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Committee on the Elimination of Racial Discrimination**Eighty-session**

13 February – 9 March 2012

Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination**List of themes to be taken up in connection with the consideration of the tenth to fourteenth periodic reports of Viet Nam (CERD/C/VNM/10-14)**

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the tenth to fourteenth periodic reports of Viet Nam. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

1. Legal and institutional framework, policy and programmes for the implementation of the Convention (arts. 1, 2, 4, 5 and 6)

- a) Definition of racial discrimination in accordance of article 1, paragraph 1 of the Convention (CERD/C/VNM/10-14, para.31; A/56/18, para.414)
- b) Progress in the implementation of existing legal, policy and institutional frameworks to combat racial discrimination in accordance with the Convention, including measures taken to address substantive discrimination experienced by minority groups (CERD/C/VNM/10-14, para.39 *et seq.*); Update on the concrete steps taken to adopt a comprehensive anti-discrimination law (A/56/18, para.416; A/HRC/16/45/Add.2, para.8)
- c) Information about results achieved following the special measures taken for ethnic minorities (CERD/C/VNM/10-14, para.68-79)
- d) Information on decisions taken by national tribunals regarding race-related acts of discrimination under article 87 of the Penal Code and other relevant national law, including statistical data on complaints, prosecutions and sentences for acts prohibited under article 4 of the Convention over the reporting period, as well as a qualitative assessment of such data (CERD/C/VNM/10-14, paras.81-82; A/56/18, paras.415 and 422)
- e) Avenues for seeking redress for racial and ethnic discrimination under the Criminal Procedures Code and the Law on the Compensation Responsibility of the State as well as their de facto availability and accessibility. (CERD/C/VNM/10-14, para.166)

2. Non-discrimination in the enjoyment of rights to equality before the law (art. 5)

a) Measures taken to combat discrimination against all ethnic minorities, including Khmer Buddhists and ethnic minority Protestants as “Montagnards”, by guaranteeing, *inter alia*, their freedoms of movement, expression and assembly, religious freedom as well as the preservation and transmission of the cultural heritage (CERD/C/VNM/10-14, paras.115 *et seq.*; A/HRC/16/45/Add.2, paras.93 *et seq.*)

b) Measure taken to foster the effective political participation of minorities (CERD/C/VNM/10-14, paras.96 *et seq.*; A/HRC/16/45/Add.2, para.73)

c) Efforts made to reduce disparities in access to and quality of education as well as education outcomes between majority Kinh and ethnic minorities, in particular minority women and girls (CERD/C/VNM/10-14, para.161; A/HRC/16/45/Add.2, para.86)

d) Efforts made to increase the provision of bilingual education programme for ethnic minority groups and of training in local languages for Kinh teachers in ethnic minority areas, and to support education programmes on the culture of ethnic minority groups (CERD/C/VNM/10-14, paras.150 *et seq.*; A/HRC/16/45/Add.2, paras.28, 90 and 91; CEDAW/C/VNM/CO/6, para.21)

e) Measures taken to improve the access to adequate healthcare facilities, including reproductive health services, for members of ethnic minorities (CERD/C/VNM/10-14, paras.138 *et seq.*; A/HRC/17/34/Add.1, paras.39-42)

f) Measures towards adequate resolution of land dispute between the authorities and indigenous groups, including the Khmer Krom, and the provision of appropriate compensation for minority groups for the loss of their ancestral lands (A/HRC/16/45/Add.2, paras.31-38; A/HRC/WG6.5/VNM/3, paras.44-47)

g) Reported instances of excessive use of force, violence and arrest by law enforcement officials against minority protesters in context of disputes over land ownership (A/HRC/16/45/Add.2, para.33)

3. Education and information (art. 7)

a) Steps taken by the authorities, including the Committee for Ethnic Minority Affairs, to strengthen the education of the society in a spirit of respect for human rights and in particular the rights of ethnic minorities as well as to address the problems identified, *inter alia* the need to improve dissemination of information on laws and policies in ethnic minority areas (CERD/C/VNM/10-14, para.169; A/56/18, para.424; A/HRC/16/45/Add.2, para.77).
