



Convention on the Rights of the Child

Distr.: General
17 November 2020

Original: English
English, French and Spanish only

Committee on the Rights of the Child

List of issues in relation to the combined fifth and sixth reports of Viet Nam*

1. The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 June 2021. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

2. Please provide information on:
 - (a) Measures taken to ensure the protection of children's rights in the context of the coronavirus disease (COVID-19) pandemic and to mitigate the adverse impacts of the pandemic;
 - (b) The national plan of action for children for the period 2021–2030;
 - (c) The mandate of the National Commission on Children, and the ways in which the Ministry of Labor and Social Affairs ensures cross-sectoral coordination on children's rights at the national, provincial, district and communal levels;
 - (d) Measures taken to implement a tracking system for the allocation and use of resources for children throughout the national budget.
3. Please provide information on the measures taken to:
 - (a) Assess the impact of awareness-raising programmes on the Convention;
 - (b) Ensure mandatory training on children's rights for all professionals working with and for children.
4. Please provide information on the plan and the measures taken to change the definition of a child to include all persons under 18 years of age in all legislation, including the Law on children and the Youth Law.
5. Please describe the concrete measures taken to:
 - (a) Eliminate discrimination against girls and children in vulnerable situations, including:
 - (i) Children who are not registered or whose households are not registered;
 - (ii) Children with disabilities;
 - (iii) Ethnic minority children;

* Adopted by the pre-sessional working group on 8 October 2020.



- (iv) Migrant children;
 - (v) Lesbian, gay, bisexual, transgender and intersex children;
 - (b) Adopt a national strategy to prevent ethnic discrimination;
 - (c) Address ethnic, geographic and gender disparities in access to household registration, health care and education.
6. Please provide information on:
- (a) How the State party ensures that recent legislation, including the Law on cybersecurity, the Law on access to information, the Press Law, the Penal Code and the Law on religion and belief respect and ensure children's right to privacy, access to appropriate information, and freedoms of expression, association, peaceful assembly and religion;
 - (b) Whether the Law on children guarantees the right of children to participate in a public gathering without special permission;
 - (c) The timeline for the adoption of the draft law on associations, and how it establishes freedom of expression for children.
 - (d) Measures taken to prevent the forced eviction of children from ethnic or religious minorities from their lands.
7. Please provide information on the recent review of the implementation of laws and policies aimed at protecting children from violence and sexual abuse and on the measures taken to:
- (a) Protect children from torture, ill-treatment and abuse in drug detention centres, ensure prompt and effective investigation of all alleged cases of torture or ill-treatment of children, and provide recovery, compensation and support to child victims;
 - (b) Protect children, including those who are 16 and 17 years of age, from abuse, neglect, and sexual exploitation and abuse, including online, and to prevent these crimes from occurring;
 - (c) Address the high incidence of violence in schools and of corporal punishment in schools and in the home;
 - (d) Strengthen the national system for receiving, monitoring and investigating reports of abuse, neglect and sexual exploitation of children;
 - (e) Eliminate child marriage.
8. Please describe the measures taken to:
- (a) Establish a national register on all children deprived of a family environment and address the root causes of the occurrence;
 - (b) Adopt a policy for the deinstitutionalization of children;
 - (c) Establish mechanisms for monitoring the quality of care in foster care and alternative care institutions, and for receiving and investigating complaints of child abuse in alternative care settings.
9. Please describe the measures taken to:
- (a) Ensure access to safe abortion and post-abortion services for adolescent girls;
 - (b) Prevent mother-to-child transmission of HIV, combat the stigmatization of children with HIV/AIDS, and enable children affected by and living with HIV/AIDS to remain in their family environments;
 - (c) Address the incidence of tobacco, drug and alcohol abuse among children;
 - (d) Develop alternative measures to drug detoxification centres, and ensure the provision of rehabilitation and reintegration programmes for children with drug addiction;

(e) Ensure that the special vulnerabilities and needs of children are taken into account in developing policies and programmes addressing the environment, climate change and disaster risks, and increase awareness among children on these issues.

10. Please describe the measures taken to:

(a) Ensure that ethnic minority children have equal access to quality bilingual education;

(b) Ensure the availability of safe and accessible outdoor play spaces.

11. Please describe the measures taken to:

(a) Address the socioeconomic factors that push children into the workforce;

(b) Strengthen inspections of child labour and protect all children under 18 years of age from hazardous, night-time and overtime work, in formal and informal sectors.

12. Please provide information on the nature, scope and forms of trafficking of boys and girls and awareness-raising activities for parents and children on the dangers of trafficking.

13. Please explain:

(a) If a child accused of committing a crime or a child victim or witness of a crime is always allowed to participate in a closed trial as a “special case” under the Criminal Procedure Code (CRC/C/VNM/5-6, para. 55);

(b) “Exceptional cases” under which the imprisonment of children is permitted (CRC/C/VNM/5-6, para. 160), and the measures taken to address the large proportion of children convicted of a criminal offence who continue to be sentenced to detention;

(c) Measures taken to promote diversion and avoid detention of children both for administrative and criminal offences;

(d) All training activities that have been conducted for judges, court staff, prosecutors and police officers on the Convention.

14. Please describe the measures taken to implement the Committee’s previous recommendations under the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography (CRC/C/OPSC/VNM/CO/1), including with regard to:

(a) Criminalization of acts concerning material depicting the sexual abuse of a child, the possession of material depicting the sexual abuse of a child, and the sale of children, including for the purposes of sexual exploitation, forced labour and transfer of organs, as a crime that is distinct from the crime of trafficking;

(b) Ensuring that sexual offences against children under the Penal Code, including sexual exploitation, acts concerning material depicting the sexual abuse of a child and exploitation of children in prostitution, apply to child victims who are 16 and 17 years of age, and that those children are treated as victims and receive adequate protection under the law;

(c) Ensuring that the offences of child prostitution under the Penal Code cover the act under the Optional Protocol and are punishable by appropriate penalties.

15. Please describe the measures taken to implement the Committee’s previous recommendations under the Optional Protocol to the Convention on the involvement of children in armed conflict (CRC/C/OPAC/VNM/CO/1), including measures to withdraw its declaration to the Optional Protocol and ratify the Rome Statute.

Part II

16. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information

17. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

18. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic and national origin, geographic location and socioeconomic status, for the past three years, on:

- (a) Child marriages;
- (b) Children who are not registered or whose households are not registered;
- (c) Cases of abuse, neglect and violence, including sexual exploitation and all forms of corporal punishment, involving children and the outcomes thereof, including the penalties imposed on perpetrators and the reparations afforded to victims;
- (d) Teenage pregnancies;
- (e) Pregnant girls and adolescent mothers attending regular schools;
- (f) School enrolment, completion and dropout rates, expressed as a percentage for each age group at the preschool, primary and secondary levels;
- (g) Children attending boarding schools;
- (h) Children engaged in the worst forms of labour, the number of investigations and prosecutions conducted, sentences handed down to perpetrators and reparations afforded to victims;
- (i) Child victims of trafficking, the number of investigations and prosecutions conducted, sentences handed down to perpetrators and reparations afforded to victims.

19. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

- (a) Attending regular primary schools;
- (b) Attending regular secondary schools;
- (c) Attending special schools;
- (d) Out of school.

20. Please provide, if available, updated statistical data, disaggregated by age, sex, type of offence, ethnic and national origin, geographic location and socioeconomic status, for the past three years, on children alleged to have, accused of having, or shown to have infringed criminal law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) In pretrial detention, including the duration;
- (d) Serving a sentence in detention, and include the length of the sentence;
- (e) Held in detention with adults;
- (f) Held in drug detoxification facilities and the average length of stay.

21. Please provide information on how the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals integrate a child rights-based approach, including with regard to child participation and data collection, and how they promote the realization of children's rights under the Convention and its Optional Protocols.
 22. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.
 23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
-