

## **Vietnam – a country fighting for decades to uphold human dignity and rights**

Over decades, the Vietnamese people – men and women, young and old, farmers and industrial workers, students and non-students, all sections of the population and ethnic groups, priests and religious practitioners belonging to different religion achieved independence and liberty, through bloody and costly struggles, to uphold respect, great values of human rights, right of national self-determination, right to determine its own destiny, right to live in dignity – which form the core of human rights.

### **A. Strengthening the legal system and policies on human rights**

In continuation of their solemn commitment to the rights and privileges of their people, the Socialist Republic of Viet Nam ensured in the 1992 Constitution (amended in 2001) people's equal rights in all political, economic, social areas as well as before the law; the right to freedom of religion and belief; the right to freedom of movement and residence within Viet Nam; the right to complain and denounce; right to work, study and enjoy health care... regardless of their sex, social status, belief, religion. Legal instruments in the form of policies, Laws and ordinances have been established to improve the legal system on human rights, civil rights harmoniously to implement through programs.

Since 2009, the National Assembly has enforced and amended many laws with a view to creating strong legal foundation to protect and enforce human rights. Such laws include - Law on State Compensation Liability (2009), Law on the Elderly (2010), Law on the Disabilities (2010), Law on Adoption (2010), Law on Complaints (2011), Law on Denouncement (2011), Law on Human Trafficking Prevention and Combat (2011), Law on Trade Union (2012), Law on Handling of Administrative Violations (2012), Law on Legal Information Dissemination and Education (2012). Several other laws were also amended by the National Assembly such as: Amended Law on Elections to the National Assembly and Amended Law on Elections to the People's Council (2010); Amended Labour Code (2012), Amended and supplemented Law on Lawyers (2012), Amended Law on Publication (2012).

Vietnam has concentrated to consolidate and improve the socio-economic development to improve people's lives - which go harmoniously with the introduction of legal instruments as Law on People's health protection (1989), 1994 Labour Code (amended in 2002 and 2006), 1998 Law on Education (amended in 2005), 2003 Law on

Land, 2006 Law on Social Insurance, 2006 Law on HIV/AIDS prevention and control, etc, have created a transparent and sufficient legal corridor in realising and exercise economic, cultural and social rights of the people.

The law and policies of Viet Nam consistently follow the principles of equality, unity, respect and mutual support for shared progress among ethnicities.

## **B. Institutional Arrangements**

Along with establishing legal frameworks, the Vietnamese Government has taken measures to promote the capacity of governmental agencies to properly enforce law and ensure people's rights and privileges. Viet Nam Government constantly promotes the supervising mechanism among governmental agencies.

The State of Viet Nam attaches importance to the guarantee of the right to State and society management directly and indirectly through the selection of their representatives. Viet Nam's very high election turn out at the elections for the XIII National Assembly in May 2011 shows that the people are very well aware of their right and the role of the National Assembly in exercising the right to state and society management of the people. **The judicial monitoring role** of the National Assembly has also been more effective with passage of time.

The right to petition and complain of the people is respected and protected. The handling of people's petitions and complaints has improved a great deal. From 2008 to 2011, the ratio of responses to petitions and complaints by administrative agencies reached 84%. The law also provides for the compensation of material and mental losses of petitioners.

**The right to assembly** of the people is protected through important legal document and sub-law documents, including Article 69 of the 1992 Constitution and Decree 88/2003/ND-CP on 30 of July 2003 of the Government on the organization, operation and management of associations. In Viet Nam, there are now about 450 associations operating nation-wide, provinces and cities (there were only 115 in 1990); there are 18 trade unions and 6000 local-level organizations and thousands of associations and clubs in all areas of the society.

**Viet Nam is a multi-religion country** with all the major religions in the world (Buddhism, Catholic, Protestant, Muslim...); the country has the second biggest Catholic community in Southeast-Asia. The right to religion and belief of the people is stipulated in the legal system of Viet Nam: the 1992 Constitution (Article 70); the Civil Code (Article 47), the Criminal Code of 1999 (Article 129); the Ordinance on Religion and Belief of 2004; Decree 22/2005/ND-CP on 01 March 2005 guiding the implementation of some of the Articles of the Ordinance on Religion and Belief. 95% of

all the people have belief (including 22.3 million being followers of religions, accounting for 1/5 of the population); there are 25 thousand of worshipping places. Viet Nam has had many religious activities. The 2011 Holy Year of the Catholic Church was a great success. Religious representatives have participated in international forums, dialogue and exchanges of studies and knowledge.

Vietnam is a unified nation comprising of 54 ethnic groups living side by side with each other, of which the Kinh group accounts for the majority (85.7%). The remaining 53 ethnic groups amount to over 12,000 million, accounting for 14.3% of the total population. Vietnamese is chosen as the common language of the whole population, along with languages of 30 other ethnic groups. Ethnic minorities are distributed on  $\frac{3}{4}$  of the country's territory, sharing the same area with others without ethnic-specific areas.

**The right to freedom of press and information** of the Vietnamese people has been reflected through the fast and diverse development of the mass media. By 2012, there are about 786 print newspapers (compared to 676 in 2009), 1016 publications (compared to 1003 in 2011), 18,000 registered journalists, 68 radio and television stations at the national and provincial level, 01 national news agency, 300 e-news papers and thousands of e-portals on the internet. The number of registered social networks was 227. The Vietnamese people have access to 75 international television channels, including big names such as CNN, BBC, Bloomberg, Australia Network and those from France, Germany, Italia, Korea and China...All the big news agencies and renowned newspapers are accessible to Vietnamese readers via the internet, including Reuters, BBC, VOA, AP, AFP, CNN, Kyodo, Economist and Financial Times...Newspapers have become the forum for many social organizations and people and an important instrument to protect the rights of people and freedoms of the citizens, given their role in contributing to and monitoring policies and the implementation of State's laws, especially those related to human rights.

**The democratic nature and transparency** of the State is strengthened through the critiques from the press, media and feedbacks of all the people. Viet Nam's press and media have become a forum for exchanges regarding the supervision of the State's activities, thus contributing greatly to the fight against corruption and wrongdoings in Viet Nam. The Viet Nam Fatherland Front is the Union for all segments of society and plays a big role in monitoring activities of the State and elected representatives. The Fatherland Front is also involved in critiquing policies and documents issued by the State before approval. The people are also involved directly in decision-making through elections, self-nomination, questioning, petitions and complaints, etc.

The State of Viet Nam also encourages the use internet for the economic, social and cultural development, administrative reforms, and improvement of the quality of life. There are 31 million internet users worldwide (compared to 26 million in 2010),

2.5 million people using blogs. According to the 2011 report by ITU, Viet Nam ranks third in terms of ICT development for the period 2008-2010 and ranks first in terms of Access. The ITU report also praised the Government's role in this achievement.

### **C. Economic, Social and Cultural Rights**

After liberation, Vietnam has scored significant achievements in socio-economic development. Average annual economic growth rate in the last 5 years reach 7%. Total social investment capital made a double and a half upscale in comparison with the previous period of 2001 – 2005, making 42.9% of the GDP. GDP of 2010 was 201.6 billion USD, which is 3.26 times larger than it has been in 2000. GDP per capita reached 1,168 USD. GDP of 2011 increased at 5.89% against 2010. Almost every industry in the economy has made considerable progress. Stable development in agriculture, in particular food production, has ensured national food security. Rural economy and farmers' living standard improved.

Vietnamese Government is conducting its Socio-Economic Development Strategy for 2011-2020, focusing on sustainable development, significant progresses in poverty alleviation, reform of education and training, establishment of an advanced culture rich in features of national identity, protection of and care for people's health, job creation and unemployment reduction, development of social security system, and establishment of sustainable social structure.

Comprehensive and sustainable alleviation of poverty has always been identified as key goal throughout the process of socio-economic development in Viet Nam. After 25 year of "Doi moi", the rate of households under national poverty threshold, which was 60% in 1990, has been reduced to 9.5% in 2011.

In Viet Nam, the State sees investment for education and training as development investment. Education budget increases annually, currently making 20% total public expenditure. Networks of school evenly and widely spread throughout the country. Education quality has also been raised.

Viet Nam consistently makes efforts to facilitate every people in enjoying their rights to health, with priority given to women, children and people of ethnic minorities. Strategic programmes and policies such as vaccination for children, medical insurance support, free examination and treatment for the poor and children under 6, prevention of and cure for tuberculosis or HIV/AIDS, etc., have brought about positive results. Mortality rate among children under 5 decreases from 5.8% in 1990 to 2.4% in 2011,

and that among children under 1 falls from 3.1% in 2001 to 1.55% in 2011; undernourishment rate among children is only 18.9% in 2009. Medical stations have been built in almost every underprivileged commune with inhabitants of ethnic minority while community medical services function in the majority of villages and hamlets, contributing to the prevention of dangerous diseases and improvement of people's health and living standards.

Investment is made for infrastructure development in particularly underprivileged areas. Motorways accessing commune's central have been built in 96% of particularly underprivileged communes while electricity grid is spread to 100% of districts and 95% of communes. 100% of these communes have elementary schools and kindergartens; 100% of districts of this kind have secondary schools and medical centres with doctors and other medical personnel.

Viet Nam is robustly implementing the National Target Programme on Job Creation in the period 2006 – 2010, focusing on loans delivery to create jobs through National Fund for Employment and Supporting Projects.

Housing development policies and programmes have been designed for people with low income, especially for those working in industrial zones, students, the poor in rural or urban areas, etc. An Amended Law on Housing is being studied and drafted, aiming at adoption in 2014. This law will focus on policies that provide assistance for poor people (in both rural and urban areas), people with low income and other beneficiaries of priority such as workers at industrial zones, students, training centres.

Ethnic minorities are encouraged to participate in the political system, social administration and public management. The ratio of ethnic minority deputies in the National Assembly is always higher than the rate of ethnic minorities in the whole population. There has been important development in the field of education in ethnic minority areas. Preservation of languages and writings for the ethnic minorities is a priority in the education policy of Vietnam. Vietnam is piloting the implementation of bilingual education on the basis of mother tongues. The State also pays attention to improving health policy for areas of ethnic minorities. The traditional culture of the ethnic minorities are protected and developed. Many ethnic minority cultural heritages are recognised as national cultural heritages, for example "Lung Tung Festival" of the Tay. UNESCO has also recognized some of the ethnic minority cultural heritages as the

world's cultural heritage, for instance "Cultural space of gong in the Central Highlands", "Holy land of My Son" ...

#### **D. International cooperation on the field of human rights**

Viet Nam is party of almost all core international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); International Convention on the Elimination of Racial Discrimination (CERD); Convention on the Elimination of Discrimination against Women (CEDAW). Viet Nam is the second country in the world and the first in Asia to sign the Convention on the Rights of the Child. It is noteworthy that Viet Nam decided to join the two core covenants in the context of socio-economic difficulties in the early 1980s. The participation to these covenants could create more burdens for Viet Nam due to its socio-economic weakness, but also is the manifestation of the aspiration and determination of Viet Nam in the protection and promotion of the human rights.

Viet Nam also fulfilled all obligations under international treaties to which Viet Nam is a party and participated actively in many United Nations human rights mechanisms. Viet Nam has submitted its periodic reports to all human rights treaty bodies. These huge works done by Viet Nam are manifestations of the Government's strong commitment and seriousness in respecting its international obligations in the human rights field, which are recognized and highly appreciated by all treaty bodies members and the international community.

Moreover, in considering the possibility of the accession to the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention relating to the Status of Refugees, the Government of Viet Nam is going to review the national legal system, to implement a number of specific policies and to accelerate international cooperation in order to assure the rights of related groups, including the cooperation with the United Nations High Commissioner on Refugees and related countries to deal with refugees' issues, signing the Memorandum of Understanding (MOU) with countries receiving Vietnamese labours and monitoring its implementation, the active participation to the ASEAN Forum on Migrant Workers, promoting the labour market information in order to protect the migrant workers.

At the regional level, Viet Nam and other ASEAN member established the ASEAN Intergovernmental Committee on Human Rights (AICHR), the ASEAN Committee on the Protection and Promotion of the Rights of Women and Children

(ACWC). Viet Nam also worked as Chair of ACWC on 2010. Right after its establishment, AICHR has negotiated the ASEAN Declaration on Human Rights which was submitted to and adopted by the 21th ASEAN Summit on November 2012. Viet Nam actively participates to the Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT), strictly coordinates with UN agencies such as UNICEF, UNODC, IOM, UNIAP, WV and signs bilateral agreements with Laos, Cambodia, China, Malaysia... in order to strengthen the effectiveness of activities combating human trafficking in the region.

To implement the accepted UPR recommendations, from July 2010 to November 2011, Viet Nam invited 4 special procedures of the Human Rights Council (on minority issues, extreme poverty and human rights, effect of foreign debt on the enjoyment of human rights, and the right to enjoy the highest attainable standards of physical and mental healthcare). It is reported that the results of these country visits have reached the both sides' requirements.

Viet Nam has established dialogue mechanisms with a number of countries and partners, namely the United States, the European Union, Australia, Norway and Switzerland. These annual bilateral dialogues give many positive results, helping Viet Nam to strengthen her relationship with the partners and receive international assistance for the implementation of all human rights policies.

Form the above it will be revealed that Vietnam is marching ahead consistently and speedily to establish and promote food security, clothing, housing, health, education, culture, speak, assembly – which are the basic human rights - to her people.

The people of Bangladesh has high regard for the valiant people of Vietnam. Vietnam has good friendly economic and cultural relation with Bangladesh which are thriving with the passage of time.