



Viet Nam

From the Amnesty International Report 2008

SOCIALIST REPUBLIC OF VIET NAM

Head of State	Nguyen Minh Triet
Head of government	Nguyen Tan Dung
Death penalty	retentionist
Population	86.4 million
Life expectancy	73.7 years
Under-5 mortality (m/f)	36/27 per 1,000
Adult literacy	90.3 per cent

Freedom of expression and association continued to be tightly controlled. Political activists and dissidents were arrested and detained; some were sentenced to lengthy prison terms under national security legislation after unfair trials. At least 83 people were sentenced to death, including 14 women. Statistics on executions remained classified a “state secret”, although discussion on the effectiveness of the death penalty continued. Scores of ethnic minority Montagnards in the Central Highlands and members of the Khmer Krom community in southern An Giang province fled to Cambodia seeking asylum from persecution.

Background

In August a new government was formed following National Assembly elections. The President and Prime Minister remained in their posts.

In March Decree CP-31 on administrative detention was abolished. It had often been used to detain peaceful religious and political dissidents under house arrest without bringing them before a court. However, other administrative detention provisions remained in place.

In June hundreds of poor farmers from at least 10 provinces demonstrated outside the National Assembly building in Ho Chi Minh City in protest over corruption and arbitrary land confiscation. They were joined by

Thich Quang Do, the deputy leader of the outlawed Unified Buddhist Church of Vietnam (UBCV), who had been subjected to administrative detention for many years, and other UBCV members. The demonstrations lasted for almost a month, until they were broken up in July by security officials.

Freedom of expression and association

Prior to the first ever visit of a Vietnamese President to the USA in June, two prisoners of conscience were released. Internet dissident Nguyen Vu Binh had served over four years of a seven-year sentence on charges of “spying”. He was released from prison but remained under three years’ house arrest. Le Quoc Quan, a lawyer and pro-democracy activist, had been arrested on 8 March after returning home from a year-long fellowship in the USA. In May, Phan Van Ban, a long-term political prisoner, was released and allowed to join his family in the USA. He had been sentenced to life imprisonment in 1985 for distribution of anti-government leaflets.

Following the hosting of the APEC summit in November 2006 and the conclusion of major international trade agreements, a crackdown on peaceful dissent and freedom of expression and association intensified. At least 35 people, among them lawyers, trade unionists, religious leaders and internet dissidents, were arrested between November 2006 and the end of 2007, an increased number over previous years. Most had connections to Bloc 8406, a movement calling for peaceful political change and respect for human rights. Nineteen among the 35 were known to have been tried and sentenced under vaguely worded and repressive national security legislation used to criminalize peaceful political dissent.

- On 30 March Father Nguyen Van Ly, a former prisoner of conscience, was sentenced to eight years’ imprisonment for “conducting propaganda against the Socialist Republic of Viet Nam” under Article 88 of the Penal Code. He was manhandled by guards as he tried to challenge the court. Two co-defendants were sentenced to six and five years’ imprisonment, and two women were given suspended prison terms. Father Ly was a founding member of Bloc 8406 and the Viet Nam Progression Party (VNPP) in September 2006 and had spent 15 years in prison for peacefully criticizing the government.
- Two human rights lawyers, Nguyen Van Dai and Le Thi Cong Nhan, were sentenced to five and four years’ imprisonment respectively in May, reduced by one year each on appeal. Nguyen Van Dai was among the founding members of Bloc 8406. Le Thi Cong Nhan is a spokesperson for the VNPP. Both had held human rights workshops and documented human rights violations. At the appeal hearing in November their lawyers argued that Article 88 of the Penal Code, under which they had been charged, was unconstitutional and did not conform to international conventions that Viet Nam has signed, and should be reviewed.
- Truong Quoc Huy remained detained without trial since August 2006. He was charged under Article 258 of the Penal Code with “abusing democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations and/or citizens”. He was accused, among other things, of joining an internet forum and disseminating anti-government flyers.
- In November six people were arrested in Ho Chi Minh City, where they had been meeting to discuss peaceful democratic change. The police claimed to have found “subversive” leaflets and stickers, and official media stated that they were being investigated under Article 84 (Terrorism) of the Penal Code. The six comprised two Vietnamese nationals; Nguyen Thi Thanh Van, a

French citizen and a journalist and activist; two US citizens and a Thai national, all of Vietnamese origin. Nguyen Thi Thanh Van and one US citizen were released and deported in December.

Discrimination

Reports continued of harassment of ethnic minority Montagnards in the Central Highlands, including forced denunciation of their religion, short-term detentions and ill-treatment. More than 200 sought asylum in neighbouring Cambodia. In a reported incident in June, one Montagnard was arrested and tortured in detention for two days. He had previously described human rights violations against Montagnards to a UNHCR official who had interviewed him in the presence of Vietnamese security officials. On his release he fled to Cambodia. At least 250 Montagnards were still serving long prison terms in connection with protests in 2001 and 2004 over land ownership and religious freedom.

A number of people from the Khmer Krom community fled to Cambodia seeking asylum. They alleged persecution, including the forced disrobing of Buddhist monks. On 1 August the Vietnamese authorities reported that they had arrested Tim Sakorn, a Buddhist monk, who had previously been living in Cambodia. He was sentenced to one year's imprisonment on 9 November under national security legislation and is a prisoner of conscience. (See Cambodia entry.)

Death penalty

At least 83 people, including 14 women, were sentenced to death for drug trafficking offences, some after unfair trials. The true number is believed to be much higher.

- Pham Thi Tuyet Lan was sentenced to death in February for alleged involvement in a land fraud. However, the appeals court overturned the verdict as it emerged that she had been charged with the wrong offence and defence lawyers had been excluded from the investigation. A reinvestigation was ordered.
- At least 15 death sentences were upheld by the Supreme People's Court. They included a UK citizen of Vietnamese origin who was reported to be suffering from mental health problems.