

# FACTS & RECOMMENDATIONS for the 3rd UPR of Vietnam



Rights of Children



Youth and their exercise of  
Human Rights.



National Human Rights  
Institutions



**& PARTNERS**

**26.000.000**  
**children**  
(<16 years old,  
30% population)  
**of Vietnam**

- **01 in 05 children experience at least two deprivations** in Education, Health, Nutrition, Shelter, Water and Sanitation, or Social Inclusion (General Statistics Office, Viet Nam Household Living Standard Survey (VHLSS) 2014, 2015)
- **1.75 million child labour:** 1.7mil. in the informal sector (MOLISA – ILO, 2018);
- **Discrimination:** by disabilities, health/HIV status, gender identity and sexual orientation; origin & descent; ethnic, etc. **01 among 10 children with disabilities** get to highschool (UNICEF, 2018); **13.7%** enrollment for **ethnic minorities** comparing to 65% in the majorities (UNDP, 2015)
- **4.000 -5,300 cases of sexual abuses** reported in 2014 – 2016, **80%** victims were **girls** from 13-16 (Vietnam Women's Union, 2017; MOLISA 2018);
- **7 in 10 children** age 1-14 experience violent punishment at HOME (UNICEF, 2018)
- **2 out of 3 children** who are brought to **CRIMINAL COURTS** were sentenced to **termed IMPRISONMENT, before 2016** (Supreme Court & UNICEF, 2012)

# Child rights institutional setting

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Reforms in the revision of Children Law 2016: establishment of the Juvenile Court, the National Committee on Children, more rights-based approach in children policies.

## Major Gaps

- Legal age of the child: 16 (not 18), left children of 16-18 unprotected.
- No Independent Child Rights Monitoring Mechanism
- Lack of CSOs defending child rights

## Recommendations on child rights

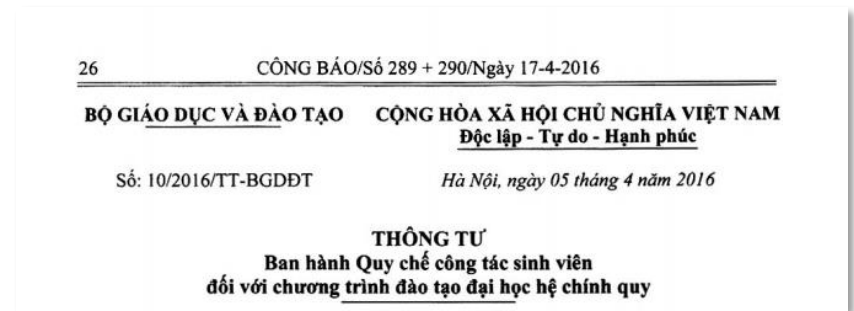
1. Implement repeated recommendation by CRC to establish an Independent Child Rights Monitoring Mechanism;
2. Create an enabling political and legal framework for the establishment and operation of civil society organizations defending child rights, including their fundraising and social mobilization activities.
3. Take stronger steps for the best interest of the child and the implementation of child rights in the realization of SDGs in Vietnam.

# Youth exercises of human rights

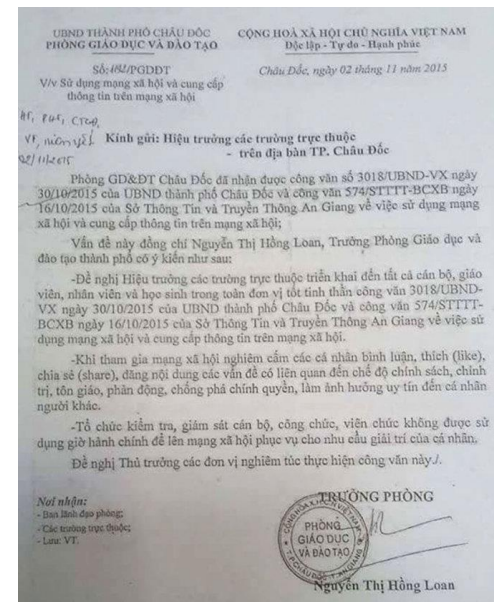
- More restrictions of freedom of expression, freedom of association and peaceful assembly by public educational institutions

- Lack of human rights education
- Lack of remedies to defend rights

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*Circular 10/2016/TT BGDĐT by MoET with several restrictions*



# Youth exercises of human rights

- Lack of access to associations of their choice
- Discriminated treatments of youth associations

National Budget financed the Ho Chi Minh Communist Youth Union about US\$14 million/year (only at the national level ) (VERP, 2016).

- ❖ A pilot project introduce human rights in the national school system (Dec.1309/2017/QD-Ttg)
- ❖ Human Rights were introduced as a subject at Law schools or International Studies
- ❖ Civil society initiatives on human rights education (SUV, RoomXX etc)

Chương XII  
TÀI CHÍNH

Điều 1:  
Tài chính của Đoàn bao gồm ngân sách cấp, đoàn phí và các hình thức hợp pháp khác. Việc quản lý, sử dụng tài chính của Đoàn phải tuân thủ theo nguyên tắc quản lý tài chính của Nhà nước.

Điều 41:  
Việc thu nộp Đoàn phí do Ban Thường vụ Trung ương Đoàn quy định. Các cấp bộ Đoàn có trách nhiệm trích nộp Đoàn phí lên Đoàn cấp trên.



# Recommendations on Youth & HR

- 1. Revise the legal framework to ensure the exercise of fundamental freedoms and rights of students and young people as provided by the Constitution 2013 and international standards:** in particular: amend those incompatible provisions in the Penal Code 2015, the Youth Law 2005, the Law on Cyber Security 2018, Decree 174/2013, Circular 10/2016/TT-BGDDT, Circular 17/2017/TT-BLDTBXH and other documents.
- 2. Adopt and implement the World Program on Human Rights Education;** take further steps to introduce human rights into national education system, including human rights education for professional training.
- 3. Encourage and provide an enabling environment for human rights education in the non-formal education,** especially for initiatives by youth-led organisations and social organisations



# National Human Rights Institutions



Take immediate action to implement its commitment to establish an independent NHRI.



Review and improve functions, practices and effectiveness of existing bodies in charge of human rights toward specialized and effective institutions in human rights protection and promotion.



Introduce a comprehensive National Action Plan on Human Rights to implement recommendations from UPR, treaty bodies and Special Procedures and other national commitments.





**Human Rights Space** is a civil society platform working on human rights protection and promotion in Vietnam founded in 2016. HRS focuses on business and human rights, human rights education, and monitoring & reporting.  
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**GPAR**

The Cooperation Group for Governance and Public Administration Reform was established in 2011 by 21 organizations and individuals.

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**THANK YOU!**