



Freedom in the World - Vietnam (2007)

Population: 84,200,000

Capital: Hanoi

Political Rights Score: 7

Civil Liberties Score: 5

Status: Not Free

Overview

In April 2006, Nong Duc Manh was re-elected as head of the Communist Party of Vietnam and, in June, Nguyen Minh Triet was elected president of the country. Both are seen as supporters of economic reform and have called for stronger anticorruption measures to quell public discontent.

Vietnam won full independence from France in 1954 but was divided into a Western-backed state in the south and a Communist-ruled state in the north. Open warfare had erupted between the two sides by the mid-1960s, and U.S. military support for South Vietnam persisted for more than a decade. A peace treaty was signed in 1973, officially ending the war, and the United States agreed to an immediate and total withdrawal of troops. The last U.S. troops left in March 1973. However, fighting continued, and in 1975, North Vietnam claimed victory over the South, uniting the country the following year.

Poor economic policies on the heels of decades of war left the tattered country in deep poverty. In 1986, the government began economic reforms, and Vietnam has since been on a steady path of economic growth. Tourism is a major source of revenue, as is the export of foodstuffs and manufactured products. A stock market opened in 2000. Nevertheless, Vietnam's leadership continues to be divided over the pace and depth of privatization and other market reforms, and political reform has not followed economic change. Official corruption and abuses are widespread, despite the prosecution of a few high-ranking officials, and the authorities continue to suppress religious freedom, the media, and any criticism of the government.

The United States has been pressuring Hanoi to improve its human rights record through high-profile government reports and the designation of Vietnam as a "country of particular concern," a status given to countries with serious human rights violations, and the U.S. Congress has even attempted to link economic aid to the release of political and religious prisoners. The government has worked to address such international concerns as it seeks to join the World Trade Organization, which it recognizes is essential to sustaining its high economic growth—an average of 7.5 percent a year between 2001 and 2005. The government in 2005 stopped disrupting open celebrations of Roman Catholic masses. Vietnam has an estimated 5 million to 8 million Catholics, the largest number in Southeast Asia after the Philippines. The number of religious prisoners was also estimated to have dropped from 45 to six that year, and a new ordinance relaxed many restrictions on religious groups, allowing charitable activities and freer movement of clergy across the country. Further, at least 12 political and religious prisoners were released in 2005. A so-called cyberdissident was freed in February 2006 as part of an amnesty to celebrate the Lunar New Year and a pro-democracy dissident was released in September 2006—along with 5,300 other prisoners—as part of the National Day amnesty.

At the 10th congress of the Communist Party of Vietnam (CPV) in April 2006, Nong Duc Manh, 64, was reelected as the party's secretary general, a post he has held since 2001. The party also approved a proposal to allow CPV members to engage in business, both to accommodate new economic realities and to recruit entrepreneurs into the party. In June, Nguyen Minh Triet, head of the CPV in Ho Chi Minh City, was elected state president by the National Assembly. Nguyen Tan Dung, a deputy prime minister, was elevated to the premiership that month. Both men are seen as supporters of economic reform, and they have pledged to fight corruption and address the widening economic gap between rural and urban populations; the two problems are sources of deep public discontent and social tension.

As part of the anticorruption campaign, the government allowed the media greater freedom to report on graft and corruption following major bribery and corruption scandals involving officials in the ministry of transportation and the national soccer team.

The government also raised the minimum wage for workers employed by foreign-owned factories by 40 percent, effective in February 2006, following several wildcat strikes and walkouts by workers over the previous year. The government even went so far as to issue warnings to foreign-owned firms to obey the new minimum-wage law.

Vietnam gained official admission to the WTO in November. The same month, Hanoi assigned light sentences of 15 months each to three U.S. citizens of Vietnamese origin convicted of terrorism and, specifically, of attempting to set up an illegal radio station to disseminate anticommunist broadcasts. The three were released and deported before U.S. President George Bush's official state visit to Vietnam and, just days before the president was to arrive in Hanoi, the U.S. State Department removed Vietnam from the list of countries of particular concern.

Political Rights and Civil Liberties

Vietnam is not an electoral democracy. Politics and the government are controlled by the CPV, and its Central Committee is the top decision-making body in Vietnam. The National Assembly, consisting of 498 members elected to five-year terms, generally follows the party's dictates in legislation. Delegates to the Assembly can speak about grassroots complaints, influence legislation, question state ministers, and debate legal, social, and economic issues, within limits set by the party. The president, elected by the National Assembly for a five-year term, appoints the prime minister, who is confirmed by the legislature. A new president was elected in 2006, and the next National Assembly elections are scheduled for 2007. The CPV is the sole legal political party, and no opposition parties are permitted.

Corruption and abuse of office are serious problems. Citizens complain about official corruption, governmental inefficiency, opaque bureaucratic procedures, and unreasonable land seizures. Although senior party and government officials have publicly acknowledged growing public discontent, the government has mainly responded with a few high-profile prosecutions of officials and private individuals rather than by implementing comprehensive reforms. In January, the "PMU 18" scandal made headlines in local news, stirring a strong public reaction. PMU 18 is a bureau within the Ministry of Transportation responsible for road construction and other infrastructure projects. Several PMU 18 officials were alleged to have embezzled \$1.8 million of official funds to gamble on soccer matches and procure commercial sex; computer records showed that at least 200 PMU 18 employees participated in gambling activities. Many foreign governments and international development organizations, whose development assistance to

Vietnam comprise a significant part of PMU 18's \$2 billion annual budget, were strongly displeased. The minister of transportation resigned as a result of the scandal, and his deputy was arrested. The same month, the vice captain of the national soccer team was sentenced to jail for six years for fixing matches for profit. Vietnam was ranked 111 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

The government tightly controls the media. Journalists who overstep the bounds of permissible reporting—for example, by writing about sensitive political and economic matters or the CPV's monopoly on power—are brought to court, sent to prison, or harassed. The director of a publishing company was reportedly told to resign in 2005 when the government learned of his plans to publish a memoir, written by former deputy prime minister Doan Duy Thanh, that was critical of the CPV. Foreign media representatives cannot travel outside Hanoi without government approval. Publications deemed offensive or inaccurate are subject to an official ban. A 1999 law requires journalists to pay damages to groups or individuals found to be harmed by press articles, even if the reports are accurate. At least one suit was filed under this law in September 1999 by the Haiphong Agriculture Materials and Transport Company against the popular newspaper *Tuoi Tre Hanoi* for defamation, although it was later withdrawn. Media reports on high-level governmental corruption and mismanagement provide a small outlet for public grievances. Under a 2006 decree, journalists face large fines for transgressions of censorship laws, including denying revolutionary achievements, spreading "harmful" information, or exhibiting "reactionary ideology."

Television is the dominant medium. Vietnam Television broadcasts to the entire country, and there are many provincial television stations. Satellite television is officially restricted to senior officials, international hotels, and foreign businesses, but many Vietnamese homes and businesses pick up some foreign broadcasts via satellite. Some foreign channels, including Cable News Network (CNN) and the Discovery Channel, both based in the United States, are broadcast via cable. More than two million Vietnamese have access to the internet, which the government tightly controls. A 2003 law bans the receipt and distribution of antigovernment e-mail messages. Websites considered "reactionary" are blocked, including the Vietnamese-language website of the British Broadcasting Corporation (BBC) since May 2005, and owners of domestic websites must submit their content for official approval. Internet providers face fines and closure for breaking censorship rules, and cyberdissidents have been jailed.

Religious freedom is still restricted, but the situation has improved in recent years in response to international pressure as Vietnam has become more entwined with the global economy. All religious groups and most individual clergy members must join a party-controlled supervisory body. One such body exists for each religion that the state officially recognizes: Buddhism; Roman Catholicism; Protestantism; Islam; Cao Daiism, a synthesis of several religions; and the Hoa Hao faith, a reformist Buddhist church. Religious groups must obtain permission to build or refurbish places of worship; run religious schools or do charitable work; hold conventions, training seminars, and special celebrations; and train, ordain, promote, or transfer clergy. A small number of religious leaders and followers remain in prison or face other forms of government control. In November 2005, Catholic priests were ordained in the country for the first time in decades. Many churches have received government approval for repairs, and adherents can freely attend church without government harassment. In December 2005, Catholic priests were allowed to travel to Rome, and the government has invited an emissary of the Vatican to visit Vietnam.

Academic freedom is limited. University professors must refrain from criticizing government policies and adhere to party views when teaching or writing on political topics. In 2004, a former

academic was given a 19-month prison sentence for “abusing the right to democracy and freedom” and breaking a house arrest order. Also in 2004, Pham Que Duong, then a 73-year-old military historian, was sentenced to 19 months in jail for “abuse of democratic freedom and rights.” Pham had signed a petition calling for reforms and measures against graft. He was released after only a short time in prison because of significant time spent in pre-trial detention, but remains under police surveillance in his home in Hanoi. The government has also accused 83-year-old Hoang Minh Chinh, a former high-ranking CPV member who has become a defender of human rights, of treason against the state (but no official charges were filed); he and his wife also suffered physical attacks by mobs. While the state continues to react strongly to criticism by prominent individuals, Vietnamese citizens can generally speak freely in private discussion without fear of repercussion.

Freedoms of association and assembly are limited. Human rights organizations and other private groups with rights-oriented agendas are banned, but a small number of nongovernmental groups promote environmental conservation, women’s development, and public health.

The Vietnam General Conference of Labor (VGCL), closely tied to the CPV, is the only legal labor union. All trade unions are required to join the VGCL and must obtain government approval. In recent years, the government has permitted hundreds of independent “labor associations” to represent workers at individual firms and in some service industries. Farmers and workers have also held small protests and strikes. The central leadership uses such public demonstrations of grievances to pressure local governments and businesses to comply with tax laws, environmental regulations, and wage agreements. Enforcement of child labor, workplace safety, and other labor laws remains poor.

Vietnam’s judiciary is subservient to the CPV, which controls courts at all levels. Defendants have a constitutional right to counsel, but lawyers are scarce and many are reluctant to take on human rights and other sensitive cases for fear of harassment and retribution by the state. Defense attorneys cannot call or question witnesses and are only infrequently permitted to request leniency for their clients.

The police are known to abuse suspects and prisoners, and prison conditions are poor. The death penalty is applied mainly for violent crimes, but it has been handed down in cases involving economic and drug-related offenses. Vietnam has imprisoned a number of people for their political and religious beliefs. Police can hold individuals in administrative detention for up to two years on suspicion of threatening national security. There have been fewer arrests and more releases of religious prisoners in recent years.

Ethnic and religious minorities face unofficial discrimination in mainstream society, and some local officials restrict their access to schooling and jobs. Minorities generally have little input on development projects that affect their livelihoods and communities. Human rights groups have accused the government of arresting more than 350 Montagnards (“mountain dwellers” in French) since 2001, and many are given long jail sentences for participating in demonstrations to protest land seizures and demand greater religious freedom (many are Catholic). In recent years, a number fled to Cambodia for refuge, but they were repatriated and are alleged to have faced government persecution, including detention and beatings. Lands seized from the Montagnards are often turned over to lowland Vietnamese to grow commercial crops like coffee beans, of which Vietnam is now the world’s number two producer behind Brazil.

Ordinary Vietnamese, particularly those living in major cities, are increasingly free of

government intrusion into their daily lives, including their choice of work, place of residence, and participation in economic and religious activities.

Economic opportunities have grown for women, but they continue to face discrimination in wages and promotion. Many women are victims of domestic violence, and thousands each year are trafficked internally and externally and forced into prostitution. HIV/AIDS is spreading rapidly, and intravenous drug use is a leading cause. To counter the problem, the government approved needle exchanges in 2006.