



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: CAT/Follow-up

29 September 2020

Excellency,

In my capacity as Rapporteur a.i. for Follow-up to Concluding Observations of the Committee against Torture, I have the honour to refer to the follow-up to the examination of the initial report of Viet Nam, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of the 65th session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/VNM/CO/1, para. 43) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 17 (b), 21 (a) and 29 (c) of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 11 September 2020 providing your Government's response on the above-mentioned paragraphs (CAT/C/VNM/FCO/1) and to make the following comments:

Fundamental legal safeguards (para. 17 (b) of the Committee's concluding observations)

The Committee regrets that the information provided by the State party in its follow-up replies does not address the specific recommendation included in its concluding observations that Viet Nam should establish a central detention register for all persons at all stages of their deprivation of liberty, including transfers between different facilities. It also regrets not having received any information regarding the outcome of the measures taken to ensure accurate record-keeping (1/C).

.../...

H. E. Mrs. Thi Tuyet Mai Le
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Excessive use of force and deaths in custody (para. 21 (a) of the Committee's concluding observations)

The Committee regrets that the follow-up replies do not indicate whether the State party has taken any new concrete measures since the adoption of the concluding observations to ensure that all alleged cases of death in custody and complaints of excessive use of force are promptly, effectively and impartially investigated by an independent mechanism (1/D).

Inadmissibility of statements made as a result of torture (para. 29 (c) of the Committee's concluding observations)

While taking note of the provisions of the 2015 Criminal Code regarding the criminal liability of officials for allowing evidence to be obtained as a result of torture, as well as that of persons providing false testimony and false documents, the Committee regrets the lack of data on prosecutions and convictions in such cases during the period under review (1/D).

Implementation plans (para. 43 of the Committee's concluding observations)

The Committee appreciates the information submitted by the State party addressing the remainder of its recommendations included in the concluding observations and looks forward to continue monitoring and reviewing their further implementation (B).

The Government of Viet Nam is encouraged to provide additional information, if there is any, which would further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the initial periodic report of Viet Nam or other future periodic reports.

The Committee looks forward to a continued constructive dialogue with the authorities of Viet Nam on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.

p.p.



Bakhtiyar Tuzmukhamedov
Rapporteur a.i. for follow-up to concluding observations
Committee against Torture