



## **Freedom in the World – Vietnam (2011)**

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### **Overview:**

**The government in 2010 continued a serious crackdown on dissent that carried over from previous years, but showed much more hostility toward criticism on the internet. Despite concerns about its human rights record, Vietnam dramatically upgraded its relationship with the United States during the year, launching joint naval exercises amid an ongoing maritime territorial dispute with China.**

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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 between the two sides erupted in the mid-1960s. A 1973 peace treaty officially ended the war, but fighting did not cease until 1975, when the north completed its conquest of the south. Vietnam was formally united in 1976.

War and poor economic policies mired Vietnam in deep poverty, but economic reforms that began in 1986 drastically transformed the country over the next two decades. Tourism became a major source of revenue, as did the export of foodstuffs and manufactured products. However, the ruling Communist Party of Vietnam (CPV) rejected any parallel political reforms that would threaten the one-party system. Criticism of the government continued to be harshly suppressed, and official corruption remained

widespread. To protect the regime's legitimacy, the government began to openly call for an end to corruption, and acknowledged that some reforms were needed. The leadership also focused on closing the widening income gap between rural and urban populations.

At the 10th party congress in April 2006, Nong Duc Manh was reelected as CPV general secretary, and the delegates approved a proposal to allow CPV members to engage in business, partly to attract young entrepreneurs into the party. Nguyen Minh Triet was elected state president by the National Assembly in June, and Nguyen Tan Dung was chosen as prime minister. National Assembly elections were held in May 2007; only 50 of the 500 deputies chosen did not belong to the CPV, and all were preapproved by the party.

Vietnam secured entry into the World Trade Organization in 2007, and the government subsequently embarked on a serious and extended crackdown on peaceful dissent, displaying a sharply reduced tolerance for open criticism and prodemocracy activism. Dozens of dissidents were arrested, and many were sentenced to lengthy prison terms. This process continued unabated in 2010. Among other cases during the year, the authorities arrested at least seven independent bloggers, sentenced three prodemocracy activists to long terms in jail for allegedly "attempting to overthrow the government," and sentenced two other prominent dissidents to jail for disseminating antigovernment propaganda. Also during the year, the government expanded its attempts to censor and block critical media content, particularly on the internet. Many observers attributed the latest wave of repression to preparations for the CPV's 11th party congress, scheduled to take place in January 2011.

Despite concerns about Vietnam's human rights record, the United States dramatically deepened its relationship with the country in 2010, responding in part to growing regional tensions over China's territorial claims in the

South China Sea. In addition to holding joint naval exercises and launching other bilateral programs, the United States negotiated a controversial agreement on nuclear energy that would allow it to provide Vietnam with nuclear fuel and technology without the normal nonproliferation constraints.

#### Political Rights and Civil Liberties:

Vietnam is not an electoral democracy. The CPV, the sole legal political party, controls politics and the government, and its Central Committee is the top decision-making body. The National Assembly, whose 500 members are elected to five-year terms, generally follows CPV dictates. The Vietnam Fatherland Front, an arm of the CPV, vets all candidates. 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. Although senior CPV and government officials have acknowledged growing public discontent, they have mainly responded with a few high-profile prosecutions of corrupt officials and private individuals rather than comprehensive reforms. Major government decisions are made with little transparency, and revelations of contracts with Chinese state-owned companies have generated considerable controversy. In 2009 and 2010, 98-year-old Vo Nguyen Giap, the famed commander of Vietnamese forces during the wars of independence and unification, led public criticism of a government deal to allow a Chinese company to open a huge bauxite-mining operation in the Central Highlands, which opponents said would displace indigenous residents, cause environmental damage, and threaten national security.

The government tightly controls the media, silencing critics through the courts and other means of harassment. A 1999 law requires journalists to pay damages to groups or individuals found to have been harmed by press articles, even if the reports are accurate. A 2006 decree imposes fines on

journalists for denying revolutionary achievements, spreading “harmful” information, or exhibiting “reactionary ideology.” Foreign media representatives in theory cannot travel outside Hanoi without government approval, though they often do in practice. The CPV or state entities control all broadcast media. Although satellite television is officially restricted to senior officials, international hotels, and foreign businesses, many homes and businesses have satellite dishes. All print media outlets are owned by or are under the effective control of the CPV, government organs, or the army. The government restricts internet use through legal and technical means, and this effort was stepped up significantly in 2010. A 2003 law bans the receipt and distribution of antigovernment e-mail messages, websites considered “reactionary” are blocked, and owners of domestic websites must submit their content for official approval. Internet cafes must register the personal information of and record the sites visited by users. Internet-service providers face fines and closure for violating censorship rules. The government detained numerous bloggers and online writers throughout 2010, and cyberattacks disabled websites and blogs that were critical of the authorities or provided independent information about sensitive topics, including Roman Catholicism and human rights.

Religious freedom remains restricted. All religious groups and most individual clergy members must join a party-controlled supervisory body and obtain permission for most activities. The Roman Catholic Church can now select its own bishops and priests, but they must be approved by the government. Many restrictions on charitable activities have been lifted, and clergy enjoy greater freedom to travel domestically and internationally. However, several religious leaders and adherents remain in prison. In January 2010, Vietnamese Catholic groups reported that priests and believers in the area of Dong Chiem had been attacked on their way to pray; similar sporadic attacks were reported throughout the year.

Academic freedom is limited. University professors must refrain from criticizing government policies and adhere to party views when teaching or writing on political topics. Although citizens enjoy more freedom in private discussions than in the past, the authorities continue to suppress open criticism of the state.

Freedoms of association and assembly are restricted. Organizations must apply for official permission to obtain legal status and are closely regulated and monitored by the government. A small but active community of nongovernmental groups promotes environmental conservation, women's development, and public health. Human rights organizations and other private groups with rights-oriented agendas are banned.

The Vietnam General Conference of Labor (VGCL), closely tied to the CPV, is the only legal labor federation. 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, including land confiscations and unfair or harsh working conditions, have become more common. The central leadership uses such demonstrations to pressure local governments and businesses to comply with tax laws, environmental regulations, and wage agreements.

Enforcement of labor laws covering child labor, workplace safety, and other issues remains poor. Critics also allege that the government has intentionally kept minimum wages low to attract foreign investment, although wages have been rising as companies migrate to Vietnam due to labor unrest in China. In June 2010, farmers and other Vietnamese protested power cuts and blackouts, and sporadic labor protests were reported throughout the year.

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—including arrest—by the state. Defense attorneys cannot call or question witnesses and are rarely permitted to request leniency for their clients. Police can hold individuals in administrative detention for up to two years on suspicion of threatening national security. The police are known to abuse suspects and prisoners, and prison conditions are poor. Many political prisoners remain behind bars, and political detainees are often held incommunicado. Human rights groups have expressed concern that the bloggers and other online activists arrested in 2010 have been beaten and tortured.

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.

Land disputes have become more frequent as the government seizes property to lease to domestic and foreign investors. Affected residents and farmers rarely find the courts helpful, and their street protests have resulted in harassment and arrests by the state.

Although economic opportunities have grown for women, they continue to face discrimination in wages and promotion. Many women are victims of domestic violence, and thousands of women each year are trafficked internally and externally and forced into prostitution. A number of cases of international adoption fraud have been exposed in recent years.