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Faculty of Law

**Legislative Implementation by Vietnam of Its Obligations under the
United Nations Drug Control Conventions**

Hoa Phuong Thi Nguyen

**This thesis is presented as full requirements for the award of a
PhD
at the University of Wollongong**

March 2008

CERTIFICATION

I, Hoa Phuong Thi Nguyen, declare that this thesis, submitted in fulfilment of the requirements for the award of Doctor of Philosophy, in the Faculty of Law, University of Wollongong, is wholly my own work unless otherwise referenced or acknowledged. The document has not been submitted for qualifications at any other academic institution.

Hoa Phuong Thi Nguyen

31 July 2007

ABSTRACT

Lying across many important traffic routes in South-East Asia and located within the proximity of the Golden Triangle, Vietnam has become an international transit point for illicit drugs. The availability of drugs smuggled from its neighbouring countries has brought about an alarming increase in drug abuse in the whole country, and especially among the youth. Having a tropical monsoon climate, it has also traditionally faced the problems of opium poppy cultivation and opium smoking among the ethnic populations in its mountainous and upland areas. In 1997, with the ratification of the three UN Drug Control Conventions,¹ Vietnam officially stepped into the international battle against illicit drugs. Becoming a Party to the Conventions, it came under obligations to bring domestic legislation into line with international standards. This Thesis examines, in-depth, the legal framework for drug control in Vietnam adopted in the years since it became a Party to the UN Drug Control Conventions. The Thesis first defines the obligations of Parties under these Conventions and then compares and analyzes strengths and weaknesses of Vietnamese legislation implementing the obligations.

The contributions made by this Thesis to the field of drug control research are two-fold. First, it contributes a new understanding of Vietnamese successes and shortcomings in drug control laws that implement international obligations and identifies opportunities for improvement of the national drug control legal framework. Secondly, the success of international drug control mechanisms depends heavily on implementation by the individual contracting Parties. Yet state implementation in accordance with national legislation and institution capabilities varies considerably. This case study of Vietnamese implementation is useful for furthering understanding of the transformation of drug control international standards into national law, especially in developing countries having similar legal, social and economic features, such as are found in Indo-China.

¹ I.e. *Single Convention on Narcotic Drugs*, opened for signature 30 March 1961 (entered into force 13 December 1964); *Convention on Psychotropic Substances*, opened for signature 21 February 1971 (entered into force 16 August 1976) and *Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*, opened for signature 20 December 1988 (entered into force 11 November 1990).

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