

VIET NAM

SOCIALIST REPUBLIC OF VIET NAM

Head of state: Tran Duc Luong

Head of government: Phan Van Khai

Capital: Hanoi

Population: 75.1 million

Official language: Vietnamese

Death penalty: retentionist

Dozens of prisoners of conscience remained in prison throughout 1999, and restrictions on recently released prisoners became increasingly harsh. Political dissidents and religious critics of the government were subjected to surveillance, harassment and denial of basic freedoms, including freedom of expression. More than 20 possible prisoners of conscience were sentenced to prison terms. The government continued to prevent independent human rights monitors from visiting the country, and sharply criticized a UN report on lack of religious freedom in Viet Nam. Following a debate over the use of the death penalty, amendments to the Criminal Code approved in December cut the number of crimes for which it could be imposed. Scores of people were sentenced to death; executions by firing squad took place in public.

Background

The leadership of the ruling Vietnamese Communist Party appeared to be increasingly concerned about criticism of the party and the state. Following the publication in January of a letter from a very senior party figure, General Tran Do, criticizing government policies and calling for reform, restrictions on all known and suspected government critics were tightened. After scandals over local officials' corruption, especially in Thai Binh province, the Communist Party launched a two-year self-criticism initiative for members, but announced it was disappointed with the early results. The National Assembly continued with its program of law reform. However, there was no progress on reforming key elements of the Criminal Code which restrict the basic human rights of Vietnamese people.

Denial of access

Government restrictions on access and information hampered the collection of independent and impartial information about the human rights situation. Domestic human rights monitoring was not permitted, and international human rights monitors were denied access, raising concerns that the population remained vulnerable to hidden human rights violations. Following the publication in March of the report of the UN Special Rapporteur on religious intolerance on his October 1998 visit to Viet Nam, which raised serious

concerns, a Vietnamese government spokesperson stated: "Individuals or organizations which come to Viet Nam to conduct activities concerning human rights or religion and interfere with the internal affairs of the country will no longer be accepted."

Prisoners of conscience

The detention of dozens of prisoners of conscience and possible prisoners of conscience continued. Some were very old and in poor health.

✉ Professor Nguyen Dinh Huy, the 67-year-old founder and president of the "Movement to Unite the People and Build Democracy", continued to be detained in a prison camp where conditions were known to be harsh. He had been arrested in November 1993 and sentenced to 15 years' imprisonment in August 1995 for his peaceful political activities, which the authorities claimed were designed "to overthrow the people's government". He had previously been detained without trial between 1975 and 1992.

Unfair trials

Trials in Viet Nam were routinely unfair, with defence lawyers often appointed only at the time of trial, and permitted to do little more than plead for clemency on their clients' behalf.

✉ In September, 24 people were sentenced to prison terms of up to 20 years for "illegal entry into Viet Nam and subversive activities against the Vietnamese state." Most of the group belonged to the overseas-based People's Action Party and had been illegally expelled from Cambodia to Viet Nam in December 1996, since when they had been detained without trial. All were possible prisoners of conscience, and there were concerns that their trial fell far short of international standards for fairness.

Harassment of government critics

The treatment of political dissidents and religious critics of the government became increasingly harsh during 1999. Several prominent former prisoners who had been released in an official amnesty in 1998 were targeted.

✉ Dr Nguyen Dan Que, a doctor imprisoned for 18 of the last 20 years who continued to make public his peaceful political views after his release in August 1998, was officially isolated by the authorities. His telephone line was cut and his access to the Internet terminated. Incoming and outgoing mail was intercepted, and family members were called in by the local police for questioning about Dr Nguyen Dan Que's activities.

Death penalty

Following some public debate early in the year over the widespread use of the death penalty, amendments to the Criminal Code approved by the National Assembly in December reduced the number of capital offences. In January Prime Minister Phan Van Khai was reported to have said that he favoured a reduction in executions, and that he disliked the use of firing

squads. This view was also reportedly shared by President Tran Duc Luong. However, nearly 200 people were sentenced to death and eight executed during 1999; the true numbers were believed to be much higher. Executions were carried out in public, by firing squad, with victims blindfolded and tied to wooden stakes, and sometimes gagged with lemons in their mouths. Relatives were not informed beforehand, but were asked to collect executed prisoners' belongings two to three days later. Concerns about the use of the death penalty were compounded by the routine unfairness of trials, which could lead to irreversible miscarriages of justice.

AI country reports and visits

Report

- Socialist Republic of Viet Nam: New debate on the death penalty? (AI Index: ASA 41/004/99)

Visits

Written requests to the Vietnamese authorities for permission to visit the country received no response. AI representatives met an official Vietnamese delegation visiting Sweden in January.