



3 December 2021

Mr Will Read
Vietnam and Cambodia Section | Southeast Asia Division
Department of Foreign Affairs and Trade
Via email Will.Read@dfat.gov.au

Dear Will,

Re: AUS-VIETNAM HUMAN RIGHTS DIALOGUE SUBMISSION

I respectfully make this submission based on our organizations' advocacy for human rights. The issues raised below have been raised at the Institute for Global Peace and Sustainable Governance www.igpsg.com, Graduate Women International www.graduatewomen.org and the Australian Council for Human Rights Education www.humanrightseducationaustralia.com, two of which I lead as president and the other, GWI, as an active member.

The issues we would like to raise are:

1. The domestic issue affecting temporary visa holders in Australia. The affected parties have to liaise with numerous agencies and bureaucracies, navigate through confusing and multiple paperwork and processes and encounter dubious offers from so-called facilitators who charge them exorbitant fees and exploit their vulnerable state. The present government requirements on temporary visa holders impel them to be enrolled in courses that may not be of much use to contribute to their role in society and exacerbate stress and anxiety. The long waiting period of years increases the burden on both government agencies and the affected parties as well.

Recommendations:

- a. Update and revise government regulations towards temporary visa holders whose long-term applications have been undetermined for a number of years.
 - b. Simplify paperwork and process, particularly for those who are linguistically challenged.
 - c. Ensure that the affected parties are not exploited
 - d. Revisit the requirement to be enrolled in educational courses to fulfill the criteria.
2. The restrictions suffered by education due to COVID-19 restrictions created untenable reliance on technology and widespread adaptation of educational methods through digitalization. The closure of schools, universities, and other knowledge institutions and the interruption of literacy and lifelong learning programmes disrupted the lives of an estimated 1.6 billion students globally. The World Bank report estimates a loss of \$10 trillion dollars in earnings over time for the current generation of students.

Recommendation:

- a. Governments must partner with telecom industries, Education Ministries, NGOs, educational institutions and other funding partners to find ways and means to improve digitalization technologies and access of teaching materials in vulnerable countries to cope in crises such as COVID-19.

3. The displacement of minorities based on ethnicity, religion and language, particularly affecting the H'mong who have become victims of ethnic cleansing, forced migration and refoulement. Education opportunities are denied H'mong communities and the children of political and religious activists. The H'mongs are often subjected to harassment and discrimination.

Recommendations:

- a. Full consultation should be carried out on all stages of a crisis and include non-partisan and inclusive representations from the affected within the community, and all material made accessible and translated in their own language. According to UNESCO: "Inclusive society is defined as a society for all, in which every individual has an active role to play. Such a society is based on fundamental values of equity, equality, social justice, and human rights and freedoms, as well as on the principles of tolerance and embracing diversity".
 - b. Urgent actions must be implemented globally to bring about social transformations that apply the universal values of peace, social justice and human rights and rectify the lack of accountability among all stakeholders.
 - c. Enhance government cooperation with UNHCR and other human rights organizations regarding the treatment of internally displaced persons, refugees, asylum seekers, and stateless persons.
4. Restrictions on freedom of peaceful assembly and association. The country's legal and regulatory framework includes mechanisms particularly aimed at restricting the freedom of NGOs to organize and do their work. Citizens are not allowed to speak out against government policies.
 5. Restrictions on political participation. The government restrict demonstrations perceived as political or a threat to the government. Police are authorised to disperse gatherings of environmental activists, land rights advocates, human rights defenders, bloggers and independent journalists, and former political prisoners. Police and plainclothes authorities have been witnessed to mistreat, harass, and assault activists and those demonstrating against the government.
 6. Restrictions on freedom of religion. Religious organisations are required to register with the government and obtain prior approval to hold their activities. Government interference have been recorded in Christian-based activities. See the Department of State's International Religious Freedom Report at <https://www.state.gov/religiousfreedomreport/>.
 7. Child Exploitation:
 - a. Authorities do not always enforce compulsory education for boys and girls, especially in rural areas, where government and family budgets for education are unaffordable. Children's labour in agriculture was considered more important and valuable than school.
 - b. The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's Annual Report on International Parental Child Abduction at <https://www.travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.
 - c. Media outlets report that approximately 22,000 children lived on the streets and sometimes experienced police harassment, sexual exploitation, and abuse.
 - d. COVID-19 school shutdowns affected women and girls particularly, putting them at higher risk of dropping out, of losing their fundamental human right to education

and of jeopardizing their present and future academic and professional opportunities.

RECOMMENDATIONS:

1. The United Nations, UNHCR, ASEAN and global advocacy: Initiate and increase discussions and advocacy of Human Rights issues with the government. Ensure that the government is held accountable in its observance of human rights and social justice.
2. Reaffirm the three-year partnership with Ho Chi Minh Academy and the Human Rights Commission. Supported by the Australian Government Department of Foreign Affairs and Trade, the Human Rights Commission in 2019 entered into a three-year partnership with the Ho Chi Minh Academy of Politics (the Academy) to roll out human rights education training and materials throughout schools and universities in Vietnam. (A Memorandum of Understanding was signed last night between the Commission and the Academy.)
<https://doi.org/10.7577/hrer.3466>
3. Improve and increase human rights education in formal official schools in Vietnam at all levels. The government should decrease its monitoring and give human rights education high priority, by developing a long-term strategy and plan, develop qualified personnel able to teach methodologies appropriate to all levels of education and increase the availability of teaching materials on human rights.

References:

<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/vietnam/#:~:text=Significant%20human%20rights%20issues%20included,unlawful%20interference%20with%20privacy%3B%20serious>

UNESCO Policy Brief: Education During COVID 19 and Beyond

<https://www.un.org/development/desa/dspd/wp-content/>

<https://en.unesco.org/news/unesco-report-illustrates-leap-forward-girls-education-over-past-25-years-now-threatened-1>

https://reliefweb.int/sites/reliefweb.int/files/resources/MRG_Displacement_Report_Dec17.pdf

<https://www.voicesofyouth.org/blog/minorities-around-world>

http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/BPI/EPA/images/media_services/Director-General/ConceptNoteSocialInclusionSocialTransformationsSocialInnovationEN.pdf

<https://www.voicesofyouth.org/blog/minorities-around-world>

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Kind regards,



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