



Submission No 13

Inquiry into Australia's Human Rights Dialogue Process

Organisation: Vietnamese Embassy

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Ambassador
Of the Socialist Republic of Vietnam

**Senator Marise Payne
Chair
Human Rights Sub-Committee
Parliament of Australia**

Canberra 14th June 2004

Dear Senator Payne,

Thank you for your May 13th 2004 letter concerning the inquiry into Australia's human rights dialogue process by the Joint Standing Committee on Foreign Affairs, Defence and Trade (JSCFADT), I would like to touch upon the concerned items as follows:

Under the foreign policy of independence, sovereignty, openness and diversification of external relations, Vietnam has made every effort to expand cooperative and friendly relations with other countries around the world. For this purpose, the Government of Vietnam advocates conducting talks and dialogues with others on matters of common concern to enhance mutual understanding and cooperation. Among such activities, the Vietnam - Australia Dialogues on International Organisations and Legal Issues, including Human Rights in recent years are highly valued, and proved to be very substantive and effective, helping to further improve the good relationship between Vietnam and Australia.

Regarding the parliamentary participation in and oversight of the dialogue process, the Vietnamese National Assembly is well exercising its powers in terms of this realm. According to the 1992 Constitution, supervision of all State affairs is one of the supreme powers of the National Assembly. The National Assembly supervises all activities of the Government and considers its working reports. In the performance of the recent human rights dialogues with other countries including Australia, the Committee of Foreign Relations of the National Assembly has been informed of the dialogue results. As a focal point, the Ministry of Foreign Affairs has to report to the National Assembly Committee of Foreign Affairs and Committee on Law if they need informations in order to make the dialogues more fruitful and consistent with the

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Constitution and related laws. Its concerning committees has also contributed to the dialogue agenda, including the legislative process, judicial reform and implementation of international commitments in terms of human rights in Vietnam (ex. the Convention on the elimination of all forms of racial discrimination (CERD) in 1966, Convention on the rights of the child (CRC) in 1989...).

Over the past years, various Vietnamese State agencies and non-governmental organizations have made their active and efficient participation in the human rights dialogues with Australia. As you may know, the Vietnamese delegation to the bilateral dialogue and a study tour in Australia, 2003 included officials from the Ministry of Foreign Affairs, Ministry of Public Security, Ministry of Justice, Supreme People's Court, Department of Prison Management and Committee of Ethnic Minorities and Mountainous areas. They are among the agencies and organizations actively involved in dealing with human rights, religious, racial and legal affairs in Vietnam. NGOs such as Women's Association, the Human rights Research Center have also participated actively in such dialogues. These agencies and organizations provided reports, fact sheets and questionnaires as well as participated in meetings and discussions over such items as achievements and difficulties in Vietnam's legal reform process; protection and care for women and children, the problem of women trafficking; the performance of State policies on religion, improvement of people's living conditions in difficult areas... They could propose to make necessary amendments to the dialogue agenda, and present opinions, facts and even questions about the items led by the Vietnamese delegation and those by the Australian.

After each dialogue, there is a meeting among participants and representatives of concerned agencies and organizations to report its results, exchange experiences as well as to make proposals to further promote people's rights and living conditions in Vietnam, and to better prepare for other dialogues. Then, if requested by the National Assembly Committee on Foreign Relations, report on such dialogues will be transferred to this agency.

I do hope that the JSCFADT Human Rights Sub-Committee would find the above information satisfactory and useful to prepare for the Parliamentary Inquiry. I would like to thank you for your cooperation.

Yours truly,

Le Xuan Lieu