



Freedom in the World - Vietnam (2008)

Population: 85,100,000

Political Rights Score: 7

Capital: Hanoi

Civil Liberties Score: 5

Status: Not Free

Overview

In the May 2007 National Assembly elections, 500 deputies were elected in a poll that was neither free nor fair. The legislature approved the new cabinet of Prime Minister Nguyen Tan Dung in August. Fighting official corruption and closing the widening rural-urban economic gap remained top government priorities during the year, as both were significant sources of public discontent and social tension. Following a relative easing of restrictions on political activity in 2006 as Vietnam prepared for accession to the World Trade Organization (WTO), the government in 2007 cracked down on peaceful dissent with a severity not seen in several years as over a dozen journalists, lawyers, and dissidents were sentenced to long prison terms.

Vietnam won full independence from France in 1954, but it was divided into a Western-backed state in the south and a Communist-ruled state in the north. Open warfare erupted between the two sides by the mid-1960s, and fighting persisted for more than a decade. A peace treaty in 1973 officially ended the war, but fighting did not cease until 1975, when North Vietnam claimed victory over the South. The country was formally united in 1976.

War and poor economic policies mired Vietnam in deep poverty, but economic reforms that began in 1986 have drastically transformed the country. Tourism is a major source of revenue, as is the export of foodstuffs and manufactured products; a stock market opened in 2000. However, political reform has not followed the partial economic liberalization. Criticism of the government is harshly suppressed. Official corruption and abuses are widespread and serve as major sources of public frustration and discontent. To protect the legitimacy and survival of the regime, recent governments have all declared anticorruption efforts a top priority and acknowledged that reform is needed within the ruling Communist Party of Vietnam (CPV). The leadership has also focused on closing the widening income gap between rural and urban populations, as it is another key source of social tension. Following major bribery and corruption scandals involving officials in the ministry of transportation and the national soccer team in 2006, the government allowed the media greater freedom to report on graft and corruption.

At the 10th congress of the CPV in April 2006, Nong Duc Manh was reelected as the party's general secretary, a post he has held since 2001. Also that year, the CPV approved a proposal to allow members to engage in business, partly to attract young entrepreneurs into the party. In

June 2006, Nguyen Minh Triet, head of the CPV in Ho Chi Minh City, was elected state president by the National Assembly, while Nguyen Tan Dung, a deputy prime minister, became prime minister.

The United States has been pressuring Hanoi to improve its human rights record through high-profile reports on the topic, and the U.S. Congress has proposed linking economic aid to the release of political and religious prisoners. To sustain high economic growth, the Vietnamese government needs to access the United States and other world markets, as well as foreign investment. In 2005, the authorities stopped disrupting public Roman Catholic masses; Vietnam is home to between five and eight million Catholics, the largest number in Southeast Asia after the Philippines. Many restrictions on religious groups have been lifted, allowing charitable activities and freer movement for clergy, and the number of religious prisoners is believed to have fallen in recent years. In January 2007, Prime Minister Nguyen Tan Dung met with the pope at the Vatican, marking the first meeting of a Vietnamese leader and the head of the Catholic Church; in March, the government received a Vatican delegation. Meanwhile, restrictions on political activity were eased in 2006 as Vietnam prepared for accession to the World Trade Organization (WTO).

In the months preceding and following the elections—and after Vietnam became the WTO's 150th member on January 11, 2007—the government embarked on one of the strongest crackdowns against peaceful dissent in recent years. According to Human Rights Watch, nearly 40 dissidents were arrested, with more than 20 sentenced to long prison terms in 2007, often under Article 88 of the Penal Code which criminalizes promoting “antigovernment propaganda.” In March, Father Nguyen Van Ly, a founding member of the (illegal) Progression Party and member of the pro-democracy movement Bloc 8406, was sentenced to eight years in prison for “committing very serious crimes that harmed national security;” he had already spent over a dozen years in prison for his dissident activities. Attorneys and Bloc 8406 members Nguyen Van Dai and Le Thi Cong were sentenced in May to five and four years in prison, respectively, for “spreading propaganda intended to undermine Vietnam’s Communist government.”

About 900 candidates competed in the May 2007 National Assembly elections. Of the 500 deputies chosen, 50 were not CPV members. In August, the National Assembly approved the new cabinet of Prime Minister Nguyen, which included two relatively young deputy prime ministers with strong economic expertise and fluency in English. The prime minister also reduced the number of ministries, from 26 to 22, for his 28-member cabinet.

Widespread official corruption and abuse of power by the CPV and the government have greatly undermined public trust in these institutions, to the extent that several former high-ranking government and party leaders, war veterans, and intellectuals have openly advocated reform. They include former prime minister Vo Van Kiet, who in the run-up to the May 2007 elections called for national reconciliation and urged CPV leaders to talk to political dissidents. Vo was prime minister from 1991 to 1997 and is considered the chief architect of market-based reforms.

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. The CPV is the sole legal political party, and no opposition parties are permitted. The National Assembly, consisting of 500 members elected to five-year terms, generally follows the party’s dictates in legislation; all candidates for the assembly are vetted by the Vietnam Fatherland Front, an arm of the CPV,

regardless of whether they are CPV members or independents. 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.

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 comprehensive reforms. Vietnam was ranked 123 out of 180 countries surveyed in Transparency International's 2007 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 silenced using the courts or other forms of harassment. 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. 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. State-owned Vietnam Television broadcasts to the entire country, and there are many provincial television stations. Although satellite television is officially restricted to senior officials, international hotels, and foreign businesses, many homes and businesses have satellite dishes and pick up foreign broadcasts. Some foreign channels, including Cable News Network (CNN), broadcast via cable. All print media outlets are owned by or are under the effective control of the CPV, government organs, or the army, although several newspapers have attempted to push the limits of permissible coverage.

The number of internet users continues to increase. By July 2006, an estimated 13 million Vietnamese were regular users. The government recognizes the internet as a new medium for reaching out to youth. In February 2007, Prime Minister Nguyen Tan Dung conducted the government's first online chat with the public; some 20,000 questions were reportedly received during the three-hour session. Nevertheless, the government maintains tight control of the internet through legal and technical means. For example, a 2003 law bans the receipt and distribution of antigovernment email messages, websites considered "reactionary" are blocked, and owners of domestic websites must submit their content for official approval. Cyber cafes are required by law to register the personal information of and record the sites visited by users. Internet service providers face fines and closure for violating censorship rules. In 2007, over a dozen journalists and activists who had pushed for a more open media or cyberdissidents who had posted online essays calling for democratic reforms were sentenced to long prison terms.

Religious freedom is still restricted, but the situation has improved in recent years due to international pressure and greater integration 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 for most activities, including personnel decisions and building renovations. A small number of religious leaders and adherents remain in prison or face other forms of government harassment. In recent years, the Catholic Church has been allowed to pick its own new bishops and priests, although they must still be approved by the government. Many churches have also received government approval for repairs, and adherents can freely attend church. Catholic priests have been allowed to travel to Rome.

Academic freedom is limited. University professors must refrain from criticizing government policies and adhere to party views when teaching or writing on political topics. For example, in 2004, a 73-year-old military historian was sentenced to 19 months in jail for “abuse of democratic freedom and rights.” The government also accused an 83-year-old former high-ranking CPV member of treason for speaking out against human rights violations. The state appears to act most harshly against prominent prodemocracy activists; private citizens can generally speak freely in private discussion without fear of repercussions.

Freedoms of association and assembly are restricted. Human rights organizations and other private groups with rights-oriented agendas are banned; a small but active community 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. In recent years, the government has permitted hundreds of independent “labor associations” to represent workers at individual firms and in some service industries. Farmer and worker protests against local government abuses and unfair or harsh working conditions have become more common. The central leadership uses such public demonstrations 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 or drug-related offenses. Many have been imprisoned 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 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 prison terms for protesting against land seizures and demanding greater religious freedom (many are Catholic).

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. In July 2007, hundreds of farmers from the Mekong Delta region surrounded a government building in Ho Chi Minh City to demand the return of their land and punishment for abusive officials.

Economic opportunities have grown for women, but they continue to face discrimination in wages and promotion. Many are victims of domestic violence, and thousands of women each year are trafficked internally and externally and forced into prostitution. In July 2007, six people were jailed for human trafficking, allegedly using marriage as a cover to ship women overseas and force them into prostitution.