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Vietnam

Country:
Vietnam
Year:
2015
Freedom Status:
NF
Political Rights:
7
Civil Liberties:
5
Aggregate Score:
20
Freedom Rating:
6.0
Overview:

In 2014, Vietnam continued to suppress freedom of expression online, in print, and through public demonstrations. The state enacted Decree 174 to institute harsh new penalties for certain types of speech in blogs and social media, expanding upon government powers to censor internet and social media usage in place under a previous decree. Several high-profile internet writers and bloggers were arrested, while the trials of other prominent activists proceeded despite international pressure for their release.

Vietnam's relations with neighboring China were severely strained in May 2014 after a Chinese oil rig attempted to relocate in disputed waters off the Paracel Islands in the South China Sea; several naval skirmishes took place between the two countries before China's withdrawal in July. Labor riots sparked by anti-China sentiment broke out in May as thousands protested working conditions in Chinese and other foreign-owned factories across Vietnam. After initial tolerance, state security forces shut down the violent demonstrations, arresting groups of protesters in Hanoi and Ho Chi Minh City.

In August 2014, a new police reform law, Circular 28, passed in an effort to curb police rights abuses. However, critics questioned enforcement and cited problems concerning legal due process under the law.

Although the Communist Party of Vietnam (CPV) oversaw a period of economic expansion

after the late 1980s, growth has slowed since the global economic crisis of 2009. Vietnam's recession has been compounded by a widening wealth gap and large-scale debt of state-owned enterprises.

Political Rights and Civil Liberties:

Political Rights: 3 / 40 [Key]

A. Electoral Process: 0 / 12

The CPV is the country's only state-recognized political party, and its Central Committee is the government's top decision-making body. The unicameral National Assembly, whose 500 members are elected to five-year terms, generally follows CPV dictates. The president is elected by the National Assembly for a five-year term and is responsible for appointing the prime minister, who is confirmed by the legislature.

In tightly controlled 2011 elections for the National Assembly, the CPV took 454 seats, officially vetted nonparty members secured 42 seats, and self-nominated candidates won the remaining 4. In July 2011, the legislature elected Trương Tấn Sang as president and approved Nguyễn Tấn Dũng, acting prime minister since 2006, for a second term.

B. Political Pluralism and Participation: 1 / 16

The CPV is the only legally recognized political party in Vietnam. In theory, the Vietnam Fatherland Front (VFF) is an alliance of organizations representing the people and is responsible for vetting all candidates for the National Assembly, but in practice the VFF acts as an arm of the CPV. Party membership is widely viewed as a means to business and societal connections, and corruption and nepotism among party members are a continuing problem. Although ethnic minorities are represented within the CPV, they are almost never allowed to rise up to senior leadership positions within the party.

Splits between factions within the party exist, but are not openly aired; public discussion of dissent is actively suppressed.

C. Functioning of Government: 2 / 12

The government is increasingly saddled by corruption, internal dissent, and an inability to manage the country's economic problems. Disunity within the CPV is more widely acknowledged than in the past, as are complaints that the government has failed to seriously address corruption or nepotism in the party or state-owned companies. Although senior CPV and government officials have acknowledged growing public discontent, they have not responded with comprehensive reforms or increased transparency. The CPV announced plans in 2013 to increase financial transparency of state enterprises, clean up debts in state firms, and make state firms more productive, but actualization of these reforms has been limited, and many state companies continue to operate with little transparency.

D. Freedom of Expression and Belief: 4 / 16

The state controls all print and broadcast media via the CPV, military, or other government organs. The government actively silences critics through arrest, legal prosecution, 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." In 2013, the government passed Decree 72, which gave the state sweeping new powers to restrict speech on blogs and social media. In January 2014, Vietnam's Decree 174 was put into effect, instituting harsh new penalties for social media and internet users voicing "antistate propaganda" or "reactionary ideologies" on social media sites.

Foreign media representatives cannot legally travel outside Hanoi without government approval, though they often do. Satellite television is officially restricted to senior officials, international hotels, and foreign businesses, though many private homes and businesses have satellite dishes.

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 users and record the sites they visit. Internet service providers face fines and closure for violating censorship rules. In addition, in 2014 it was revealed that the government employs roughly 1,000 "public opinion shapers": bloggers whose job it is to shut down Facebook accounts of government critics and to disseminate favorable state propaganda through social media.

Vietnam also increased its repression of print and online journalists in 2014. In February, the government arrested eight activists, including several prominent bloggers, for minor traffic offenses in an act of intimidation intended to halt a group of 21 individuals on their way to visit arrested human rights lawyer Nguyễn Bắc Truyển. In August, a court sentenced three of the activists—defenders of religious freedoms Bùi Thị Minh Hằng, Nguyễn Văn Minh, and Nguyễn Thị Thúy Quỳnh—to jail terms of between two and three years. Roughly 33 people who tried to attend the trial were detained, and several activists in Hanoi and Ho Chi Minh City were prevented from leaving their homes at the time of the trial. In May, the government arrested the two prominent bloggers behind the politics and culture site Ba Sàm (Talking Nonsense) on "antistate" charges. In August, the government detained and allegedly tortured popular blogger and activist Phạm Lê Vương Các upon his return from a UN meeting in Geneva where he spoke about Vietnam's human rights record.

Despite the various restrictions, Vietnam has the third-highest number of internet users in Southeast Asia. Many Vietnamese increasingly use the web and social media to participate in political debate, often using remote internet servers and other methods to avoid detection and censorship.

Religious freedoms remain restricted. All religious groups and most individual clergy members are required to join a party-controlled supervisory body and obtain permission for most activities. Those who fail to register their activity with the state are often arrested and harassed. The Roman Catholic Church selects its own bishops and priests, but they must be approved by the government. Christians continue to be persecuted, particularly outside of

major cities. In June 2014, security forces raided an unauthorized church and Bible school in Bình Dương Province, beating and detaining 76 worshippers. In February, security forces attacked a group of 15 Hòa Hảo Buddhists from an unsanctioned Buddhist church traveling to Ho Chi Minh City to visit arrested human rights lawyer Nguyễn Bắc Truyển. In December, a Vietnamese court upheld Nguyễn's sentence, and gave three of his visitors extended sentences for "causing public disorder." The U.S. Commission on International Religious Freedom reports that dozens of people are currently "detained for their religious activity or religious freedom advocacy in Vietnam."

In March 2014, Pope Francis met with the president of Vietnam's legislature to discuss religious freedom and Catholicism in Vietnam. The meeting was taken as a sign of the country's openness to relations with the Vatican, though no formal diplomatic ties have been established. Vietnam also allowed the UN Special Rapporteur on freedom of religion or belief Heiner Bielefeldt to meet with various groups of religious leaders in Vietnam in July. At the end of his visit, Bielefeldt reported that "serious violations of freedom of religion or belief are a reality in Vietnam." In recent years, Vietnam has allowed several prominent foreign evangelical Christian leaders to visit the country and lead worship sessions, a major shift from when such visits were banned.

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, authorities continue to punish those who openly criticize the state.

E. Associational and Organizational Rights: 1 / 12

Freedoms of association and assembly are tightly 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, but human rights organizations and other private groups with rights-oriented agendas are banned.

Land rights activists are frequently arrested. In March and April 2014, seven farmers from the Dương Nội area outside Hanoi were beaten, arrested, and later convicted on charges of "disturbing the public order" after they protested government seizures of their lands.

The government initially tolerated countrywide labor protests against Chinese-owned factories in May 2014, sparked by anti-China sentiment involving a Chinese oil rig in disputed waters off the coast of the Paracel Islands. As demonstrations turned to encompass issues beyond Vietnam-China relations, the government clamped down, resulting in more than 1,000 arrests and at least four confirmed deaths. More than 350 foreign-owned factories were damaged or destroyed.

The Vietnam General Conference of Labor (VGCL) is Vietnam's only legal labor federation and is controlled by the CPV. All trade unions are required to join the VGCL. However, in recent years the government has permitted hundreds of independent "labor associations" without formal union status to represent workers at individual firms and in some service industries. Farmer and worker protests against local government abuses, such as land

confiscations and unfair or harsh working conditions, have become more common. The central leadership often responds by pressuring local governments and businesses to comply with tax laws, environmental regulations, and wage agreements.

F. Rule of Law: 4 / 16

Vietnam's judiciary is subservient to the CPV, which controls the 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 state harassment and retribution, including arrest. Defense lawyers 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 threats to national security. The police are known to abuse suspects and prisoners, and prison conditions are poor. Vietnam is believed to have more than 200 political prisoners, more than any other country in Southeast Asia, and political detainees are often held incommunicado.

In June 2014, police reportedly beat a man to death at a traffic stop for suspected drunk driving. Another suspect died in police custody in June in mysterious circumstances. The August 2014 police reform law, Circular 28, codifies rules for police investigations and prohibits police from coercing suspects in an effort to curb police abuses. Some human rights groups have praised Circular 28 as a step forward, but critics complain that the reforms, especially those protecting due process of law and enforcement, fall short.

Ethnic minorities, who often adhere to minority religions, 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. The government came under criticism in 2014 from international rights groups for its increased rate of repatriation of ethnic Uighurs back to China, without consideration of their possible refugee status.

Despite the overall worsening of the climate for political rights and civil liberties in Vietnam, the government has increased LGBT (lesbian, gay, bisexual, and transgender) rights. LGBT supporters held pride days in 2013 and 2014, and the country's state media aired a gay-themed sitcom. The government debated allowing greater rights and even possibly marriage for same-sex couples, but in May 2014 provisions for rights and legal status for same-sex couples were struck from a broader law on marriage.

G. Personal Autonomy and Individual Rights: 8 / 16

Although freedom of movement is allowed and theoretically protected by law, migrants are often discriminated against in larger cities, and the authorities frequently try to keep ethnic minorities from leaving areas such as the highlands. Land rights remain a large-scale problem, as land is owned by the state but leased to farmers. Nearly 70 percent of complaints to governmental agencies between 2004 and 2011 involved lands rights issues.

Women generally have equal access to education and are treated similarly in the legal system as men. Women won 122 seats in the National Assembly in 2011. 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. The Vietnamese government was praised in 2014 by numerous foreign governments and nongovernmental organizations for increasing investigation and prosecution of human traffickers.

Enforcement of labor laws covering child labor, workplace safety, and other issues remains poor.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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