204.73 million doses administered, resulting in about 97% coverage for people over 18 years old and about 90% coverage for children over 12 years old. This has enabled Viet Nam to embark on its transition to the period of safe and dynamic adaptation, socio-economic recovery and development. According to the World Bank (WB), the fundamentals of Viet Nam's economy remain stable and the economy is forecasted to return to pre-Covid GDP growth rate of 6.5 to 7% from 2022 onwards<sup>3</sup>. Viet Nam also strived to unlock the opportunities in the recovery process to implement commitments on sustainable development and climate change in order to reform the economy and promote green and inclusive growth.

## **II. IMPLEMENTATION OF ACCEPTED RECOMMENDATIONS**

Viet Nam has implemented 82.6%<sup>4</sup> of the accepted UPR Third Cycle recommendations with notable results as follows:

### **Building a law-governed State and improving the legal framework<sup>5</sup>**

6. Viet Nam has redoubled efforts to promote the legal reform process and strengthen the legal system. In 2020, for the first time, the Government organized a nationwide online conference on law developing, perfecting and enforcement. The Prime Minister issued Directive No. 43/CT-TTg dated December 11, 2020 on improving the quality of legislation, strengthening the legal system and enhancing the efficiency of law enforcement. Along with the adoption of Amendments to the Law on the Promulgation of Legal Documents, legislative processes continue to be strengthened towards developing more specific regulations in order to enhance accountability and bolster the coordination of agencies in receiving and giving feedback on draft laws,

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<sup>3</sup><https://www.worldbank.org/vi/news/press-release/2021/08/24/vietnam-s-economy-is-forecast-to-grow-by-about-4-8-percent-in-2021>

<sup>4</sup> For the purpose of preliminary statistics for the development of this report, the recommendations that have been included in the work programs of the relevant agencies but are still lacking results data or impact assessment before December 10, 2021 will be counted as in the process of IMPLEMENTING. The recommendations which have data and formal assessment will be counted as been IMPLEMENTED and will be noted in detail in this report.

<sup>5</sup> Recommendations numbered 3, 22, 56, 76, 82, 40, 36, 53, 59, 60, 62, 81, 154, 156, 159, 160, 162, 72, 61, 109, 153, 155, 66, 75, 79, 85, 88, 89, 96, 108, 233, 235, 272, 285, 288, 116, 117, 152, 164, 217. The numbering of recommendations refers to the listing of recommendations in the document A/HRC/41/7 dated March 28, 2019 of the Human Rights Council's Working Group on the Universal Periodic Review of Viet Nam.

ordinances, and resolutions, as well as to better regulate the policy-making process.<sup>6</sup>

7. Between 2019 and January 2022, the National Assembly of Viet Nam has passed 36 laws, many of which are important legal documents related to human rights and citizenship, contributing to the concretization of the 2013 Constitution, in accordance with international conventions to which Viet Nam is a party. Examples include the 2019 Labor Code, the 2020 Youth Law, the 2019 Residency Law, the 2020 Amendments to the Law on Handling of Administrative Violations, the 2019 Law on Entry and Exit of Vietnamese citizens, the 2020 Law on Reconciliation and Dialogue at Court, the 2020 Law on Vietnamese working abroad under contract, etc. These laws have greatly contributed to the formation of legal institutions and frameworks in socio-economic fields that are linked to the better enjoyment of human rights. On the basis of relevant recommendations, Viet Nam is carrying out reviews to further amend several laws to be in line with its international commitments, such as the Law on Children, specifically defining a child as a person under the age of 18. Studies are also being conducted on a draft law on prostitution prevention, a draft law on transgender and a draft amendment to the 2011 Law on Preventing and Combating Trafficking in Human.

8. The process of developing, drafting, and promulgating legal documents is obliged to ensure publicity, democracy, transparency, and to facilitate the broad, convenient and efficient participation of individuals and organizations. In particular, the 2020 Amendments to the Law on the Promulgation of Legal Documents has added clearer and more specific provisions on the responsibility of the Viet Nam Fatherland Front on collecting and providing social feedback to the process. Governmental agencies are also thereby tasked with the responsibility of collecting public opinions and integrating and/or providing proper explanation on electronic portals throughout the legislative process.

9. In the field of administrative reform, Viet Nam continues to achieve remarkable progress. The Government of Viet Nam sets its motto for actions as

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<sup>6</sup> In the period 2016-2020, the Government and the Prime Minister had issued 5,330 legal documents, which is 1,515 documents more than the previous tenure, making a 39.7% increase. In the same period, local authorities had issued 20,923 legal documents at provincial level (making a 51.7% increase), 13,990 at district level (making a 54.5% decrease) and 72,253 at commune level (making a 63% decrease).

“Discipline, Integrity, Action, Innovation, Breakthrough, and Effectiveness”. Administrative reforms are associated with information technology application, development of an e-Government and enhancement of citizens’ and organizations’ accountability and ability to participate in, provide feedback and contribute to the process of policy making and implementation. Accordingly, in 2019, in the indexes related to business environment and global competition in the WB<sup>7</sup> and WEF’s<sup>8</sup> Reports, Viet Nam’s rankings were lifted, which in turn reflected the positive upward trend in entrepreneurship, construction permits, electricity access, credit access, tax payment, law compliance.<sup>9</sup> Viet Nam continues to strengthen the fight against corruption<sup>10</sup> through the implementation of the 2018 Law on Anti-Corruption.<sup>11</sup>

10. Viet Nam is also continuing its efforts in the implementation of recommendations to ensure the independence of the Court and the right to a fair trial and due process, in accordance with international standards. Since 2019, the People’s Supreme Court has issued numerous guiding documents for the process of selecting, introducing and applying judicial precedents; for adjudication of cases involving sexual abuse of persons under 18 years of age, crimes of fraud on social insurance and unemployment insurance as well as corruption, etc. In November 2021, the National Assembly adopted the Resolution on organizing online court hearings for first-instance and appeal trials of criminal, civil and administrative cases with non-complications and concrete evidences, which would enable prompt trials during the Covid-19 pandemic. The People’s Supreme Court is also studying the drafting of the Law on Juvenile Justice.

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<sup>7</sup> Global Business Environment Report 2020 published by World Bank on October 24, 2019

<sup>8</sup> The Global Competitiveness Report 2019, published on October 8, 2019.

<sup>9</sup> In 2019, Viet Nam scored 61,5/100 in the Global Competitiveness Index (CGI), ranking 67<sup>th</sup> among 141 nations and economies, with 3.5 points higher than its CGI in 2018. The year 2020 was the second consecutive year that Viet Nam ranked 42<sup>nd</sup> in the Global Innovation Index (GII), and is at the highest GII ranking among the group of 29 country with the same level of income. Also in 2020, Viet Nam ranked 86<sup>th</sup> among 193 nations in the E-Government Development Index (EDGI), up two places against 2018 ranking; Viet Nam’s EDGI keeps moving upwards since 2014.

<sup>10</sup> In relation to recommendations numbered 36, 37.

<sup>11</sup> Government’s Decree No. 59/2019/ND-CP dated July 01, 2019 on stipulation of measures to implement selected provisions of Law on Anti-Corruption, Decree No. 130/2020/ND-CP dated October 31, 2020 on controlling property and income of persons charged with responsibilities of management of agencies, organizations or units and on enhancing dissemination of legal provisions on anti-corruption under the Scheme of dissemination of legal anti-corruption for the period 2019-2021.

11. As mentioned above, there are a number of recommendations which either have been partially implemented, or are being studied and reviewed for potential legal adjustments. They are related to issues such as establishing a National Human Rights Institution, adjusting the age definition of children in compliance with the CRC, preventing gender-based violence and discrimination, or preventing and combatting human trafficking, etc. A recommendation related to amending criminal law and criminal justice is currently being considered for implementation at an appropriate time. Viet Nam has just adopted the Law on amending and supplementing the 2015 Criminal Procedure Code (effective since December 1, 2021). This information has been incorporated into the National Master Plan on Improving the Effectiveness of Implementing the ICCPR and the Recommendations of the United Nations Human Rights Committee<sup>12</sup>.

### **Ensuring civil, political, economic, social and cultural rights**

**12.** *Concerted efforts in fostering economic development and guaranteeing livelihoods created a foundation for the full enjoyments of economic, social and cultural rights*<sup>13</sup>: Viet Nam continued to implement the goals of multi-dimensional, inclusive and sustainable poverty reduction, preventing relapsing into or increase of poverty; supporting the poor to rise above the minimum standard of living, to access basic social services in par with the national multi-dimensional poverty line, and to improve the quality of life. The National Assembly of Viet Nam has approved the National Target Program for Poverty Reduction and Sustainable Social Security for the 2021-2025 period, the National Target Program for Socio-economic development in ethnic minorities, and mountainous areas in the 2021-2030 period with comprehensive policies and measures. The Human Development Index of Viet Nam has continuously improved, reaching 0.706 in 2020 and belonging to the high human development group in the world.

The Government has issued Resolution 11/NQ-CP dated January 30, 2022 on socio-economic recovery measures and implementation of Resolution

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<sup>12</sup> Approved in Decision No. 1252/QĐ-TTg dated September 26, 2019 of the Prime Minister.

<sup>13</sup> Recommendations numbered 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 69, 70.

43/2022/QH15 of the National Assembly on fiscal and monetary policies. Many concerted policies and solutions were undertaken to support businesses, especially small and medium enterprises to overcome difficulties such as: 30 percent business income tax cut for small and medium businesses; extension of agricultural land tax exemption from January 1, 2021 to 2025 (exempt about 7.5 trillion VND a year – approximately 332.5 million USD); rescheduling or refunding VAT, business income tax, land lease fees and banks credit easing policies.

13. *Social security*<sup>14</sup>: Viet Nam continues to focus on ensuring social security, implementing policies to support national devotees, assist vulnerable groups, especially the elderly, persons with disabilities and children with special conditions. The average income of poor households has increased. The living standards of poor households and social protection beneficiaries have gradually improved. Health insurance coverage has raised from 81.7 percent in 2016 to 90.85 percent in 2020. Policy beneficiaries such as national devotees, the poor, ethnic minorities in regions of difficult socio-economic conditions, children under 6 years old, persons over 80 years old received support from the government budget in getting health insurance (in 2020, 99 percent of the elderly received health insurance card).

The Government has promulgated policies to support workers and employers affected by the Covid-19 pandemic. These measures include the support packages of 62 trillion VND in 2020 (about 2.75 billion USD) and 26 trillion VND until July 2021 (about 1.15 billion USD) for people affected by Covid-19 and various supporting packages for other vulnerable groups. Individual citizens and social organizations all joined hands in supporting people to overcome hardship.

14. *Right to health*<sup>15</sup>: Population quality has gradually improved. Life expectancy is 73.7 years old in 2020, compared to 73.3 years old in 2015. Health care network is maintained across the country, including border areas, islands, mountainous and ethnic minority areas. In the fight against Covid-19, medical centers have played important roles in taking care of people, including

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<sup>14</sup> Recommendations numbered 63, 64, 65, 66, 66, 67.

<sup>15</sup> Recommendations numbered 139, 245, 239, 244, 247.

the elderly and people with chronic diseases. Viet Nam has proactively implemented the 2018-2030 National Plan of Action to eliminate HIV, Hepatitis B and Syphilis Transmission from Mother to Child and has recently adopted the National Plan on Eradicating AIDS by 2030.

The Government ensures the provision of Covid-19 vaccines free of charge for all and in accordance with WHO's recommended list of priority groups. Despite the global vaccine supply shortage and restricted economic conditions, as of March 26, 2022, Viet Nam has vaccinated over 204.73 million doses for its people and is one of the six countries with the largest vaccine coverage (about 97% for people over 18 years old and about 90% for children over 12 years old). Measures to ensure proper treatment for Covid-19 cases have also been carried out. Particularly, during the initial stage when the pandemic started spreading in Viet Nam, Covid-19 patients were treated free of charge and quarantined in the health facilities to prevent further spread. Viet Nam is also studying and preparing for safe vaccination for children aged 5-11, taking into account based on scientific evidences, taking into account the pandemic situation and lessons learned from other countries.

15. *Right to education*<sup>16</sup>: The Law on Education stipulates that at least 20 percent of the annual State budget must be allocated on education. The State facilitates “life-long learning” and “anywhere learning” of the people, including through implementing the Project: "Development of Distance Learning for the 2015-2020 period" and "Illiteracy Elimination by 2020". In the 2012-2020 period, illiteracy was eliminated for 295,308 people in the age of 15-60, raising their literacy rate to 97.85% and that of the group aged 15-35 up to 99.3%. Viet Nam has also issued numerous measures of tuition fee exemption and reduction or cost-of-learning support for vulnerable groups, focusing on students of ethnic minorities, students living in remote, remote areas or in vulnerable situations, especially vis-à-vis the Covid-19 pandemic. Facing the pandemic, Viet Nam has carried out various measures to prevent disruptions of educational activities, protecting the right to education for pupils, students, and children, such as switching to online education in “the new normal status” to facilitate their study

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<sup>16</sup> Recommendations numbered 71, 72, 73, 74, 75.



and ensure progress and quality of education programs, and providing computers and other technological devices to pupils under hardship of in minority ethnic areas. Viet Nam is taking steps to help bring pupils and students back to school for safe in-person education in the coming time.

16. *Right to clean water and sanitation*<sup>17</sup>: Clean water and sanitation in rural areas is always a priority in the socio-economic development plan of the Government. Environmental protection movements in the residential communities have brought about positive achievements. In 2020, the rate of households using hygienic water sources in Viet Nam reached approximately 95-100%, meeting the goals set out in the roadmap to implement Viet Nam's Sustainable Development Goals by 2030. Policies and projects on clean water and sanitation in rural areas have positively contributed to hunger eradication and poverty reduction in many localities. Environmental management of industrial zones has made enormous strides. There are 263/290 (90.69%) operating industrial zones with centralized wastewater treatment facilities across the country, increasing by 13 compared to 2019.

17. *Right to access to information*:<sup>18</sup> Viet Nam has made remarkable achievements in enhancing the people's broad access to information, especially for people living in mountainous, remote, islands, or disadvantaged areas.

The number of Internet users in Viet Nam is nearly 70 million, accounting for over 70% of the population, with an increase of 0.8% in the 2020 – 2021 period, ranking 12<sup>th</sup> worldwide and 6<sup>th</sup> in 35 countries and territories in Asia. The number of social media accounts in Viet Nam has increased by 10 million in one year, reaching 76 million (roughly 73.7% of the population). The rate of daily Internet Users in Viet Nam is up to 94%. The telecommunication network continues to be modernized and developed widely with network coverage reaching 99.7% of the population and 3G and 4G networks serving up to 98% of the population.

Since the Law on Cyber Security came into effect in 2019, violations in the cyber space have been identified and resolved, contributing to national security,

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<sup>17</sup>Recommendations numbered 59, 78.

<sup>18</sup>Recommendations numbered 42, 189, 195, 184, 172, 176, 194, 213, 181, 168, 202, 214, 179.

social order and safety, as well as protecting the lawful rights and legitimate interests of individuals and entities. According to the 2020 Global Cyber Security Index (GCI) recently published by the International Telecommunication Union (ITU), Viet Nam has moved up 25 ranks after 2 years to place 25<sup>th</sup> among 194 countries and territories, 7<sup>th</sup> in Asia-Pacific as well as 4<sup>th</sup> among 11 ASEAN countries.

In August 2020, Viet Nam launched its National Data Portal to serve as a hub for publishing and sharing open data and information; providing documents, services, tools, applications to access to data published by State agencies. Currently, the National Data Portal of Viet Nam has already publicized 10,595 sets of open databases, strengthened transparency and enhanced the rights of people and businesses to utilize data from governmental agencies for economic and cultural development.

Viet Nam continues piloting and improving to prepare for the full operation of the National Information Portal on Legal Education and Dissemination which aims at meeting demand of citizens and businesses for searching, researching and providing feedback on legal documents. In addition, Viet Nam has also introduced mobile devices applications on legal education and dissemination which give access to legal documents and even introduce procreated legal situations, helping users find specific advice.

18. *Right to freedoms of association and assembly*<sup>19</sup>: The process of research and develop a draft law on association is ongoing. As of December 2021, there are 93,425 associations and organizations active in Viet Nam, including those representing youths, women, workers, farmers, the elderly, people with disabilities or charity associations, scientific and vocational organizations, non-governmental organization, etc.<sup>20</sup> They actively take part in social life, contribute to processes of law-making and institution-building, implementing socio-economic development policies, supporting vulnerable groups, delivering sustainable development goals and ensuring human rights.

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<sup>19</sup> Recommendations numbered 202, 203, 207, 179, 197, 198, 200, 215.

<sup>20</sup> Among them, 571 associations and organizations are active nationally; 92,854 are active locally.

The 2019 Labor Code allows for the formation and operation of workers' representation organizations that are not affiliating to the Viet Nam General Confederation of Labor. The Ministry of Labor, Invalids and Social Affairs has issued a Circular on detailing and guiding the implementation related to collective bargaining councils and is preparing to issue a Decree on organizations representing workers and collective bargaining.

19. *Right to freedoms of the press and of expression*: By the end of 2021, there are 816 press agencies in Viet Nam, of which 230 are newspapers and magazines publishing both online and offline, 557 solely offline and 29 just online. 72 agencies are also licensed to broadcast radio and television programs. There are 79 domestic radio channels and 198 domestic TV channels, 54 foreign TV channels edited to broadcast on Vietnamese television services; along with 9,792 other radio stations at local level.

In Viet Nam, journalists and news reporters are protected from all forms of discrimination and violence. It is ensured in various laws and regulations; most recently, the 2020 Decree on Administrative Penalties for Violations in Journalism and Publishing Activities stipulates penalties for acts of unlawfully obstructing press activities. In addition, Viet Nam has also strengthened the legal framework to prevent misinformation or the spread of information for laws violation purposes. It aims at ensuring reliable and responsible spread of information, better establishing clear and transparent obligations and rights to freedoms of expression and of the press, in accordance with international standards. It would, hence, raise legal knowledge and awareness of the people, government officers, civil servants and journalists, mitigating possible violations.

20. *Right to freedom of religions and beliefs*<sup>21</sup>: There are 43 organizations affiliated with 16 religions officially recognized by competent Vietnamese authorities, along with thousands of independent religious groups registered for religious activities. In the 2017-2020 period, 03 organizations were newly granted certificates of registration of religious activities; 01 organization was

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<sup>21</sup> Recommendations 169, 210, 178, 170, 173, 174, 182, 193, 199, 205, 206.

newly recognized as a religious legal entity.<sup>22</sup> In Viet Nam, there are 62 religious educational institutions affiliated with Buddhism, Catholicism, Protestantism, Cao Dai and Hoa Hao Buddhism, with over 10,000 participants enrolling in religious training courses organized by religious organizations each year. In 2020, approximately 230 worship establishments were built, and 308 worship establishments were upgraded or renovated.

In recent years, thanks to the facilitation provided by the Law on Belief and Religion, religious organizations and individuals have been actively participating in international activities, varied in level and scope. Several major international religious events such as the 2019 United Nations Day of Vesak Celebrations, the 2019 Capitulum Generale of the Order of Preachers, etc. were successfully hosted in Viet Nam. Viet Nam provides favorable conditions for religious communities to register their activities,<sup>23</sup> to invite foreign religious dignitaries to preach in Viet Nam or vice versa, or to import merchandise or publications for religious purposes from abroad. New provisions in the Law on Belief and Religion also simplify administrative procedures to create favorable conditions for belief and religious activities of religious organizations and individuals.<sup>24</sup>

21. *On execution of criminal judgment and criminal procedures:* Since the adoption of the 2019 Law on Execution of Criminal Judgment, many relevant legal documents have been comprehensively amended and supplemented in consistent with the Law, including the Decree 133/2020/ND-CP dated November 9, 2020 on the implementation of several articles of the Law on Execution of Criminal Judgment, Decree 133/2021/ND-CP dated December 14, 2021 amending and supplementing several of articles of Decree 120/ND-CP dated November 6, 2017 on the implementation of the Law on the Enforcement of Temporary Custody and Detention. These Decrees contain updates to better

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<sup>22</sup> The three religious organizations granted certificates are the United Gospel Outreach Church of Viet Nam, the Viet Nam Full Gospel Church, the Church of Jesus Christ of Latter-day Saint of Viet Nam; while the Assemblies of God in Viet Nam is recognized as religious legal entity.

<sup>23</sup> There are 67 registered places of religious activities for foreign nationals legally residing in Viet Nam.

<sup>24</sup> Required active time for recognition for a religious organization is reduced from 23 years to 5 years. Currently, 43 administrative procedures relating to belief and religion at central level can be conducted online. In 2021, there are 93 files submitted following to these procedures having been resolved through e-portal of public services; they can be tracked in the e-portal of the Government's Commission for Religious Affairs.

protect the rights of persons in temporary detention or custody and sentenced persons.<sup>25</sup> Viet Nam only applies the death penalty for the most serious crimes<sup>26</sup> as set out in provisions of the Penal Code, the Criminal Procedure Code and related legal documents. The government is also implementing various measures to improve people's legal accessibility, ensuring due criminal procedures and access to lawyers. International cooperation related to research on the death penalty and the possibility of ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of death penalty have also been effectively conducted with the participation of legal scholars, NGOs, international partners, and with the support from the United Nations Development Programs and relevant stakeholders.

### **Protection of vulnerable groups<sup>27</sup>**

22. Viet Nam takes steps to ensure the effective implementation of National Programs and Strategies which prioritize the protection of vulnerable groups and addresses the needs of women, children, and people with disabilities<sup>28</sup>. Viet Nam is one of the 15 leading countries in the Alliance 8.7, a global partnership which aims at eradicating child labor according to Sustainable development goal 8.7. Viet Nam advances the implementation of Law on Gender Equality, Law on Children, Law on Persons with Disabilities and Law on the Youth while actively studying the possibilities to update and strengthen the legal system in this area.

23. In the context of the complicated development of the Covid-19 pandemic, the Ministry of Health has issued the Provisional Guidelines for the protection and care for pregnant women and newborns to help obstetrics and quarantine facilities provide better care for pregnant women and infants.

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<sup>25</sup> These updates improve the regime of food, clothing and healthcare for inmates, and the care for children under 36-month-old staying in the detention centre with their mothers who are inmates.

<sup>26</sup> Recommendations numbered 98, 99.

<sup>27</sup> Recommendations numbered 57, 286, 283, 287, 91, 92, 95, 224, 232, 260, 262, 264, 265, 114, 136, 97, 100, 103, 121, 201, 249, 240, 250, 101, 105, 258, 263, 266, 267, 259, 268, 269, 271, 275, 273, 274, 225, 227, 270, 276, 93, 94, 257, 284, 223, 218, 219, 220, 221, 222, 226, 228, 253, 279, 280, 281, 282, 277.

<sup>28</sup> National Action Program on Gender Equality for 2016-2020, National Action Program of Vietnamese Elderly in the period of 2012-2020, National Action Program for Children for the 2012-2020 period, Targeted Support Policy for Socio-economic Development in Ethnic Minority and Mountainous Areas in 2017-2020 period, National Target Program on Climate Change and Green Development, Target Program for Sustainable Forestry Development for 2016-2020 period, etc.

Provinces and cities have promptly allocated budgets and mobilized support to provide foods, necessities, medicines and medical equipment to children in difficult situation. They have also mobilized social organizations, businesses and philanthropists to support and care for children orphaned by the pandemic.

Viet Nam has issued a National Program to protect and support children to interact and create in healthy manner in cyber environment for the period 2020-2025, protecting their private information and personal lives, preventing and addressing acts of abuse and exploitation against children in the cyber environment.

24. The Program to support poor households in rural areas continues to be implemented nationwide. As of May 2021, about 117,624 among 236,477 poor households have been provided with loans of around 2,940.6 billion VND (approximately 130.3 million USD) to build houses. Currently, Viet Nam is considering possible adjustments for housing support mechanisms and policies targeting poor households in rural areas, to be in conformity with the poverty criteria for the period 2021-2026. Viet Nam has issued policies to support the construction of safe houses against storms and floods for poor households in 14 provinces and cities in the Central region. As of May 2021, 19,350 among 21,600 (about 89.6%) poor households received financial support to build or repairer storm/flood-proof housing, with a total disbursed capital of 664.4 billion VND (approximately 22.4 million USD).

25. Viet Nam has implemented important projects to strengthen the preservation and promotion of traditional cultural values of ethnic minority communities<sup>29</sup>. Local radio and television stations focus on raising awareness on the safeguarding and promotion of ethnic cultural identities in mountainous and rural areas, including through increasing the number of radio stations and broadcasting time of ethnic multilingual programs, reporting more on ethnic minorities' social activities, their unique cultural features and perseverance of their cultural identities of ethnic minorities, introducing their traditional

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<sup>29</sup> Project on “preservation and promotion of traditional costumes of ethnic minority groups in the current period”; 2021-2030 Art and cultural Program for remote areas, border and islands regions, and minority groups; Project on preservation and promotion of traditional cultural values of ethnic minority groups and tourism development; 2021-2030 Project on preservation, recovery and promotion of folk singing, dances of ethnic minority groups and tourism development

customs. Ethnic minorities in areas with underprivileged conditions are provided with free legal services such as legal counseling, participation assisting in legal proceedings, representation outside the proceedings, free legal education and distribution of legal information materials, especially in form of pamphlets.

26. The right to access transportation of persons with disabilities and the construction of facilities friendly to them continues to be prioritized and implemented according to the 2014 Law on Construction, the 2014 Law on Housing and the 2019 Law on Architecture. Persons with disabilities are facilitated to access policies on health care, education, vocational training and job finding, and to participate in cultural, entertainment activities, sports, tourism and travel. Million of persons with disabilities, children with disabilities are cared for in social facilities. 100% of persons with serious or special disabilities (who have to rely entirely on others person for their personal care) are granted health insurance cards. All clinics prioritize their services for persons with disabilities.

27. Viet Nam keeps advancing measures to prevent and combat human trafficking, and to support the victims to rehabilitate and reintegrate into the community. According to the collected data from 2015 to 2020, authorities have detected nearly 1,300 cases with about 1,700 individuals having involved in trafficking nearly 3,000 victims. The Government's Program on combating and preventing human trafficking in the period of 2016-2020 managed to reduce over 40% human trafficking cases, compared to the previous period. The Ministry of Public Security has issued National Plan to implement the ASEAN Convention against Trafficking in Persons, especially women and children. In addition, Viet Nam has also continued to effectively implement the bilateral Memorandums of Understanding, Agreements and Plans to prevent and combat human trafficking.

Central and local authorities and other relevant stakeholders have actively implemented the Project of "Receiving, verifying, protecting and supporting the returning trafficked victims"; maintaining and improving the operational efficiency of the Child Counseling and Support Line; taking steps to verify,

receive, provide initial support and implement safety protection measures for victims of human trafficking. The Viet Nam Women's Union Central Committee has organized the reception, counseling sessions and provided health care and vocational training for hundreds of women victims at the "Peaceful House" model. Thousands of victims have been supported by the authorities and organizations in localities with allowances, vocational training, jobs, health care, etc. Viet Nam continues to support the victims returning from trafficking during the 2021-2025 period with an orientation to 2030 according to the Prime Minister's Decision No. 193/QD-TTg dated February 9, 2021.

### **Implementation of obligations under international treaties and other international commitments and cooperation agreements in the field of human rights<sup>30</sup>**

28. Viet Nam is a State Party to 7 out of 9 core international human rights treaties. The implementation of the treaties has yielded comprehensive results, including through rigid integration and synchronization with domestic legal system and policies framework.

29. Viet Nam acceded to ILO Convention No. 98 on the application of principles of the right to organize and collective bargaining in 2019 and ILO Convention No. 105 on the abolition of forced labor in 2020. Thus, as of January 1, 2021, Viet Nam has become member of 25 international conventions on labor rights of the ILO, including 07 out of 08 core ILO conventions. In 2019, Viet Nam also adopted the Labor Code (amended) with many new regulations to better ensure workers' rights, in conformity with Viet Nam's international commitments, including ILO and United Nations conventions on human rights to which Viet Nam is a party, as well as the CPTPP and EVFTA. The study on possible accession to ILO Convention No. 87 on Freedom of Association and the protection of the right to organize, according to the roadmap set out in the Prime Minister's Decision No. 121/QD-TTg dated January 24, 2021 approving the CPTPP implementation plan, is ongoing, with submission for ratification procedures scheduled in 2023.

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<sup>30</sup> Recommendations numbered 1, 9, 8, 11, 12, 13, 27, 37, 17, 34, 21, 24, 41, 31, 35, 30, 138, 32, 6, 18, 147, 148, 165, 16, 26, 19, 33, 10, 44, 45, 47, 48, 49, 51, 52, 50, 20, 25, 165.



30. Viet Nam is considering ratification of a number of international conventions on human rights such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CRMW), International Convention for the Protection of All Persons from Enforced Disappearance (CPED), Protocol to the CEDAW, ILO Convention No. 97 on Migration for Work and Convention No. 143 on Labor migration movement, the 1954 Convention relating to the Status of Stateless Persons, the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.

31. Viet Nam has submitted the 5<sup>th</sup> National Report on the implementation of CERD (January 2021) and the Mid-term Reports on the Implementation of the Recommendations of the Committee Against Torture (October 2020) and the Human Rights Committee (March 2021). Viet Nam is now preparing the 9<sup>th</sup> National Report on the implementation of CEDAW.

32. Viet Nam always values dialogues and cooperation with other countries and partners in protecting and promoting human rights. At multilateral fora such as the United Nations General Assembly, the United Nations Human Rights Council and ASEAN, Viet Nam has actively made recognized and appreciated contributions to efforts addressing matters of common interests of the international community, introducing initiatives of cooperation with other countries and related mechanisms. At bilateral level, Viet Nam continues to hold regular human rights dialogues or cooperation exchanges with partners.

33. In 2020, Viet Nam for the first time proposed to the UN General Assembly a draft resolution, which was adopted by consensus, to designate December 27 as the International Day of Epidemic Preparedness. Co-sponsored by 112 countries, the resolution helps raise awareness of the need to be prepared to respond to the epidemic, and demonstrates strong commitment of Viet Nam as a responsible member of the international community in ensuring the protection and promotion of human rights.

34. Viet Nam continues to strengthen engagement and cooperation with the United Nations and its Special Procedures, during regular sessions of the HRC

as well as regularly responding to requests for information from Special Procedures. Viet Nam has invited the Special Rapporteur on the right to development to visit the country since 2019, but the visit is yet to take place due to the Covid-19 pandemic.

35. In 2020, as the ASEAN Chair, Viet Nam assumed the position of Chairman of the ASEAN Intergovernmental Commission on Human Rights (AICHR). During this term, Viet Nam has been focusing on promoting the rights of vulnerable groups in the AICHR program, with special attention to efforts to ensure human rights in the context of the pandemic. Together with other ASEAN Members, Viet Nam has initiated the deployment the ASEAN Fund to respond to the Covid-19 pandemic, the development the 2020 Term of Reference for the ASEAN Regional Reserve of medical supplies for public health, the establishment of the ASEAN Strategic Framework in a public health emergency, etc., with a view to ensuring the rights and health of more than 650 million people in the region.

36. Viet Nam has taken measures to implement the 2018 Law on Amnesty, effective from July 1, 2019, including those to enhance community reintegration and to protect the rights and legitimate interests of those who have completed their prison sentence. In 2023, Viet Nam would tentatively host the 43<sup>rd</sup> Conference of Prison Managers in the Asia-Pacific region, in which there will be best practices workshops on the implementation of the Law on Amnesty and social reintegration.

37. Viet Nam and other countries and partners will continue to exchange, develop, and implement cooperation projects and programs to improve technical capacity in the field of human rights. Throughout this process, the participation of relevant agencies, localities and stakeholders are always guaranteed.

**Strengthen education on human rights<sup>31</sup>:**

38. Viet Nam actively implements the Scheme for Introduction of Human Rights Education into National Educational System. The Scheme sets the goal of delivering human rights education to learners at every establishment at all educational levels by 2025, as well as conducting researches on human rights,

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<sup>31</sup> Recommendations numbered 7, 28, 54, 58, 65, 70, 74, 77, 78, 84, 87, 63, 67, 86, 135, 234.

developing programs and plans to disseminate laws on human rights at research centers and specialized training institutions.

39. Human rights education and the provisions of United Nations Convention on the Rights of the Child (CRC) are now introduced in elementary school textbook lessons. At the same time, the high school subject of Civic Education also includes contents and themes on human rights and right of the child which are integrated in life skills and law moral education. The presentation of human rights knowledge is attached to daily life context, suitable with students' social awareness at their age.

40. For undergraduate and graduate levels, there are faculties or courses having integrated human rights into their curriculum, encouraging their students to study human rights issues. It is particularly notable at universities with law programs such as the Institute of Human Rights of the Ho Chi Minh National Academy of Politics, the Faculty of Law of the Viet Nam National University in Hanoi and Hanoi Law University (with a total of nearly 25,000 students). More human rights education materials for university students in Viet Nam are being produced.

41. In addition, Viet Nam has been conducting human rights knowledge training programs for state and local civil servants, even at grass-root level, to increase their awareness, capacity, and efficiency in protection and promotion of human rights.

### **III. SHORTCOMINGS, FORECASTS AND THE NEED FOR COOPERATION**

42. The Covid-19 pandemic continues to have far-reaching impacts on the people's enjoyment of rights, especially for vulnerable groups. It is estimated that to effectively support people to deal with the impacts of the Covid-19 pandemic, Viet Nam needs to implement a cash assistance program of approximately 5% of quarterly GDP (about 77 trillion VND or 3.3 billion

USD). However, as of this moment, some localities are still unable to duly and fully implement support packages due to lack of funds<sup>32</sup>.

Some achievements made in guaranteeing the rights of the citizens will continue to be affected by the Covid-19 pandemic. An example would be the temporary closure of schools due to Covid-19 and the transition to online learning which have affected roughly 21.2 million children nationally. Children, therefore, will be limited in their access to quality education. These effects are even more profound for the students in remote locations who are not equipped with digital instruments. In addition, for many students, their mental health and well-being will likely worsen due to the long period of time being unable to attend school in person, the pressure created by switching to a different learning format, along with factors such as a shrinking family's economy or the risk from Covid-19 infected or deceased relative. Covid-19 is also one of the major underlying causes of the surge of domestic violence or unemployment that heavily affects women. Therefore, gender mainstreaming is essential in post-pandemic adaptation and recovery programs.

43. Significant disparities in multi-dimensional poverty rates persist among geographical regions or between ethnic minorities and other ethnic groups, and between people with disabilities and non-disabled populations. For example, the Northern Midlands and Mountainous and the Central Highlands areas still have very high poverty rates (over 16% and more than 12% in 2019 respectively), and are also home to a high percentage of ethnic minorities.

44. Climate change, natural disasters, pandemics and other non-traditional security issues, including cyber security, food security, water security, are causing increasingly severe and multi-dimensional impacts on Viet Nam's stable and sustainable development, diverting resources allocated to the protection and promotion of human rights and the implementation of accepted UPR recommendations. Many policies must be realized in projects that lack funding or integrated in projects with multiple goals and inadequate level of investment.

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<sup>32</sup>[https://www.vn.undp.org/content/vietnam/en/home/library/\\_Covid-19-19-socio-economic-impact-on-vulnerable-households-and-ent.html](https://www.vn.undp.org/content/vietnam/en/home/library/_Covid-19-19-socio-economic-impact-on-vulnerable-households-and-ent.html)

45. Viet Nam is still among countries with the greatest level of exposure to malware infection and cyber attacks. In the context of the COVID-19 pandemic, cybercrime, along with the spread of misinformation, has considerably hindered Viet Nam's efforts. Therefore, raising human rights awareness is one of the important guidelines for the Government of Viet Nam in enforcing cyber security legal framework in the coming time.

46. While implementing accepted UPR recommendations, Viet Nam also identified technical difficulties and challenges. These includes the difficulty in assigning governmental agencies with implementing responsibility for a number of recommendations that are of a macro and interdisciplinary nature. There are also shortcomings regarding to organizational structure and quality of officers, especially at the grass-root level, which is at times, far from meeting requirements. The inter-agency coordination in developing legal documents on human rights has not always been prompt and rigorous, prolonging the process and affecting the quality of legal documents. In order to address these issues, Viet Nam would enhance research and promote judicial reform, developing the Strategy to build and strengthen the law-governed socialist State of Viet Nam by 2030, with a vision towards 2045.

47. The disruptions in traditional economic activities caused by the Covid-19 pandemic have created difficulties for Viet Nam's process of economic restructuring. However, this is also an opportunity for Viet Nam to renovate growth models towards more sustainability and resilience, improving productivity, quality, efficiency, and competitiveness. This also facilitates the development of digital economy and digital society, and institutional reform along with infrastructure development. It is equally a chance to improve the quality of human resources in association with promoting innovation, and to apply and advance science and technology. Viet Nam is currently robustly implementing the National Digital Transformation Program, contributing to the development of an e-Government according to the principle of a "tectonic government" which creates favorable conditions for people and businesses to access public services. Transparency is expected to enhanced, according to the principle of "people knowing, people discussing, people undertaking, and people monitoring" the activities of State agencies.

48. Viet Nam will continue to implement the accepted UPR 3<sup>rd</sup> cycle recommendations and prepare the National Report for the UPR 4<sup>th</sup> cycle, expected in 2024. In the coming period, Viet Nam stands ready to share information and experiences to strengthen international cooperation and enhance capacity in this regard.

## Abbreviations

No.	Abb.	Name
1.	ASEAN	Association of Southeast Asian Nations
2.	CAT	The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
3.	CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
4.	CERD	International Convention on the Elimination of All Forms of Racial Discrimination
5.	CPED	International Convention for the Protection of All Persons from Enforced Disappearance
6.	CPTPP	The Comprehensive and Progressive Agreement for Trans-Pacific Partnership
7.	CRC	Convention on the Rights of the Child
8.	CRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
9.	EVFTA	EU–Vietnam Free Trade Agreement
10.	FTA	Free Trade Agreement
11.	GCI	Global Competitiveness Index
12.	GCI	Global Cyber Index
13.	GII	Global Innovation Index
14.	HRC	Human Rights Council
15.	ICCPR	International Covenant on Civil and Political Rights
16.	ILO	International Labor Organization
17.	ITU	International Telecommunication Union
18.	RCEP	Regional Comprehensive Economic Partnership
19.	UPR	Universal Periodical Review

20.	WEF	World Economic Forum
21.	WB	World Bank
22.	WHO	World Health Organization