

Vietnam

Human rights conditions in Vietnam, already dismal, worsened in 2004. The government tolerates little public criticism of the Communist Party or statements calling for pluralism, democracy, or a free press. Dissidents are harassed, isolated, placed under house arrest, and in many cases, charged with crimes and imprisoned. Among those singled out are prominent intellectuals, writers, and former Communist Party stalwarts.

The government continues to brand all unauthorized religious activities—particularly those that it fears may be able to attract a large following—as potentially subversive. Targeted in particular are members of the Unified Buddhist Church of Vietnam and ethnic minority Protestants in the northern and central highlands.

Freedom of Expression

Domestic newspapers and television and radio stations remain under strict government control. Although journalists are occasionally able to report on corruption by government officials, direct criticism of the Party is forbidden. Foreign media representatives are required to obtain authorization from the Foreign Ministry for all travel outside Hanoi.

Several dissidents and democracy activists have been arrested and tried during the last several years on criminal charges—including espionage and other vaguely-worded crimes against “national security”—for peaceful criticism of the government or calling for multi-party reforms. Legislation remains in force authorizing the arbitrary “administrative detention” of anyone suspected of threatening national security, with no need for prior judicial approval.

In July 2004 long-time human rights advocate Nguyen Dan Que, sixty-two, was sentenced to thirty months of imprisonment for “abusing democratic freedoms,” for writing an essay, distributed over the Internet, about state censorship of information and the media. Other cyber-dissidents who have been sentenced to prison on criminal charges include: Pham Hong Son, Le Chi Quang, Nguyen Khac Toan, Nguyen Vu Binh, Pham Que Duong and Tran Khue.

Internet Controls

The government maintains strict control over access to the Internet. It blocks websites considered objectionable or politically sensitive and strictly bans the use of the Internet to oppose the government, “disturb” national security and social order, or offend the “traditional national way of life.” Decision 71, issued by the Ministry of Public Security in January 2004, requires Internet users at public cafés to

provide personal information before logging on and has increased the pressure on Internet café owners to monitor customers' email messages and block access to banned websites.

In April 2004 the government closed down Vietnam International News 24-Hour, an unlicensed website that had reprinted a BBC article about Easter demonstrations in the Central Highlands. In August 2004 the Ministry of Public Security created a new office to monitor the Internet for “criminal” content, a measure that appears to be aimed in part at intimidating people from circulating any information that authorities could deem to be a “state secret” or otherwise unauthorized.

Freedom of Religion

The government bans independent religious associations and permits religious activities only insofar as they are conducted by officially-recognized churches and organizations whose governing boards are approved and controlled by the government.

A new Ordinance on Beliefs and Religions went into effect in November 2004. It pays lip service to freedom of religion but strengthens government controls over religion and bans religious activities deemed to threaten national security, public order, and national unity.

Members of the banned Mennonite church have come under increasing pressure from the government. In June 2004, Pastor Nguyen Hong Quang, an outspoken Mennonite church leader, was arrested after publicly criticizing the government for detaining four Mennonites three months earlier. On two separate occasions during 2004, officials in Kontum province bulldozed a chapel of Pastor Nguyen Cong Chinh, superintendent of the Mennonite churches in the Central Highlands. In September, October, and November, police pressured Mennonites in Kontum and Pleiku provinces to sign forms renouncing their religion.

In both the central and northern highlands, government officials continue to ban most Protestant gatherings. Authorities have forced ethnic minority evangelical Christians to pledge to abandon their religion and cease all political or religious activities in public self-criticism sessions or by signing written pledges.

Crackdown in the Central Highlands

In the Central Highlands some ethnic minority Christians have rejected the government-controlled Evangelical Church of Vietnam and have sought to manage their own religious activities. Increasing numbers of ethnic minorities, collectively known as Montagnards, appear to be joining *Tin Lanb Dega*, or Dega Protestantism, which combines evangelical Christianity with elements of ethnic pride and aspirations for self-rule. Dega Protestantism is officially banned by the government.

In April 2004 peaceful demonstrations by Montagnards during Easter weekend in the Central Highlands turned violent when security forces and civilians acting on their behalf ambushed and attacked the

demonstrators with clubs, metal bars, and other crude weapons. At least ten Montagnards were killed and dozens wounded. Hundreds fled from their villages and went into hiding or attempted to flee to Cambodia (*see* Cambodia). Authorities dispatched additional police and military forces to the region and established security checkpoints along the main roads. Strict restrictions were placed on travel within the highlands, on meetings of more than two people, and on communication with the outside world.

Repression of Buddhists

Religious leaders of the banned Unified Buddhist Church of Vietnam (UBCV), which was the largest Buddhist organization in the country prior to 1975 and which does not recognize the authority of the government-controlled Vietnam Buddhist Church, face ongoing persecution. The government appeared to be easing up on the group in early 2003, when UBCV leader Thich Quang Do was released from two years of administrative detention and the prime minister visited UBCV Supreme Patriarch Thich Huyen Quang. However, in October 2003 the two UBCV leaders were once again placed under unofficial house arrest and eleven other UBCV leaders were taken into administrative detention. Tensions escalated in November 2004 when authorities prevented Thich Quang Do from visiting Thich Huyen Quang, eighty-seven, who was severely ill in hospital, and summoned him for questioning on allegations of “appropriating state secrets”.

In March 2004, UBCV dissident Thich Tri Luc (Pham Van Tuong) was released from prison and resettled in Sweden two months later. Thich Tri Luc, a UNHCR-recognized refugee, had been abducted by Cambodian and Vietnamese agents in Cambodia and taken to Vietnam in 2002.

Members of the Hoa Hao sect of Buddhism are subject to police surveillance and several were thought to remain in detention at this writing. The sect was granted official status in May 1999, although government appointees dominated the Hoa Hao Buddhism Representative Committee established at that time. In August 2004 Hoa Hao leader Le Quang Liem, eighty-four, was released from administrative detention after more than two years’ under house arrest.

Religious Prisoners

At this writing, at least ten ethnic Hmong Christians were in detention in Lai Chau and Ha Giang provinces in the north. More than 124 Montagnard Christians continue to serve prison sentences of up to twelve years for their involvement in church activities or public demonstrations, or for attempting to seek asylum in Cambodia. Six Mennonites are serving prison terms ranging from nine months to three years for “resisting officers on duty,” after a half-day trial in November 2004. At least four Catholics, including Father Nguyen Van Ly and members of the Congregation of the Mother Co-Redemptrix, remain in prison for expressing criticism of Vietnam’s human rights record or for distributing religious books and holding training courses.

Torture in Detention

Prison conditions in Vietnam are extremely harsh. Human Rights Watch has received reports of solitary confinement of detainees in cramped, dark, unsanitary cells; lack of access to medical care; and of police beating, kicking, and using electric shock batons on detainees. Police officers routinely arrest and detain suspects without written warrants, and authorities regularly hold suspects in detention for more than a year before they are formally charged or tried.

Political trials are closed to the international press corps, the public, and often the families of the detainees themselves. Defendants do not have access to independent legal counsel. More than one hundred death sentences were issued in 2004, with twenty-nine crimes considered capital offenses under the penal code, including murder, armed robbery, drug trafficking, many economic crimes, and some sex offenses.

Key International Actors

At the December 2003 Consultative Group meeting, Vietnam's international donors pledged more than U.S.\$2.8 billion in aid for 2004. While donors publicly have focused on economic growth, "good governance," and poverty reduction programs, they have increasingly expressed concerns about the government's imprisonment of dissidents, suppression of freedom of expression and of religion, and its poor handling of the crisis in the Central Highlands.

In June 2004 Japan, Vietnam's largest donor, reversed its traditionally circumspect stance on Vietnam's record on human rights and announced that its official development assistance to Vietnam would be linked in part to the government's respect for human rights and steps toward democracy. In contrast, fellow members of the Association of Southeast Asian Nations (ASEAN) made virtually no comment on Vietnam's human rights record.

The E.U. has criticized Vietnam's decision to classify information and statistics on executions as a state secret. More than 100 members of the European Parliament called on the E.U. and European Commission to highlight Vietnam's human rights record during the Asia-Europe Summit Meeting held in Hanoi in October 2004. During the meetings the Dutch Foreign Minister, on behalf of the E.U., called for the release of political and religious prisoners. In November, the U.K. Foreign Office raised concerns about the plight of non-recognized Buddhist and Protestant groups in its annual human rights report.

The U.S. re-established diplomatic relations with Vietnam in 1995 and approved a bilateral trade agreement with Vietnam in 2001. In 2001 and again in 2004, the U.S. House of Representatives approved the Vietnam Human Rights Act, which would link future increases in non-humanitarian aid to progress on human rights. As of this writing the Senate had not approved the legislation. In 2003 the U.S. State Department cancelled its annual human rights dialogue with Vietnam because of lack of

concrete results. In September 2004 the State Department designated Vietnam a “Country of Particular Concern” because of what it called Vietnam’s “particularly severe violations of religious freedom.”

In July 2004 Vietnam became one of fifteen countries, and the first and only Asian country, to receive financial aid from U.S. President George W. Bush’s emergency global plan for HIV/AIDS. In November, the deputy director of UNAIDS called on Vietnam to address continuing discrimination against people with HIV/AIDS, which she said was among the worst in the world.

In November 2004 the U.N. Working Group on Arbitrary Detention stated that the imprisonment of Nguyen Dan Que was arbitrary and in violation of international law.