

PERMANENT MISSION OF THE
SOCIALIST REPUBLIC OF VIET NAM
to the United Nations Office,
the World Trade Organization
and Other International Organizations at Geneva



MISSION PERMANENTE DE LA
REPUBLIQUE SOCIALISTE DU VIET NAM
auprès de l'Office des Nations Unies,
l'Organisation Mondiale du Commerce
et des autres Organisations Internationales à Genève

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Opening Statement
by H.E. Pham Binh Minh, First Vice-Minister of Foreign Affairs
of the Socialist Republic of Viet Nam
at the 12th Session of the Human Rights Council Session
for Consideration of UPR Outcome Report for Viet Nam
Geneve, 24 September 2009

Mr. President,

The Vietnamese delegation is pleased to have another opportunity to discuss the National Report of Viet Nam under the Universal Periodic Review (UPR). We welcome representatives of States, international organizations and non-governmental organizations to today's meeting and look forward to a candid, cooperative, constructive and responsible dialogue, in line with the principles set by the Council.

Mr. President,

Four months ago, my delegation had a productive dialogue in this Council on the promotion and protection of human rights in Viet Nam. We thank delegations for commending Viet Nam's seriousness in its UPR preparation, the quality and comprehensiveness of its report and the broad consultations conducted with all parts of the society. States also recognized Viet Nam's achievements in national construction and development which have helped better ensure the human rights of all Vietnamese. As noted, these achievements are attributable to the comprehensive reforms implemented in the past over twenty years which have brought about significant improvements in all aspects. They also are results of Viet Nam's consistent policy to respect, protect and promote human rights, with the understanding that human rights are common values of mankind forged through the long struggles by all nations, including our own.

Apart from these accomplishments, the two-year long UPR process, including the dialogue at this Council, has helped us understand more fully the challenges in protecting and promoting human rights, identify things to be done, and share with and learn from valuable experiences of our international friends. This lays excellent foundation for us to do more to better protect and promote human rights in Viet Nam.

Mr. President,

At the May Working Group session, the Vietnamese delegation expressed agreement with most of the views expressed and recommendations made by states in all areas. These are also what we are implementing and trying to achieve. Shortly after the session, an inter-agency working group was formed to prepare a comprehensive report to the Government with proposals on follow-up steps as well as ways to implement the recommendations that we have

supported. We also held briefings for people organizations, government agencies, as well as for representatives of diplomatic missions, international organizations and international NGOs on the outcomes of our UPR presentation.

In the last four months since the Working Group session, Viet Nam has been sharing our development experiences with several countries. Viet Nam ratified the Convention against Corruption in July and has withdrawn its reservations to the optional protocols of the Convention on the Rights of the Child. Consideration for ratification of the Convention on People with Disabilities has been included in the 2010 work programme of the National Assembly. For other recommendations, Viet Nam will continue to fully implement them and we will share with you the results in the next review cycle.

I would also like to inform you that Viet Nam will consider favourably the recommendations made by Malaysia and Belarus on accession to the ILO Convention on Forced Labour and continuing to consider accession to other appropriate ILO conventions. As for Convention 169, because Viet Nam does not have indigenous people as defined in the Convention, we do not find it indispensable at this stage to accede to this convention.

Mr. President,

In the spirit of dialogue and cooperation, we have prepared an addendum to provide additional information and clarify Viet Nam's position on recommendations made at the May meeting. We have also responded in writing to 13 countries' specific questions and requests for information and hope that you find them helpful. At today's meeting, we wish to discuss further some of the views and recommendations of some states, some of which do not accurately reflect the situation in Viet Nam.

First, freedom of press and freedom of expression are provided for in Viet Nam's Constitution and laws, in accordance with international law and practice. Viet Nam's Press Law and a law on access to information soon to be adopted provide for the protection of freedom of press and expression. In practice, the press plays the crucial role in reflecting the views of the people and in monitoring the implementation of the State's laws and policies. It is the press that has helped uncover many cases of corruption and wrongdoings. And obviously, as in any other country, those working in the press are protected by law and are accountable before the law for their actions. This is normal practice that can be seen in many countries.

Secondly, Viet Nam pays due attention to the development of human rights institutions, including a national human rights committee. Viet Nam has a diversified system of institutions to protect and promote human rights. For vulnerable groups, Viet Nam has a number of national committees, including the Committee for the Advancement of Women, Committee for Ethnic Affairs, Committee for the Care and Protection of Children and committee for people with disabilities. The efficiency and effectiveness of this system has been proven in practice. At the same time, we believe the particularities of each nation is decisive in the development of human rights institutions. This helps foster diversity, an essential value of the world we live in.

Thirdly, Viet Nam always wishes and stands ready to cooperate with special procedures. Viet Nam has received many and recently extended invitations to five special procedures to visit Viet Nam in the coming years. We are discussing with the Independent Expert on Human Rights and Extreme Poverty the timing for a visit and are looking positively at the timing for a visit by the Independent Expert on Minority Issues. You can rest assured that the same cooperation will continue to be extended to the special procedures.

Fourthly, with a policy of humanity and leniency and in accordance with international law, Viet Nam has progressively reduced the number of offenses punishable by death. Most recently, the Criminal Code was amended in July to cut further eight offenses, bringing the total number of offenses subject to capital punishment down to 21. Moreover, every effort is made to ensure that justice is done to all offenders. Information on court decisions and executions is published in the mass media. However, under our current circumstances Viet Nam is not in a position to abolish or place a moratorium on the use of death penalty.

Lastly, with regards to accession to human rights treaties, in line with its consistent policy, Viet Nam is studying and positively considering accession to the Convention against Torture and other ILO conventions as well as ratification of the Convention on People with Disabilities. Viet Nam is conducting necessary studies on possible accession to the Rome Statute on the International Criminal Court and other international treaties.

Mr. President,

Human rights are both of universal and particular nature. This has been affirmed in core human rights treaties and in the 1993 Vienna Declaration and Programme of Action. Viet Nam also shares the view of 117 other members of the Non-Aligned Movement that human rights must be addressed in a fair, impartial, constructive and non-selective manner through dialogues. We are also of the view that the Council and its UPR process needs to continue to operate in accordance with the set principles of dialogue, cooperation and non-politicization of human rights issues.

Along that line, the Vietnamese delegation looks forward to an open and constructive dialogue with other states and partners bearing in mind that the ultimate goal is to strengthen international cooperation in the field of human rights to better ensure these rights in Viet Nam and the world.

I thank you, Mr. President./.