

VIET NAM: PURSUIT OF CIVIL SPACE

AMNESTY INTERNATIONAL: SUBMISSION TO THE 46TH SESSION OF THE UPR WORKING GROUP, 29 APRIL – 10 MAY 2024

SUMMARY

This submission was prepared for the Universal Periodic Review (UPR) of Viet Nam scheduled for 30 April 2024. In it, Amnesty International evaluates the implementation of recommendations made to Viet Nam in its previous UPR, including in relation to the right to freedom of expression and human rights defenders, fair trials and the death penalty.

It also assesses the national human rights framework with regard to the rights to freedom of expression, association and peaceful assembly.

Amnesty International also raises concerns about unfair trials and the continued imprisonment of human rights defenders, journalists and activists; torture and other ill-treatment in detention; incommunicado detention and solitary confinement; and denial of medical treatment in detention.

It ends with a set of recommendations to Viet Nam which, if implemented, would contribute to improving the human rights situation.

FOLLOW UP TO THE PREVIOUS REVIEW

FREEDOM OF EXPRESSION AND HUMAN RIGHTS DEFENDERS

1. Viet Nam accepted 13 recommendations on the right to freedom of expression, including ensuring that national legislation is in line with international human rights standards, allowing bloggers and journalists unrestricted access to the internet, and creating a favourable environment for human rights defenders and other civil society actors.¹
2. Since the last review, the crackdown on the right to freedom of expression and any criticism of the government has intensified. Since announcing its candidacy for the Human Rights Council on 22 February 2021, Viet Nam has arrested, detained or sentenced at least 48 journalists, activists and NGO leaders for bogus charges ranging from 'abusing democratic freedoms' to 'propaganda against the State' to 'tax evasion', under Articles 311, 117 and 200 of the Criminal Code.²

UNFAIR TRIALS

3. Viet Nam accepted a range of recommendations to guarantee the right to equality before the law and to a fair and public trial that includes access to lawyers. However, trials continue to fall below international standards of fairness, including lack of legal representation and denial of the presumption of innocence.³

PRISONERS

4. Viet Nam noted recommendations to unconditionally release all political prisoners. Since the previous UPR cycle, Viet Nam has not acted on this recommendation and has continued to imprison critics of the government.⁴

THE DEATH PENALTY

5. Viet Nam received 26 recommendations on the death penalty, including reducing the list of crimes punishable by the death penalty, establishing a moratorium on executions, abolishing the death penalty and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the full abolition of the death penalty.⁵ While the range of crimes punishable by death has been reduced, Viet Nam sentenced at least 102 people to death in 2022, primarily for drug-related offenses.⁶

THE NATIONAL HUMAN RIGHTS FRAMEWORK

LACK OF PROTECTION AGAINST TORTURE AND OTHER ILL-TREATMENT

6. The 2013 Constitution guarantees that "everyone shall enjoy inviolability of the individual and the legal protection of his or her life, health, honour and dignity, and is protected against torture, violence, coercion, corporal punishment or any form of treatment harming his or her body and health"⁷. In practice, however, torture and other ill-treatment persist and are alleged to occur in police custody, pre-trial detention and prisons. See below paragraphs 18 and 19 for detailed allegations.

SPECIAL PROCEDURES

7. Viet Nam failed to cooperate with the UN Special Procedures in accepting their visit request for topics on extrajudicial, summary or arbitrary executions, toxics and human rights, sale of children, human rights defenders, slavery and trafficking and Indigenous Peoples.⁸

RESTRICTIVE LAWS

8. The 2019 Cyber Security Law gives authorities broad powers to force technology companies to hand over vast amounts of data and censor internet users' posts. Many of the law's provisions are vaguely worded and allow for broad interpretation by the authorities. For example, provisions in Articles 8 and 15 could lead to people being

arbitrarily charged for the peaceful exercise of their right to freedom of expression on the basis of overly broad and vague offenses, such as “negating the revolution achievement” or giving “misleading information causing confusion among the people”. Amnesty International research from 2020 shows that arrested at least 100 individuals after they used the internet to promote human rights and peacefully express their opinions.⁹

- Articles 117, which criminalizes “making, storing or spreading information, materials or items for the purpose of opposing the State of the Socialist Republic of Viet Nam”, and 331, which creates the offence of “abusing democratic freedoms to infringe the interests of the State”, of the Criminal Code are overly broad and appear to be aimed at silencing those who seek to exercise their human right to freely express their views and share information with others.¹⁰

NATIONAL HUMAN RIGHTS INSTITUTION

- Viet Nam accepted four recommendations to establish a National Human Rights Institution; however, Viet Nam has not established an independent National Human Rights Institution in line with the Paris Principles.¹¹

THE HUMAN RIGHTS SITUATION ON THE GROUND

RESTRICTIONS ON FREEDOM OF EXPRESSION AND ASSOCIATION

- Human rights defenders, activists, journalists, lawyers, religious practitioners and even social media users face arbitrary arrests and detention, unjust prosecutions and other forms of harassment and intimidation.¹²
- The Cyber Security Law and the Draft Decree on the management, provision and use of internet services and online information threaten online space for freedom of expression, association and peaceful assembly. The regulations require cross-border information providers to remove content within 24 hours on social media platforms, deny internet access and provide user’s personal data upon request of the authorities.¹³ An Amnesty International report from 2021 shows censorship of political content requested by the authorities to “big tech” companies Google and Facebook, the government’s online harassment and abuse of activists and spyware attacks.¹⁴
- In October 2023, Amnesty International published evidence on the targeted surveillance operation by a customer of Intellexa’s Predator spyware with connections to Viet Nam. Amnesty International’s findings show how Intellexa alliance’s surveillance products were sold to the Vietnamese Ministry of Public Security suggesting that agents of the Vietnamese authorities, or persons acting on their behalf, may be utilizing the spyware against journalists.¹⁵
- The government has abused powers under tax laws and NGO regulations to arrest and prosecute environment and climate leaders and frustrate NGO activities. Five climate leaders have been arrested in the last two years including environmental lawyer Dang Dinh Bach and Hoang Thi Minh Hong.¹⁶ Decree 58, Decree 80/2020/ND-CP, Decree 56/2020/ND-CP, Decision 8/2020/QD-TTgs, and other decrees restrict both local and foreign NGOs’ operations and funding,¹⁷ preventing local and foreign NGOs from carrying out their work.

UNFAIR TRIALS

- Environmental lawyer Dang Dinh Bach was sentenced to five years for “tax evasion” under Article 200 of the Penal Code on 24 January 2022. UN Human Rights Council Working Group on Arbitrary Detention raised concerns on fair trial procedure for his case.¹⁸ Bach was held incommunicado for the most of his pre-trial detention, not granted adequate access to his lawyer, and not given access to his family before the trial.
- On 21 May 2022, human rights activist Truong Van Dung was arrested under Article 88 of the 1999 Criminal Code on “propaganda against the government” charges. He was sentenced to six years in prison on 28 March 2023, accused of giving interviews to foreign media and possessing copies of two “illegally printed books” authored by imprisoned journalist Pham Doan Trang and formerly imprisoned activist Pham Thanh Nghien. Dung

accused the police of beating him during his detention; these allegations have not been investigated by the authorities.¹⁹

17. Land rights activists Nguyen Thi Tam, Can Thi Theu, Trinh Ba Tu and Trinh Ba Phuong were sentenced to between six and 10 years under Article 117 of the Penal Code for exercising their right to freedom of expression.²⁰ All four were denied reasonable access to family and adequate access to their lawyers in order to prepare their defense during pre-trial detention. Phuong and Tu said they were beaten by police while in detention. These allegations were not investigated by the authorities.

TORTURE AND OTHER ILL-TREATMENT IN DETENTION

18. Solitary confinement is used routinely against political prisoners to exert pressure on them to “confess” to the crimes of which they are charged, to punish them for disputing the charges against them, for refusing to submit to “re-education” or for raising their voices against the appalling conditions inside Viet Nam’s prison system.²¹
19. Numerous reports made by activists to Amnesty International show that imprisoned activists have faced serious ill-treatment in prison in the last three years. For example, Trinh Ba Tu reported being beaten and shackled for 10 days in September 2022²² and Nguyen Van Duc Do reported being tortured by being held in solitary confinement for over 300 days from May 2020 to March 2021.²³ Journalists Le Huu Minh Tuan, Nguyen Tuong Thuy, Pham Chi Dung and activist Tran Bang were reported to have deteriorating health conditions but were denied access to proper medical treatment by authorities.²⁴ At least three prisoners have died in prison from health conditions that Amnesty International believe could have been prevented with access to medical care.²⁵

ENFORCED DISAPPEARANCE

20. Viet Nam failed to ratify and implement the International Convention for the Protection of All Persons from Enforced Disappearance despite accepting two recommendations to ratify this convention in a previous UPR cycle. Viet Nam has been implicated in the enforced disappearances of journalist Truong Duy Nhat²⁶ and Youtuber Duong Van Thai.²⁷ Both disappeared in Thailand in the past four years, resulting in a chilling effect to those critical of the government even when outside of the country.
21. Journalist Truong Duy Nhat fled Viet Nam in early January 2019. He submitted an asylum claim at the Bangkok office of the United Nations High Commissioner for Refugees on 25 January 2019, the day before he disappeared.²⁸ Nhat was arrested by Thai police and returned to Viet Nam, tried and sentenced to 10 years imprisonment on 9 March 2020.²⁹
22. Youtuber Duong Van Thai, who was granted refugee status in Thailand in 2020, went missing in Bangkok on 13 April 2023.³⁰ On 5 July 2023, Vietnamese police announced that Duong Van Thai had been charged with Article 117 of the Penal Code and was under pre-trial detention in Vietnam.³¹ Duong Van Thai went missing in circumstances that suggest Vietnamese state agents may have been involved in capturing him in Bangkok, according to witness testimony and audio recordings on file with Amnesty International.
23. On 8 May 2019, Vietnamese authorities allegedly deported three Thai political activists who were living in Viet Nam in exile – Chucheep Chaivasut, Siam Theerawut and Kritsana Tapthai – back to Thailand.³² The three activists faced charges of lèse-majesté under Article 112 of the Thai Criminal Code.³³ On 11 December 2020, UN experts submitted a letter to the Vietnamese government regarding the case of Siam, raising concerns about “the reported lack of progress in the search and investigation into his disappearance.”³⁴ On 18 March 2021, the Vietnamese government denied that Siam had entered Viet Nam and refused to carry out an investigation due to the lack of sufficient information.³⁵ The whereabouts of the three Thai activists remain unknown.

THE DEATH PENALTY

24. Figures on the use of the death penalty continue to be classified as a state secret. Nguyen Van Chuong, who was convicted of robbery and the murder of a policeman in July 2007 and claimed to have been tortured to extract a

“confession” while in police custody,³⁶ is awaiting execution. On 4 August 2023, Nguyen’s family was requested by the court to make arrangements to receive Nguyen’s remains.³⁷ He has yet to be executed.

25. Prisoner Le Van Manh’s family received a letter on 18 September 2023, informing them that the decision for his execution had been confirmed and asking them to report to the court on 23 September to register arrangements for the funeral.³⁸ Le Van Manh alleged he was tortured while in police custody.³⁹ Cruelly, his family members received the court announcement that Manh’s execution had been carried out on 22 September without the possibility of the last visit for the family being granted.⁴⁰

RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

Amnesty International calls on the government of Socialist Republic of Viet Nam to:

RESTRICTIONS ON THE RIGHT TO FREEDOM OF EXPRESSION

26. Repeal or revise Articles 117, 118 and 331 of the 2015 Criminal Code, which unduly restrict the rights to freedom of expression, association and peaceful assembly, in line with international human rights law.
27. Amend the Cyber Security Law, especially Articles 8, 15, 16, 17 and 26 to comply fully with international human rights law and standards.
28. Repeal or amend Articles 99, 100 and 101 of Decree 15/2020/ND-CP so they align with international human rights law and standards.
29. Repeal or amend Articles 5, 22 and 25 of Decree 72/2013/ND-CP so they align with international human rights law and standards, and refrain from introducing the currently proposed amendment to the Decree, in particular the proposed amendments under Article 23.d.
30. Immediately and unconditionally release those detained or imprisoned solely for peacefully exercising their rights to freedom of expression, association and assembly.
31. Ensure prompt, thorough, impartial, independent, transparent and effective investigations into all reports of human rights violations against human rights defenders and bring to justice, in fair trials, those suspected of criminal responsibility for any related offences.
32. Fully co-operate with the UN human rights mechanisms and issue a standing invitation to enable them to conduct visits in accordance with their respective mandates and ensure they are allowed to meet with HRDs without hindrance.
33. Publicly commit to immediately stopping the use of spyware to unlawfully target human rights defenders, civil society, and journalists within and outside Viet Nam.
34. Implement a human rights regulatory framework that ensures any state surveillance is in line with international human rights standards. Until such a framework is implemented, a moratorium on the purchase, sale, transfer and use of all spyware should be enforced.

UNFAIR TRIALS

35. Ensure that fair trial guarantees, especially rights to access the outside world, family and lawyers, as provided in international law and standards are respected and upheld in all cases.

TORTURE AND OTHER ILL-TREATMENT IN DETENTION AND PRISON

36. Investigate all complaints and reports of torture and other acts of ill-treatment promptly, impartially, independently and effectively, and ensure protection from reprisals for complainants, witnesses and others at risk.
37. Provide reparations to the victims of torture and other ill-treatment and their dependents in accordance with Article 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other international standards.

38. Ensure all prisoners have reasonable access to the outside world, family, lawyers of their choice, adequate medical care, and independent courts during custody, detention and imprisonment and end the practice of incommunicado detention.
39. Ensure the provision of adequate health care to all persons deprived of their liberty, including prompt access to medical attention in urgent cases and access to specialized treatment where necessary.
40. End the practice of prolonged solitary confinement and other forms of ill treatment and ensure that all disciplinary measures conform to international law and standards, including the Nelson Mandela Rules.
41. End the practice of punitive transfers of all detainees and prisoners and ensure that prisoners are allocated, to the extent possible, to prisons close to their homes.

ENFORCED DISAPPEARANCE

42. End enforced disappearances, including the arrests, detention and transfer of foreign nationals to other countries without access to due process to challenge the arrest, detention and transfer.

THE DEATH PENALTY

43. Establish a moratorium on all executions, as a first critical step.
44. Abolish the death penalty for all crimes pending full abolition.
45. Review the cases of all death row prisoners with a view to commuting the death sentences, in particular where the death penalty has been imposed for drug offences or economic crimes or where the trial did not meet the most rigorous international fair trial standards. In cases where the procedures were seriously flawed, as it was for Nguyen Van Chuong and Ho Duy Hai, offer a retrial that fully complies with international fair trial standards, and without resort to the death penalty.
46. Ensure that in proceedings related to offences where the death penalty might be imposed that the most rigorous internationally recognized standards for fair trial are respected, including by providing all those on death row, regardless of means, with adequate and effective legal aid to pursue any appeals against their conviction and death sentence.
47. Regularly publish full and detailed information, if possible disaggregated by nationality and ethnic background, about the use of the death penalty which can contribute to a public debate on the issue. These should include: the number of persons sentenced to death and for what offences; the number of prisoners appealing the sentences and at what level; location of detention; information on past and imminent executions; the total number of persons under sentence of death; the number of death sentences reversed or commuted on appeal; and the number of instances in which clemency has been granted.
48. Ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

ANNEX 1

KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Amnesty International, Vietnam: 10 year death row case pushed for execution: Ho Duy Hai, 14 March 2018, [amnesty.org/en/documents/asa41/8004/2018/en/](https://www.amnesty.org/en/documents/asa41/8004/2018/en/)

Amnesty International, Vietnamese and Thai authorities must come clean about journalist's disappearance, 25 March 2019, [amnesty.or.th/en/latest/news/672/](https://www.amnesty.or.th/en/latest/news/672/)

Amnesty International, "Viet Nam: New research reveals 128 prisoners of conscience", 13 May 2019, [amnesty.org/en/documents/asa41/0303/2019/en/](https://www.amnesty.org/en/documents/asa41/0303/2019/en/)

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Amnesty International, Viet Nam: Prominent human rights defender Nguyen Thuy Hanh arrested and charged, April 8 2021, <https://www.amnesty.org/en/latest/news/2021/04/nguyen-thuy-hanh-arrested-and-charged-2/>

Amnesty International, Viet Nam: Mother and son unjustly convicted in "travesty of justice", 5 May 2021, [amnesty.org/en/latest/news/2021/05/viet-nam-mother-son-unjustly-convicted-2/](https://www.amnesty.org/en/latest/news/2021/05/viet-nam-mother-son-unjustly-convicted-2/)

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Amnesty International, "UN Human Rights Council candidacy demands progress on human rights", 10 October 2022, [amnesty.org/en/documents/asa41/6089/2022/en/](https://www.amnesty.org/en/documents/asa41/6089/2022/en/)

Amnesty International, "Death sentences and executions 2022", 16 May 2023, <https://www.amnesty.org/en/documents/act50/6548/2023/en/>

Amnesty International, Viet Nam: Drop charges and immediately release activist sentenced to six years in prison, 12 July 2023, [amnesty.org/en/latest/news/2023/07/viet-nam-drop-charges-and-immediately-release-activist-sentenced-to-six-years-in-prison/](https://www.amnesty.org/en/latest/news/2023/07/viet-nam-drop-charges-and-immediately-release-activist-sentenced-to-six-years-in-prison/)

Amnesty International, Viet Nam: Man believed to be at imminent risk of execution in case beset by forced confession and torture allegations, 7 August 2023, [amnesty.org/en/latest/news/2023/08/viet-nam-man-believed-to-be-at-imminent-risk-of-execution-in-case-beset-by-forced-confession-and-torture-allegations/](https://www.amnesty.org/en/latest/news/2023/08/viet-nam-man-believed-to-be-at-imminent-risk-of-execution-in-case-beset-by-forced-confession-and-torture-allegations/)

ANNEX 2

MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Theme: A12 Acceptance of international norms</i>			
38.30 Further consider accession to the human rights conventions to which it is not a party (Turkmenistan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A12 Acceptance of international norms Affected persons: - general	Not yet implemented
38.35 Consider acceding to international human rights treaties to which Viet Nam is not yet party (Uzbekistan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A12 Acceptance of international norms Affected persons: - general	Not yet implemented.
38.135 Organize awareness-raising activities in business sectors and among employers on the conventions of ILO and labour commitments in the new generation of trade agreements to which Viet Nam has acceded (Syrian Arab Republic); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A12 Acceptance of international norms A54 Awareness raising and dissemination E32 Right to just and favourable conditions of work Affected persons: - general	Partly implemented.
38.33 Consider ratifying the main international human rights instruments that have not yet been acceded to, among them: the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons against Enforced Disappearance; and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Uruguay); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A12 Acceptance of international norms D32 Enforced disappearances F12 Discrimination against women G4 Migrants Affected persons: - women - migrants - disappeared persons	Not yet implemented
38.26 Consider ratification of the International Convention on the Protection of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Sri Lanka);	Supported	A12 Acceptance of international norms D32 Enforced disappearances G4 Migrants Affected persons: - migrants	Not yet implemented.

Source of position: A/HRC/41/7/Add.1 - Para. 15			
38.45 Continue to improve its legal framework on labour and consider the possibility of ratifying other ILO fundamental conventions (Mauritius); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A12 Acceptance of international norms E32 Right to just and favourable conditions of work Affected persons: - general	Partly implemented.
38.10 Continue efforts to effectively implement the Convention on the Rights of Persons with Disabilities to better guarantee the rights of persons with disabilities (Indonesia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A12 Acceptance of international norms F4 Persons with disabilities Affected persons: - persons with disabilities	Partly implemented.
38.19 Consider the possibility of accession to the International Convention on the Rights of All Migrant Workers and Members of Their Families (Mozambique); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A12 Acceptance of international norms G4 Migrants Affected persons: - migrants	Not yet implemented.
Theme: A22 Cooperation with treaty bodies			
38.24 Continue its commitment to the promotion of genuine dialogue and effective cooperation with all Member States and United Nations human rights mechanisms (South Africa); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A22 Cooperation with treaty bodies Affected persons: - general	Partly implemented.
Theme: A24 Cooperation with special procedures			
38.8 Extend cooperation with United Nations special procedures, and respond positively to pending requests for visits (Germany); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A24 Cooperation with special procedures Affected persons: - general	Partly implemented.
38.12 Step up cooperation with the special procedures of the Human Rights Council by responding positively to the pending visit requests by the special procedure mandate holders (Latvia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A24 Cooperation with special procedures Affected persons: - general	Partly implemented.
38.13 Cooperate with the special procedure mandate holders of the Council and guarantee them unfettered access (Luxembourg); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A24 Cooperation with special procedures Affected persons: - general	Partly implemented.

38.37 Consider extending invitations to the special procedures of the Human Rights Council that cover the protection of the rights of vulnerable groups (Belarus); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A24 Cooperation with special procedures Affected persons: - general	Partly implemented.
Theme: A26 Cooperation with the Universal Periodic Review (UPR)			
38.3 Continue to foster and monitor the implementation of recommendations accepted through the masterplan to implement the recommendations (Dominican Republic); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A26 Cooperation with the Universal Periodic Review (UPR) A27 Follow-up to Universal Periodic Review (UPR) Affected persons: - general	Partly implemented.
Theme: A27 Follow-up to Universal Periodic Review (UPR)			
38.40 Continue efforts to implement the remaining recommendations from the previous cycle (Bhutan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A27 Follow-up to Universal Periodic Review (UPR) Affected persons: - general	Partly implemented.
38.56 Consider putting into place a national mechanism for implementation, reporting and follow-up covering the recommendations of the universal periodic review (Haiti); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A27 Follow-up to Universal Periodic Review (UPR) Affected persons: - general	Partly implemented.
38.22 Transform the masterplan for the implementation of universal periodic review recommendations into a permanent interministerial mechanism responsible for the implementation of, reporting on and follow-up to the recommendations emanating from the international human rights system (Portugal); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A27 Follow-up to Universal Periodic Review (UPR) A44 Structure of the national human rights machinery Affected persons: - general	Not yet implemented.
Theme: A28 Cooperation with other international mechanisms and institutions			
38.41 Bolster efforts towards dialogue and cooperation with the Human Rights Council (Chad); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A28 Cooperation with other international mechanisms and institutions Affected persons: - general	Partly implemented.
Theme: A3 Inter-State cooperation & development assistance			
38.20 Support international cooperation and dialogue and the sharing of experience with other countries	Supported	A3 Inter-State cooperation & development assistance Affected persons: - judges, lawyers and prosecutors	Partly implemented.

concerning reform of the judicial system (Oman); Source of position: A/HRC/41/7/Add.1 - Para. 15			
Theme: A41 Constitutional and legislative framework			
38.36 Fully incorporate in domestic law the provisions of the International Covenant on Economic, Social and Cultural Rights (Zambia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - general	Partly implemented.
38.53 Continue legislative reforms and improvements of the institutional framework in conformity with the commitments and obligations of Viet Nam in the area of human rights (Djibouti); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - general	Partly implemented.
38.62 Continue to promote legal reforms concerning human rights in line with the 2013 Constitution (Nicaragua); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - general	Partly implemented.
38.72 Strengthen the institutional and legal framework for the protection of human rights (Sudan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented.
38.81 Continue to strengthen the legal, institutional and policy frameworks in order to enhance the protection of human rights (Zimbabwe); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - general	Not yet implemented.
38.89 Continue to improve the legal framework and the national labour policy (Chad); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - general	Partly implemented.
38.93 Enact legislation to ensure access to gender affirmation treatment and legal gender recognition (Iceland); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - women	Not yet implemented.
38.162 Continue its efforts in building a rule-of-law State through legal reforms (Azerbaijan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented.

38.165 Share its experiences on the implementation of the law on special reprieve and the reintegration of former convicts into the community (Cuba); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - general	Partly implemented.
38.285 Pursue efforts undertaken to review legislation, particularly with respect to access to transport for persons with disabilities (Saudi Arabia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework Affected persons: - persons with disabilities	Partly implemented.
38.151 Guarantee the People's Procuracy's role in protecting human rights, in accordance with the 2015 Law on Administrative Procedure (Lao People's Democratic Republic); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework A42 Institutions & policies - General Affected persons: - general - judges, lawyers and prosecutors	Partly implemented.
38.152 Revise the judicial system to provide a safer environment for victims of all crimes (Hungary); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework A42 Institutions & policies - General Affected persons: - judges, lawyers and prosecutors	Not yet implemented.
38.156 Pursue judicial and institutional reforms to bring the legal and institutional framework into line with international human rights standards (Senegal); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework A42 Institutions & policies - General Affected persons: - judges, lawyers and prosecutors	Not yet implemented.
38.154 Continue efforts to develop the legal system and set up the relevant policies that guarantee its application to all (Oman); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework A42 Institutions & policies - General B31 Equality & non-discrimination Affected persons: - general - judges, lawyers and prosecutors	Partly implemented.
38.96 Continue to conduct studies with a view to amending existing or introducing new legal instruments to eliminate all forms of discrimination against people living with HIV (Malaysia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework B31 Equality & non-discrimination Affected persons: - vulnerable persons/groups	Partly implemented.
38.109 Develop legislation against discrimination on the grounds of sexual orientation and gender identity (Chile); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework B31 Equality & non-discrimination Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not yet implemented.
38.163 Continue efforts to guarantee the right to equality before the law for all (Plurinational State of Bolivia);	Supported	A41 Constitutional and legislative framework B31 Equality & non-discrimination Affected persons:	Not yet implemented.

Source of position: A/HRC/41/7/Add.1 - Para. 15		- general	
38.153 Set up a robust legislative framework prohibiting and sanctioning all discriminatory practices, enabling victims to have access to justice (Madagascar); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework B51 Right to an effective remedy Affected persons: - general - persons deprived of their liberty	Not yet implemented.
38.225 Ensure all forms of trafficking in persons are criminalized according to international standards, including a legal amendment to define children as persons under 18 (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D27 Prohibition of slavery, trafficking Affected persons: - children	Partly implemented. Viet Nam has not defined children as persons under 18 yet
38.217 Revise the Penal Code and the Criminal Procedure Code and criminalize all forms of violence against women, raise public awareness on gender equality and combating discrimination against women and girls, and enhance efforts and measures to prevent and combat human trafficking, especially of women and children (Hungary); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D27 Prohibition of slavery, trafficking F12 Discrimination against women F13 Violence against women Affected persons: - women - children - girls	Not yet implemented.
38.173 Fully implement the recently enacted law on freedom of religion or belief (Greece); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D42 Freedom of thought, conscience and religion Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
38.182 Continue with measures aimed at fully implementing the recent law on freedom of religion or belief in order to guarantee its effectiveness (Malta); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D42 Freedom of thought, conscience and religion Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
38.174 Consider revising national legislation, including the law on belief and religion and the media laws, in order to harmonize it with international standards regarding the right to freedom of expression and of religion (Brazil); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D42 Freedom of thought, conscience and religion D43 Freedom of opinion and expression Affected persons: - media	Not yet implemented.
38.168 Take steps to guarantee freedom of opinion and freedom of expression, including on the Internet, in the context of the adoption of the law on cybersecurity (France);	Supported	A41 Constitutional and legislative framework D43 Freedom of opinion and expression Affected persons: - general - media	Not yet implemented.

Source of position: A/HRC/41/7/Add.1 - Para. 15			
38.197 Review and amend national legislation in order to enable the effective exercise of the rights to freedom of expression and peaceful assembly in line with the standards enshrined in the International Covenant on Civil and Political Rights (Seychelles); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D44 Right to peaceful assembly Affected persons: - general	Not yet implemented.
38.203 Improve protection of the rights to freedom of peaceful assembly and expression by reviewing existing legislation, and publishing and implementing clear, transparent guidelines on security personnel conduct in managing peaceful demonstrations (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D44 Right to peaceful assembly Affected persons: - law enforcement / police officials	Not yet implemented.
38.200 Adopt legislative changes to guarantee the protection and free exercise of freedom of expression, association and peaceful assembly (Spain); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - media	Not yet implemented.
38.207 Enact laws to provide for freedom of assembly and peaceful demonstration in line with the International Covenant on Civil and Political Rights (Australia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D44 Right to peaceful assembly Affected persons: - general	Not yet implemented.
38.164 Amend the Criminal Procedure Code so that persons are represented by a lawyer immediately following their arrest and to guarantee their right to a fair trial (Canada); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework D51 Administration of justice & fair trial Affected persons: - media	Not yet implemented.
38.234 Strengthen information dissemination and awareness-raising activities for workers on labour legislation and improve occupational safety and health conditions (Myanmar); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework E41 Right to health - General Affected persons: - general	Partly implemented.
38.253 Strengthen actions to reduce illiteracy and dropout among girls belonging to ethnic minorities and	Supported	A41 Constitutional and legislative framework E51 Right to education - General E53 secondary education	Partly implemented.

increase their access to secondary and tertiary education (Mexico); Source of position: A/HRC/41/7/Add.1 - Para. 15		E55 higher education G1 Members of minorities S04 SDG 4 - education Affected persons: - girls	
38.288 Pursue efforts to adopt national legislation to further ensure respect for the rights of migrants and to prepare the ground for the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A41 Constitutional and legislative framework G4 Migrants Affected persons: - migrants	Partly implemented.
Theme: A42 Institutions & policies - General			
38.103 Ensure that its policies are people-centred, especially in terms of supporting vulnerable groups (Zimbabwe); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A42 Institutions & policies - General Affected persons: - vulnerable persons/groups	Partly implemented.
38.59 Pursue efforts to effectively implement institutional, legal and policy reforms aimed at strengthening and promoting human rights (Lebanon); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A42 Institutions & policies - General A43 Human rights policies Affected persons: - general	Partly implemented.
Theme: A43 Human rights policies			
38.61 Continue to create favourable conditions for citizens to contribute to the drafting and development of legal instruments (Mongolia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A43 Human rights policies Affected persons: - general	Not yet implemented.
Theme: A45 National Human Rights Institution (NHRI)			
38.66 Expedite the process of establishing a national human rights institution (Republic of Korea); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A45 National Human Rights Institution (NHRI) Affected persons: - general	Not yet implemented.
38.75 Continue strengthening independent national human rights institutions (Ukraine); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A45 National Human Rights Institution (NHRI) Affected persons: - general	Not yet implemented.
38.79 Accelerate consideration of the establishment of a national human rights institution (Uzbekistan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A45 National Human Rights Institution (NHRI) Affected persons: - general	Not yet implemented.

38.85 Expedite the process of establishing a national human rights institution in compliance with international standards (Bangladesh); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A45 National Human Rights Institution (NHRI) Affected persons: - general	Not yet implemented.
Theme: A46 National Plans of Action on Human Rights (or specific areas)			
38.63 Promote the contribution of public media in raising awareness of human rights and human rights law (Pakistan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A46 National Plans of Action on Human Rights (or specific areas) Affected persons: - media	Not yet implemented.
38.76 Consider consolidating the existing human rights policies through the development of a comprehensive national action plan (Ukraine); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A46 National Plans of Action on Human Rights (or specific areas) Affected persons: - general	Not yet implemented.
38.82 Draft a national human rights action plan to facilitate compliance of the international obligations assumed in this area (Angola); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A46 National Plans of Action on Human Rights (or specific areas) Affected persons: - general	Not yet implemented.
38.69 Allocate sufficient resources and ensure good inter-agency coordination for the effective implementation of the 2016–2020 socioeconomic development plan and the development of a national action plan for “Viet Nam Sustainable Development Goals”, in particular at the provincial level (Singapore); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A46 National Plans of Action on Human Rights (or specific areas) E21 Right to an adequate standard of living - general Affected persons: - general	Partly implemented.
38.262 Adopt a national plan of action to prevent all forms of violence against women and assign sufficient resources for its implementation (Spain); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A46 National Plans of Action on Human Rights (or specific areas) F13 Violence against women Affected persons: - women	Partly implemented. In 13 January 2022, Viet Nam adopted National Plan for preventing domestic violent which is not fully cover all forms of violence against women.
Theme: A47 Good governance			
38.116 Continue to promote administrative reform and prevent and combat corruption (Libya); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A47 Good governance Affected persons: - general	Partly implemented.

38.117 Continue efforts to fight against corruption effectively (Iraq); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A47 Good governance Affected persons: - general	Partly implemented.
Theme: A51 Human rights education - general			
38.86 Continue to carry out awareness-raising programmes on human rights, in particular on the international human rights treaties to which Viet Nam is a party (Belarus); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A51 Human rights education - general A54 Awareness raising and dissemination Affected persons: - judges, lawyers and prosecutors	Partly implemented.
38.54 Strengthen efforts on human rights education in the national education system (Ethiopia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A51 Human rights education - general E51 Right to education - General Affected persons: - general	Partly implemented.
38.58 Continue its initiative to have human rights education operational in all its educational establishments by 2025 (India); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A51 Human rights education - general E51 Right to education - General Affected persons: - general	Partly implemented.
38.65 Continue its implementation of the human rights education and training programme and activities (Philippines); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A51 Human rights education - general E51 Right to education - General Affected persons: - judges, lawyers and prosecutors	Partly implemented.
38.77 Enhance promotion of human rights education (Ukraine); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A51 Human rights education - general E51 Right to education - General Affected persons: - judges, lawyers and prosecutors	Partly implemented.
38.78 Continue efforts aimed at strengthening human rights education (Morocco); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A51 Human rights education - general E51 Right to education - General Affected persons: - judges, lawyers and prosecutors	Partly implemented.
38.84 Continue to strengthen the capacity of law enforcement agencies and human rights education (Bahrain); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A51 Human rights education - general E51 Right to education - General Affected persons: - judges, lawyers and prosecutors	Partly implemented.
38.70 Continue to strengthen human rights education in order to raise public awareness and the capacity of law enforcement agencies (Slovakia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	A51 Human rights education - general E51 Right to education - General A54 Awareness raising and dissemination Affected persons: - general - judges, lawyers and prosecutors - public officials	Partly implemented.
38.87 Intensify efforts to further strengthen human rights education and	Supported	A51 Human rights education - general E51 Right to education - General	

awareness in schools, universities, law enforcement agencies and other places (Bhutan); Source of position: A/HRC/41/7/Add.1 - Para. 15		A54 Awareness raising and dissemination Affected persons: - general	Partly implemented.
Theme: B31 Equality & non-discrimination			
38.95 Strengthen efforts deployed to combat and eliminate discrimination against vulnerable groups (Madagascar); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B31 Equality & non-discrimination Affected persons: - vulnerable persons/groups	Not yet implemented.
38.97 Take further steps to ensure the protection of all vulnerable groups in society including lesbian, gay, bisexual, transgender and intersex persons (Malta); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B31 Equality & non-discrimination Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not yet implemented.
38.201 Enhance activities aimed at encouraging the participation and contribution of the elderly in the community (Sri Lanka); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B31 Equality & non-discrimination Affected persons: - older persons	Not yet implemented.
38.237 Continue its efforts to expand social benefits to all social groups, particularly to farmers (Gabon); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B31 Equality & non-discrimination Affected persons: - general - persons living in rural areas	Partly implemented
38.240 Increase the number of social service workers and service providers to support the elderly (Myanmar); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B31 Equality & non-discrimination Affected persons: - older persons	Partly implemented
Theme: B32 Racial discrimination			
38.25 Consider submitting in due course the national report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (South Africa); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B32 Racial discrimination Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
38.170 Take measures to combat violence and harassment motivated by religious belief, ethnic discrimination and inequality (Brazil); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B32 Racial discrimination D42 Freedom of thought, conscience and religion Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
Theme: B51 Right to an effective remedy			

38.83 Take further measures aimed at ensuring the increased efficiency and accountability of public services (Azerbaijan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B51 Right to an effective remedy Affected persons: - general	Partly implemented.
38.260 Prohibit all forms of violence against women and strengthen women's access to justice (Iceland); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	B51 Right to an effective remedy F13 Violence against women Affected persons: - women	Not yet implemented.
Theme: D1 Civil & political rights - general measures of implementation			
38.192 Continue to strengthen efforts to protect the fundamental freedoms and rights guaranteed under the International Covenant on Civil and Political Rights (Poland); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D1 Civil & political rights - general measures of implementation Affected persons: - general	Not yet implemented.
Theme: D23 Death penalty			
38.146 Restrict the use of the death penalty to crimes that meet the threshold of "most serious crimes" under international law (Belgium); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D23 Death penalty Affected persons: - general - persons deprived of their liberty	Not yet implemented.
Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment			
38.157 Ensure prompt, impartial, independent and effective investigations, including through full cooperation with third countries, into reports of unnecessary or excessive use of force by the police as well as violations of human rights by official authorities, and bring the perpetrators to justice (Slovakia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment Affected persons: - general - law enforcement / police officials	Not yet implemented.
38.148 Take steps to prohibit harassment and torture during the investigation process and detention, and punish perpetrators (Togo); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention Affected persons: - persons deprived of their liberty	Not yet implemented.
38.147 Ensure that evidence obtained through torture is inadmissible in trial in keeping with Viet Nam's obligations under the Convention against Torture (New Zealand); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment D51 Administration of justice & fair trial Affected persons: - general	Not yet implemented.

<i>Theme: D32 Enforced disappearances</i>			
38.16 Consider adhering to the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Rights of All Migrant Workers and Members of Their Families (Mexico); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D32 Enforced disappearances G4 Migrants Affected persons: - migrants	Not yet implemented.
<i>Theme: D42 Freedom of thought, conscience and religion</i>			
38.169 Take steps to preserve and promote vibrant and diverse religions and beliefs in Viet Nam (Lao People's Democratic Republic); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D42 Freedom of thought, conscience and religion Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Partly implemented.
38.178 Continue its efforts to implement policies on promoting harmony among religions (United Arab Emirates); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D42 Freedom of thought, conscience and religion Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Partly implemented.
38.199 Enhance efforts to guarantee freedom of religion or belief, also by further reducing administrative obstacles to peaceful religious activities and by combating violence and discrimination on religious grounds (Italy); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D42 Freedom of thought, conscience and religion Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
38.206 Take the necessary measures to eliminate administrative barriers in order to guarantee the exercise of freedom of worship (Angola); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D42 Freedom of thought, conscience and religion Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
38.210 Safeguard freedom of religion and belief for all in Viet Nam (Kenya); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D42 Freedom of thought, conscience and religion Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
38.277 Protect religious and ethnic minorities, and refrain from imposing legal restrictions on them (Luxembourg); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D42 Freedom of thought, conscience and religion G1 Members of minorities Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
<i>Theme: D43 Freedom of opinion and expression</i>			
38.42 Enhance efforts to comply with the recommendations accepted during the second universal periodic review cycle on	Supported	D43 Freedom of opinion and expression Affected persons: - general - media	Not yet implemented.

guaranteeing the right to freedom of expression (Chile); Source of position: A/HRC/41/7/Add.1 - Para. 15			
38.172 Develop measures to protect reporters and journalists from all forms of discrimination and violence (Greece); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression Affected persons: - media	Not yet implemented.
38.176 Invest resources through national programmes and plans to develop and provide access to the Internet in remote areas (Indonesia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression Affected persons: - general - media	Partly implemented.
38.181 Promote access to information in accordance with Viet Nam's national law (Malaysia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression Affected persons: - general - media	Partly implemented.
38.184 Lift restrictions on freedom of expression, and particularly online freedom, in line with Viet Nam's obligations under international law (Ireland); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression Affected persons: - general - media	Not yet implemented.
38.189 Strengthen efforts to ensure freedom of expression, including in the digital environment (Peru); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression Affected persons: - media	Not yet implemented.
38.195 Ensure freedom of expression, including online, and promote actions to ensure the freedom and independence of the media (Japan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression Affected persons: - media	Not yet implemented.
38.213 Increase and ensure Vietnamese citizens' access to information, including by increasing radio and television coverage in all parts of the country (Cyprus); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression Affected persons: - media	Partly implemented.
38.179 Protect civil and political rights, especially freedom of expression, peaceful assembly and association (Luxembourg); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups - media	Not yet implemented.

38.186 Review regulations impeding the operation of civil society organizations, to enable a more open space and ensure that national security provisions are not used to prevent peaceful debate and dissent (Ireland); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D43 Freedom of opinion and expression D7 Right to participation in public affairs and right to vote Affected persons: - general - human rights defenders	Not yet implemented.
Theme: D45 Freedom of association			
38.215 Create an enabling environment for independent civil society and ensure that the law on association facilitates the registration, work and funding of NGOs free from undue State interference and restrictions (Czechia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D45 Freedom of association Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups - human rights defenders	Not yet implemented.
Theme: D51 Administration of justice & fair trial			
38.60 Expedite the legal reform process and the process to establish the rule of law in order to consolidate the institutional, legal and political framework in line with human rights (Mali); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial Affected persons: - general	Not yet implemented.
38.64 Continue its efforts to ensure the independence of the courts of adjudication (Pakistan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial Affected persons: - judges, lawyers and prosecutors	Not yet implemented.
38.150 Abolish immediately at all levels the practice of outdoor trials to ensure the right to presumption of innocence, effective legal representation and fair trials (Denmark); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial Affected persons: - media	Not yet implemented.
38.155 Continue to strengthen the rule of law, including further development of the criminal justice system taking into account the human rights of suspects and inmates and the promotion of impartial and transparent administration of criminal justice (Japan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented.
38.158 Ensure that fair trial guarantees and due process rights, as provided in international law and standards, are respected and upheld in all cases (Slovakia);	Supported	D51 Administration of justice & fair trial Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented.

Source of position: A/HRC/41/7/Add.1 - Para. 15			
38.159 Continue building the rule of law through pursuing legal reforms in order to consolidate its human rights institutional, legal and policy framework (Slovakia); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented.
38.160 Further enhance the rule of law and legal reform aimed at consolidating the institutional, legal and policy foundation for the protection and promotion of human rights (Turkmenistan); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial Affected persons: - general - judges, lawyers and prosecutors	Not yet implemented.
38.122 Continue efforts to implement Sustainable Development Goal 9 on building resilient infrastructure, promoting inclusive and sustainable industrialization and fostering innovation in order to secure and promote access to and the enjoyment of economic development progress for everyone (Qatar); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial E21 Right to an adequate standard of living - general Affected persons: - general	Partly implemented.
38.124 Strengthen efforts to reduce the adverse environmental effects of industrialization and ensure the right to safe water (Republic of Korea); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial E26 Human Rights & drinking water and sanitation Affected persons: - general	Partly implemented.
38.238 Prioritize investment in enhancing the effectiveness of the treatment of wastewater, domestic waste and industrial waste, thus better protecting the environment (United Arab Emirates); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial E26 Human Rights & drinking water and sanitation S12 SDG 12 - sustainable consumption and production Affected persons: - general	Partly implemented.
38.161 Strengthen measures to provide legal aid to people, in particular the poor and members of ethnic minorities (Yemen); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	D51 Administration of justice & fair trial G1 Members of minorities Affected persons: - general - judges, lawyers and prosecutors	Partly implemented.
Theme: D52 Right to be recognized as a person before the law			
38.100 Support and ensure the rights of vulnerable groups (Sudan);	Supported	D52 Right to be recognized as a person before the law Affected persons:	Partly implemented.

Source of position: A/HRC/41/7/Add.1 - Para. 15		- lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities - vulnerable persons/groups	
Theme: E1 Economic, social & cultural rights - general measures of implementation			
38.128 Continue to set up programmes and national plans aimed at supporting economic and social development, in particular in disadvantaged areas (Morocco); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	E1 Economic, social & cultural rights - general measures of implementation E21 Right to an adequate standard of living - general Affected persons: - general	Partly implemented.
Theme: E33 Trade union rights			
38.236 Allow for the establishment of independent trade unions and recognize the right to organize (Canada); Source of position: A/HRC/41/7/Add.1 - Para. 15	Supported	E33 Trade union rights Affected persons: - general	Not yet implemented.

¹ Report of the Working Group on the Universal Periodic Review, Viet Nam, A/HRC/41/7. Recommendations 38. 42, 167, 168, 171, 174, 179, 184, 189, 194, 197, 195, 200 (Chile, Finland, France, Germany, Brazil, Luxembourg, Ireland, Peru, Portugal, Seychelles, Japan, Spain).

² Amnesty International, Viet Nam: UN Human Rights Council candidacy demands progress on human rights, 10 October 2022, [amnesty.org/en/documents/asa41/6089/2022/en/](https://www.amnesty.org/en/documents/asa41/6089/2022/en/)

³ Amnesty International, Viet Nam: 10 organisations demand the dropping of charges against journalist Nguyen Lan Thang and the guarantee of the right to a fair trial by admitting the press and public to observe the trial, April 11, 2023, <https://www.amnesty.org/en/documents/asa41/6665/2023/en/>

⁴ Amnesty International, Viet Nam: New research reveals 128 prisoners of conscience, 13 May 2019, [amnesty.org/en/documents/asa41/0303/2019/en/](https://www.amnesty.org/en/documents/asa41/0303/2019/en/)

⁵ Report of the Working Group on the Universal Periodic Review, Viet Nam, A/HRC/41/7. Recommendations 38. 5, 140, 141, 142, 143, 144, 146, 290, 291 (El Salvador, Montenegro, Slovenia, Croatia, Finland, Georgia, Iceland, Portugal, Spain, Albania, Australia, Austria, Argentina, France, Luxembourg, New Zealand, Uruguay, Germany, Mexico, Norway, Romania, Italy, Switzerland, Ukraine, Belgium, Australia, Sweden)

⁶ Amnesty International, Death sentences and executions 2022, 16 May 2023, [amnesty.org/en/documents/act50/6548/2023/en/](https://www.amnesty.org/en/documents/act50/6548/2023/en/)

⁷ Viet Nam, the Constitution of the Socialist Republic of Viet Nam (unofficial English translation by International Democracy and Electoral Assistance), constitutionnet.org/files/tranlation_of_vietnams_new_constitution_enuk_2.pdf, Article 20 (as amended on 28 November 2013).

⁸ Office of the High Commissioner for Human Rights, Country visits of Special Procedures of the Human Rights Council since 1998: Viet Nam, spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=VNM&Lang=en (accessed by 2 October 2023)

⁹ Amnesty International, Viet Nam: Let us breathe! Censorship and criminalization of online expression in Viet Nam, 30 November 2020, [amnesty.org/en/documents/asa41/3243/2020/en/](https://www.amnesty.org/en/documents/asa41/3243/2020/en/)

¹⁰ Amnesty International, Viet Nam: UN Human Rights Council candidacy demands progress on human rights (as previously mentioned).

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