

# VIET NAM

## **SOCIALIST REPUBLIC OF VIET NAM**

**Head of state:** Tran Duc Luong

**Head of government:** Phan Van Khai

**Capital:** Ha Noi

**Population:** 79.2 million

**Official language:** Vietnamese

**Death penalty:** retentionist

**2001 treaty ratifications/signatures:** Optional Protocol to the UN Children's Convention on the involvement of children in armed conflict

**The year saw renewed repression in Viet Nam, with dozens of people sentenced to long prison terms, some of whom were prisoners of conscience, and a crackdown on ethnic minority groups, and religious and political dissidents. The government continued to prevent independent human rights monitors from visiting the country, and denounced any criticism from outside as unacceptable interference. At least 55 people were sentenced to death and at least 10 executed, but the actual numbers were believed to be much higher.**

### **Background**

In February, unrest erupted in the Central Highlands provinces of Dac Lac and Gia Lai. Members of ethnic minority groups protested about the seizure of their land by Vietnamese settlers and about their lack of freedoms, including the rights to freedom of worship and to be educated in their own languages. The protests were quickly crushed and hundreds of refugees from the area fled across the border to Cambodia. At the ruling Communist Party's five-yearly congress in April, the General Secretary Le Kha Phieu left office and Nong Duc Manh was appointed to the post. The prevailing climate of political infighting and public dissent led to further restrictions on basic freedoms, and outspoken criticism of anyone who attempted to report on them. Diplomatic relations with the USA were soured, in spite of the granting of trade privileges to Viet Nam, because of a bill in the US Congress which called for aid and trade to be tied to progress on human rights protection.

### **Unrest in the Central Highlands**

In February, thousands of people from the indigenous minorities protested in the Central Highlands provinces of Dac Lac and Gia Lai. Their grievances included anger at government confiscation of their ancestral forest homelands, an influx of lowland Vietnamese settlers taking their agricultural land, lack of freedom of worship for the many who are members of unauthorized evangelical Protestant churches, and denial of basic rights including education in native languages. Some protesters called for independence for the Central Highlands region. The authorities quickly closed off the area and prevented journalists and diplomats

from travelling to the provinces to assess the situation. The Vietnamese authorities accused US-based opposition groups of fomenting the unrest. There were reports of dozens of arrests and, in the following weeks, several hundred people crossed the border to Cambodia as refugees (see Cambodia entry). The Vietnamese authorities asked the Cambodian authorities to return the refugees and more than 100 people were consequently forced back across the border to Viet Nam. At least one man was detained and beaten by Vietnamese police; unconfirmed reports allege others were tortured. An agreement between the Cambodian and Vietnamese governments and the UN High Commissioner for Refugees (UNHCR) to arrange the voluntary repatriation of the refugees foundered in July when the Vietnamese authorities refused to grant UNHCR access to the area to facilitate safe return.

In August, the UN Committee on the Elimination of Racial Discrimination considered Viet Nam's sixth to ninth periodic reports, and requested further information on how ethnic minorities in the country are able to exercise freedom of religion and other fundamental rights. It recommended the adoption of more specific anti-discrimination legislation. ☞ In September and October, 20 people were brought to trial in three separate cases relating to the February unrest. No foreign journalists or international observers were able to attend the trials, which lasted only two days. Trials in Viet Nam are routinely unfair, with defendants denied the right to call and question witnesses and defence lawyers permitted only to plead for clemency on their clients' behalf. The 20 people were charged with organizing illegal activities and inciting locals to cause social disorder and instability, and given sentences ranging from a term of three years (suspended) to 12 years' imprisonment. All those sentenced were possible prisoners of conscience. Following the trials, dozens more refugees fled to Cambodia.

### **Continued suppression of religious freedom**

Religious dissidents from faiths including the Hoa Hao church, the Unified Buddhist Church of Viet Nam (UBCV), and the Roman Catholic and Protestant churches were subjected to harassment and detention for their peaceful religious activities.

☞ In May, Father Thadeus Nguyen Van Ly, a Catholic priest in the Hue diocese, was arrested at his church as he prepared to celebrate mass. A lifelong critic of government policy towards religion, Father Ly had previously been detained without trial for a year in 1977-78, and imprisoned for 10 years between 1983 and 1992. In October, the official media announced that Father Ly had been sentenced to 15 years' imprisonment for "undermining the unity policy" and "defying an administration order of confinement". He was a prisoner of conscience.

### **Harassment of government critics**

The authorities continued to harass individuals who expressed unauthorized political views. Measures against dissidents included placing two prominent critics, Ha Si Phu and Mai Thai Linh, under house arrest in February. Similar action was taken against senior UBCV monk Thich Quang Do in

June. The official media also carried critical commentaries against individuals with dissenting views. In August, a new regulation on residence prohibition and house arrest was issued, containing strict measures for the further punishment on release from prison of those convicted of certain crimes, including "violating national security". New regulations limiting the use of the Internet were also published.

### **Trials**

In May, 37 people were sentenced to prison terms of up to 20 years for "terrorism against the state". All the accused were found guilty of plotting "terrorist acts", but it was not clear from the reported evidence that all of those on trial had used or advocated violence. Some were convicted of smuggling leaflets containing anti-communist writings, and possessing flags of the former South Viet Nam. Restrictions on access for human rights monitors made it impossible to monitor this and other trials.

### **Death penalty**

As in previous years, the government did not make public full statistics on the death penalty. Fifty-five death sentences and 10 executions were recorded throughout the year, but the real figures were believed to be much higher. Executions were carried out by firing squad, sometimes in front of large crowds.

### **Denial of access**

AI received no direct response from the government about the human rights situation, but a government spokesperson publicly criticized the organization on several occasions for alleged "interference in internal affairs". Domestic human rights monitoring was not permitted and access continued to be denied to independent international human rights monitors.

### **AI country reports/visits**

#### **Reports**

- Socialist Republic of Viet Nam: Religious intolerance – Recent arrests of Buddhists (AI Index: ASA 41/001/2001)
- Socialist Republic of Viet Nam: Father Thadeus Nguyen Van Ly – Prisoner of conscience (AI Index: ASA 41/005/2001)