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**UN Human Rights Council
Twenty-sixth session, 10-27 June 2014**

**Item 6:
Consideration of UPR reports**

VIET NAM

Mr. President,

Amnesty International welcomes the early release of several prisoners of conscience in April 2014. However, the continued detention of scores of other men and women – including bloggers, political and religious activists, land and labour rights activists, human rights and social justice advocates – solely for peacefully exercising their right to freedom of expression, is deeply disappointing.

Some of those detained are in very poor health, in some cases exacerbated by harsh prison conditions and other ill-treatment. We were particularly saddened to hear of the death of prisoner of conscience Dinh Dang Dinh in April 2014, shortly after his release. He had been diagnosed with stomach cancer while in prison, but did not receive the treatment he needed, despite repeated appeals from his family, friends and the diplomatic community. We urge Viet Nam to immediately and unconditionally release all prisoners of conscience, including those whose detention was deemed arbitrary by the Working Group on Arbitrary Detention and as recommended during the UPR.¹

Amnesty International disagrees with Viet Nam's contention that restrictions on the exercise of freedoms of expression and opinion, and legal provisions on national security and public order are in conformity with the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights.² Those imprisoned after unfair trials and others in pre-trial detention for peacefully exercising their right to freedom of expression and opinion have been charged under vaguely

¹ A/HRC/WG.6/18/L.14, paras: 143.115 (Switzerland); 143.116 (New Zealand); 143.117 (Germany); 143.118 (USA).

² A/HRC/WG.6/18/L.14, paras 63 and 64.

worded provisions in the national security section of the 1999 Penal Code, or under Article 258. Amnesty International considers that these provisions are used to criminalize peaceful dissenting views and activities and urges Viet Nam to revise or repeal in particular Articles 79, 88 and 258 of the Penal Code to ensure that they comply with its obligations under the ICCPR, and are not used arbitrarily to stifle peaceful expression of views, as recommended by a number of states.³

Amnesty International notes Viet Nam's stated intention to reduce the number of crimes punishable by the death penalty (currently 22) as part of its review of the Penal Code and other laws.⁴ With more than 700 people reportedly on death row, we urge Viet Nam to introduce a moratorium on executions as a step towards abolition, in line with the global trend, and as recommended by 18 states during this review.⁵

Finally, Amnesty International welcomed the opportunity to visit Viet Nam in February 2014, and encourages further engagement by the Vietnamese authorities on human rights concerns.

Thank you, Mr. President,

³ A/HRC/WG.6/18/L.14, paras 143.152 (France); 143.156 (Australia); 143.157 (Canada).

⁴ A/HRC/WG.6/18/L.14, para 59.

⁵ A/HRC/WG.6/18/L.14, paras: 143.92 (Switzerland); 143.94 (Italy); 143.97 (Ecuador); 143.98 (Slovenia); 143.99 (Namibia); 143.100 (Brazil); 143.101 (Portugal); 143.102 (Czech Republic); 143.103 (Australia); 143.104 (Estonia); 143.105 (Lithuania); 143.106 (France); 143.107 (Montenegro); 143.108 (Belgium); 143.109 (Togo); 143.110 (Austria); 143.111 (Spain); 143.112 (Sweden).