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COMMITTEE ON THE RIGHTS OF THE CHILD
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OPTIONAL PROTOCOL TO THE CONVENTION ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

List of issues for the State party to be taken up in connection with the consideration of the initial report of VIET NAM (CRC/C/OPAC/VNM/1)

1. With reference to article 344 of the Penal Code (see paragraph 38 of the State party's report), please inform the Committee whether the State party has extraterritorial jurisdiction for the crime mentioned. In addition, please indicate whether there is any legal provision criminalizing the recruitment or involvement in hostilities of a person under the age of 18 if committed outside Viet Nam by or against a Vietnamese citizen.

2. Please clarify the meaning of "direct participation" in hostilities in the legislation and practice of the State concerned.

3. Please clarify the information in paragraph 59 of the State party's report, namely that "citizens under 18 do not participate directly in war battles except in cases of protecting the country's independence, sovereignty, unity and integrity".

4. Please provide more information on the paramilitary self-defense militia force established by Ordinance on Self-defense Militia issued on 9 January 1996 and mentioned in paragraph 33 of the State party's report.

5. Please update the Committee with information on the amendment to the Law on Military Service, the Ordinance on Self-defense Militia and other relevant documents mentioned in paragraph 58 of the State party's report.

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6. With reference to article 7 of the Optional Protocol, please provide information on rehabilitation, social reintegration and other services provided to child victims of armed conflicts who entered the State party for refuge or asylum. Please also indicate whether the State party is engaged in any activity of international cooperation in this regard.

7. Please provide data for 2004-2006 on the budget (in percentages of the national and regional budgets or gross domestic product) allocated to the implementation of the Optional Protocol. Please also indicate, when applicable, the percentages of these allocations derived from international sources.

8. Please clarify which authority is in charge of the implementation of the Optional Protocol. Please also indicate whether there is any mechanism available for monitoring and periodically evaluating its implementation.
