



## Freedom Of The Press - Vietnam (2009)

**Status: Not Free**

**Legal Environment: 28**

**Political Environment: 33**

**Economic Environment: 22**

**Total Score: 83**

The Vietnamese authorities in 2008 continued the previous year's crackdown on journalists and other dissidents, which had followed a relative easing of restrictions in 2006 as the country prepared for accession to the World Trade Organization. At least 10 journalists were detained during 2008, including two who had exposed a high-level corruption scandal in 2006. Their imprisonment in October caused a public outcry and increased pressure on investigative journalism, despite the government's rhetorical commitment to fight corruption.

Although the 1992 constitution recognizes the rights to freedom of opinion, of expression, and of association for all citizens, the propaganda and training departments of the ruling Communist Party of Vietnam (CPV) control all media and set press guidelines. In addition, a 1999 law requires journalists to pay damages to individuals or groups found to have been harmed by press articles, even if they are accurate. Reporting that is considered threatening to the CPV's legitimacy can bring charges under antidefamation provisions and the criminal code, including the commonly used Article 88, which punishes the dissemination of "antigovernment propaganda." The judiciary is not independent, and many trials related to free expression last only a few hours. In July 2006, in response to increasingly vibrant reporting by both the traditional and internet-based news media, the government issued a decree that defined over 2,000 additional violations of the law in the areas of culture and information and imposed hefty fines for offenders, with a particular focus on protecting "national security." Among the topics most often targeted for censorship or repression are criticism of government leaders, advocacy of political reforms or the creation of a multiparty democracy, discussion of national security issues, and the questioning of government policy on sensitive issues such as human rights, religious freedom, and border disputes with neighboring China.

The CPV generally views the media as a tool for the dissemination of party and state policy. Although journalists cannot cover sensitive political and economic matters or openly question the CPV's single-party rule without fear of reprisal, they are sometimes allowed to report on crime and official corruption at the local level; such reports have become increasingly common in recent years. Nevertheless, several media outlets suffered retribution in 2008 for testing the limits of permissible coverage, particularly by reporting on corruption among high-ranking officials. In the year's most high-profile case, journalists Nguyen Viet Chien of the newspaper *Thanh Nien* and Nguyen Van Hai of the newspaper *Tuoi Tre* were sentenced in October to two years in prison and reeducation without detention, respectively, for exposing a corruption scandal in 2006 in which senior officials used development

funds to gamble on European soccer matches. Two police officers were charged for leaking information to the journalists; one was given a one-year jail sentence and the other received an official warning. In a rare instance of direct defiance among the state-controlled media, the arrested reporters' newspapers published editorials denouncing the government's actions in the case and describing the outraged reaction of the public. Subsequently, the editors of both newspapers were removed from their positions. Their press credentials, along with those of five other journalists from four newspapers, were confiscated in August, essentially barring them from the profession.

In another case of retaliation for investigative reporting on corruption, Truong Minh Duc, a veteran freelance journalist known for his reporting about unauthorized property seizures and other abuses of power by local authorities, was sentenced in March to five years in prison. He was charged with "taking advantage of the people's liberty and democratic rights to harm the interests of the country," and while in custody he reportedly sustained injuries and was denied proper medical treatment. Tran Khai Thanh Thuy, a prominent female journalist and writer who had been detained in April 2007, was tried and sentenced in January on charges of "disturbing social order," though she was immediately released after being credited with time served.

Foreign reporters continued to be monitored closely, and their movements within the country were restricted. In several instances during the year, foreign journalists faced arrest or physical violence when seeking to cover sensitive topics. Le Hong Thien, a U.S. citizen and reporter for the *Viet Times Weekly*, was placed under house arrest in May after covering the Olympic torch relay and the anti-China protests associated with it. He was interrogated for two weeks before being released. Also in May, Somsak Khunmi (also known by his Vietnamese name, Nguyen Quoc Hai), a Thai citizen and journalist working for the Japan- and U.S.-based Radio Chan Troi Moi, was sentenced to nine months in prison on terrorism charges, after distributing literature calling for peaceful democratic change. In September, police briefly detained and beat Associated Press correspondent Ben Stocking while he attempted to cover peaceful protests by Catholic groups over confiscated land.

There is only one national television station in the country, state-owned Vietnam Television, although cable services do carry some foreign channels. Vietnam launched its first telecommunications satellite in April 2008, indicating that access to television, telephone service, and the internet may increase in rural areas in the coming years. While satellite television is officially restricted to senior officials, international hotels, and foreign businesses, many homes and businesses in urban areas have satellite dishes, in some cases allowing them access to foreign programming. Radio is controlled by the government-run Voice of Vietnam or other state entities. Though all print media outlets are owned by or under the effective control of the CPV, government organs, or the army, several newspapers—including *Thanh Nien*, *Nguoi Lao Dong*, and *Tuoi Tre* (owned by the Youth Union of the CPV)—have attempted to become financially self-sustaining and end their reliance on state subsidies. Several underground publications have been launched in recent years, including *Tu Do Ngon Luan*, *To Quoc*, and *Tu Do Dan Chu*; they reportedly continue to circulate despite recent arrests of staff members. Foreign periodicals, although widely available, are sometimes censored, and the broadcasts of stations such as Radio Free Asia are

periodically jammed.

Access to the internet is growing, especially in urban areas, and more than 24 percent of Vietnamese reportedly had internet access at the end of 2008. Website operators continue to use internet service providers (ISPs) that are either publicly or semipublicly owned, like Vietnam Data Communications, which is controlled by the Ministry of Post and Telecommunications and caters to nearly a third of all internet users. ISPs are required by law to block access to websites that the government considers politically unacceptable, though many foreign news sites remain accessible. Internet cafes are required by law to record the personal information and browsing activities of users. In an effort to tighten government control over an increasingly vibrant blogosphere, the Ministry of Information and Communications issued a decree in December 2008 that instructed bloggers not to discuss subjects deemed sensitive by the government. According to the new regulations, blogging platforms operating in Vietnam would also be required to remove harmful content, report to the government every six months, and provide information about individual bloggers as requested. It remained unclear at year's end whether the U.S.-based firm Yahoo!, whose blogging platform was used by a majority of Vietnamese bloggers, would be required to comply. Ho Thi Bich Khuong, a leading internet writer who advocated farmers' rights, was sentenced in April 2008 to two years in prison and three years of administrative detention for publishing reports on foreign websites about human rights violations in Vietnam. *Intellasia*, an online news and investment site whose offices were raided in 2007, continues to operate from outside the country due to repeated threats from authorities.