



FREEDOM HOUSE

Freedom in the World 2012 - Vietnam

Overview:

The government in 2011 pursued a crackdown on dissent that had been ongoing for several years. The 11th Communist Party Congress, held in January, confirmed promotions for officials linked to the military and security forces and generally heralded a continuation of existing policies. Elections for the country's one-party legislature were held in May. In July, the new chamber approved Nguyen Tan Dung for another term as prime minister and chose Truong Tan Sang as state president.

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 unsound 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.

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 2011. Among other cases during the year, former CPV member and activist Vi Duc Hoi was sentenced to prison in January for posting prodemocracy articles on the internet, a prominent scholar was sentenced in April for criticizing the government,

four activists received prison terms in August for protesting against land confiscations, and multiple bloggers and online activists were arrested.

At the 11th Communist Party Congress in January, party members generally approved a continuation of the current policies of gradual economic opening and rejection of political reform. The congress chose hard-liner Nguyen Phu Trung as CPV general secretary, and picked other officials with strong security and military ties for top positions, sidelining some more moderate figures.

Tightly controlled elections for the one-party National Assembly were held in May, with the CPV taking 454 seats, officially vetted nonparty members securing 42 seats, and self-nominated candidates garnering the remaining four. In July, the new legislature approved Nguyen Tan Dung, the prime minister since 2006, for another term, and elected Truong Tan Sang as the new state president.

In response to ongoing tensions with China over disputed territory in the South China Sea, Vietnam allowed months of anti-China protests in Hanoi and other cities in 2011. Meanwhile, the United States continued to upgrade its defense ties with Vietnam despite concerns about the country's poor human rights record.

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, essentially 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. Government decisions are made with little transparency, and revelations of contracts with Chinese and other foreign companies for major mining or development projects have generated considerable controversy. The sons of several senior CPV leaders were appointed to top positions during the 11th Party Congress in 2011, suggesting that nepotism is becoming a serious problem in Vietnam.

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 and 2011, particularly in the period directly before and after the 11th Party Congress. 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 cafés 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 during 2011, and cyberattacks disabled websites and blogs that were critical of the authorities or provided independent information about sensitive topics, including Roman Catholicism, human rights, and the party congress. Nevertheless, online criticism of government scandals and corruption has increased in recent years, and official pressure on the medium eased somewhat after the May 2011 elections.

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. In early 2011, the government allowed the Vatican to appoint its first official representative to Vietnam, which was seen as a breakthrough in relations between Hanoi and the Holy See. Many restrictions on charitable activities have been lifted, and clergy enjoy greater freedom to travel domestically and internationally.

However, harassment, arrests, and occasional attacks directed at religious minorities continue to occur. Activist organizations reported in 2011 that Vietnamese and Lao troops killed four Hmong Christians near the border in April, and that detentions of Christian leaders remained common, particularly in central Vietnam. In May, security forces reportedly dispersed a gathering of thousands of Hmong Christians in Dien Bien. Foreign observers were prevented from visiting the site of the unrest.

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 punish open criticism of the state, and this climate of repression increased in the period surrounding the party congress in 2011. In April, legal scholar Cu Huy Ha Vu was sentenced to seven years in prison for "propagandizing against the government."

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, land rights, 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 multinational companies migrate to Vietnam due to labor unrest in China.

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 in 2011 expressed concern that jailed blogger Nguyen Van Hai appeared to have been seriously injured while in custody, and that Thaddeus Nguyen Van Ly, a veteran rights activist who had been released on medical grounds in 2010, was returned to prison in July.

Ethnic minorities, who often adhere to minority religions as well, 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. In March 2011, Human Rights Watch reported that the government had increased repression of Montagnard Christians over the past year, detaining asylum seekers, confiscating land, and closing down worship groups.

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 often result in state harassment and arrests.

Women hold 122 seats in the National Assembly. 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 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.