

Vietnam

Political Rights:	7
Civil Liberties:	6
Status:	Not Free

Overview:

The Vietnamese government continued to deny its citizens basic freedoms in 2004, as evidenced by the adoption of a new law on religion that will further reinforce state control of religion and churches. Two trials—of a former academic and of a military historian—contributed to the ongoing political suppression of those who advocate political reform. The U.S. House of Representatives passed a bill to restrict official development assistance to Vietnam unless Hanoi improves its human rights record, beginning with the release of political and religious prisoners.

Vietnam won independence from France in 1954 after a century of colonial rule followed by Japanese occupation during World War II. At independence, the country was divided into the Western-backed Republic of South Vietnam and the Communist-ruled Democratic Republic of Vietnam in the North. A war erupted between the two sides, and U.S. military support for South Vietnam persisted for more than a decade. The violence and destruction killed tens of thousands of soldiers and civilians and maimed many more on both sides. Hostilities also spilled into neighboring countries. In 1975, the North claimed victory and united the country the following year.

Poor economic policies left the tattered country in deeper poverty. In 1986, the government began to dismantle collectivized farms and encourage small-scale private enterprise. Economic reforms have since continued, spurring rapid economic growth. A stock exchange was set up in 2000, tourism became a major source of revenue, and the country has become a major exporter of foodstuff and manufactured products. Nevertheless, Vietnam's leadership continues to be divided over the pace and depth of privatization and other market reforms. Moderates see deep-rooted reforms as essential to modernizing the impoverished country and creating enough jobs to stave off social unrest. Hard-liners fear that further loosening of the state's control over the economy, including the privatization of state-owned businesses, will leave millions out of work and possibly lead to a social backlash.

Political reform has not followed economic change. Since 2001, after several thousand Montagnards held protests to demand greater religious freedom, increased land rights, and political autonomy for the region, Hanoi has cracked down on the group, an ethnic and religious minority (mainly Christian) in the central highlands. More than 70 Montagnards ("mountain dwellers" in French) are serving long jail sentences for participating in protests or trying to flee to Cambodia. Several Montagnards were arrested by the Vietnamese government in April at a rally in Dak Lak province to protest government seizure of their lands. Vietnam is fast becoming the top producer of coffee beans in the world, and land seized from the highland Montagnards are often turned over to lowland Vietnamese to grow commercial crops like coffee beans. To date, hundreds of Montagnards have escaped to Cambodia's Ratanakiri province in the northeast and nearly 400 have been airlifted or made their way to UN safe houses in the Cambodian capital. However, the Cambodian government has asserted it will not allow the refugees to remain in Cambodia, and the UN High Commissioner for Refugees has stated it will not petition

the Vietnamese government on the refugees' behalf and interfere with internal affairs in Vietnam.

In 2001, the Communist Party of Vietnam (CPV) elected Nong Duc Manh as its new leader. The following year, Phan Van Khai was chosen as prime minister and Tran Duc Luong as state president. The appointment of these three men from northern, central, and southern Vietnam preserved the leadership troika's traditional regional balance. In the May 2002 parliamentary elections, the CPV vetted all candidates for the legislature.

In July 2004, Tran Khue, a former academic held since December 2002, was given a 19-month prison sentence for "abusing the right to democracy and freedom" and breaking a house arrest order made in October 2001. Tran was initially accused of espionage after publishing numerous articles and open letters critical of government policies and advocating political reform. Also in July, Pham Que Duong, a 73-year-old military historian, faced trial for signing a petition calling for reforms and measures against graft.

The continued suppression of political rights and civil liberties by the Vietnamese government was condemned by the United States, which cited Vietnam as among the worst violators of religious freedom in 2004. The U.S. House of Representatives passed legislation to restrict development aid transfers to Vietnam—reaching some \$40 million in 2003—until the country begins to release its political and religious prisoners. However, the U.S. Senate was not expected to pass its own version of the bill or turn the House bill into law.

SARS—severe acute respiratory syndrome—and the bird flu had an enormous impact on the economy. The government confirmed in August that three persons died from the latest attack of the bird flu.

Political Rights and Civil Liberties:

Ruled by the CPV as a single-party state, Vietnam is one of the most tightly controlled countries in the world. The CPV's Central Committee is the top decision-making body in Vietnam. The National Assembly, whose 498 members are elected to five-year terms, generally follows the party's dictates in legislation. The party-controlled Fatherland Front vets all assembly candidates and allows only CPV cadres and some independents to run. However, delegates speak out for grassroots complaints, influence legislation, question state ministers, and debate legal, social, and economic issues—within limits set by the party. They also regularly criticize officials' performance and governmental corruption and inefficiency.

Senior party and government officials have publicly acknowledged growing public discontent with official abuses and corruption. However, in the last several years, the government has largely responded with high-profile prosecutions, rather than fundamental reforms at all levels of government. For example, a deputy trade minister was arrested in November for selling export quotas to Vietnamese garment makers, and a former deputy sports minister was sentenced to 8 years in prison in October for raping a 13-year old girl. The announcement by the CPV in 2004 to begin scrutinizing alleged corruption in the Transportation, Industry, and Education Ministries was notable because results of a survey paid for by a Swedish government grant will be made publicly available in January 2005. Vietnam was ranked 102 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

The Ministry of Culture and Information manages and supervises press and broadcasting activities. Officials have punished journalists who overstepped the bounds of permissible reporting by jailing or placing them under house arrest, taking away their press cards, or closing

down newspapers. Publications deemed bad or inaccurate are subject to official bans. Government control also relies on a 1999 law that requires journalists to pay damages to groups or individuals found to be harmed by press articles, even if the reports are accurate. At least one suit has been filed under this law, although it was later withdrawn. While journalists cannot report on sensitive political or economic matters or openly question the CPV's single-party rule, they have reported on high-level governmental corruption and mismanagement, providing a small outlet for public grievances.

Television is the dominant medium. Vietnam Television broadcasts to the whole country, and there are many provincial television stations. Satellite television is officially restricted to senior officials, international hotels, and foreign businesses, but many Vietnamese homes and businesses pick up some foreign stations via satellite. About two million Vietnamese have access to the Internet, which is tightly controlled by the government. A 2003 law formally banned receipt and distribution of antigovernment e-mail messages, and Web sites considered "reactionary" are blocked. Owners of domestic Web sites are required to submit their Web content for official approval.

The regime sharply restricts religious freedom by regulating religious organizations and clergy and harassing independent religious groups and their leaders. All religious groups and most individual clergy 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 to build or refurbish places of worship; run religious schools or do charitable work; hold conventions, training seminars, and special celebrations; and train, ordain, promote, or transfer clergy. These regulations hinder efforts by religious groups to expand schools, obtain teaching materials, publish religious texts, and increase the number of students training for the clergy.

Cao Daiists have largely been barred since 1975 from ordaining new priests. Protestants were largely prohibited from training new clergy until the government agreed in 2003 to allow Protestants in southern Vietnam to re-open a long-closed seminary. Reported abuses by local officials have been particularly severe: churchgoers were jailed, religious gatherings were prohibited, children of Protestant families were barred from attending school beyond the third grade, and food rations were withheld from believers.

A new law on religion, the Ordinance on Beliefs and Religions took effect on November 15. The new law expands state control over freedom of worship. The government claims that the new law will ensure people's basic right to beliefs and religious freedom.

Academic freedom is limited. University professors must adhere to party views when teaching or writing on political topics and refrain from criticizing government policies. Nevertheless, ordinary Vietnamese, particularly those living in major cities, are increasingly free of government intrusion into their daily lives. The regime continues to rely on informers, block wardens, and a household registration system to keep tabs on individuals, but this surveillance is now directed mainly at known dissidents rather than the general population.

Human rights organizations and other private groups with rights-oriented agendas are banned. However, the leadership increasingly allows farmers and others to hold small protests over local grievances, which often concern land seizures. Thousands of Vietnamese try to gain redress each year by writing letters to or personally addressing officials. In addition to land matters, citizens complain about official corruption, economic policies, governmental inefficiency, and opaque bureaucratic procedures.

Trade unions remain state-controlled, but hundreds of independent “labor associations” are permitted to represent many workers at individual firms and in some service industries. Nevertheless, union membership is low given that most workers are small-scale farmers in rural areas. Enforcement of child labor, workplace safety, and other labor laws is poor.

Vietnam’s judiciary is subservient to the CPV, which controls courts at all levels. Defense lawyers cannot call or question witnesses and sometimes are permitted only to appeal for leniency for their clients. While defendants have a constitutional right to counsel, scarcity of lawyers often makes this right impossible to enforce. Moreover, many lawyers reportedly are reluctant to take human rights and other sensitive cases because they fear harassment and retribution by the state.

Police at times beat suspects and detainees, and prison conditions are poor. Inmates generally are required to work, but receive little or no wages. The death penalty is applied mainly for violent crimes, but is sometimes also used against Vietnamese convicted of nonviolent crimes, including economic and drug-related offenses. The actual number of political prisoners is unknown. Since 2001, at least 10 Vietnamese Internet dissidents have been arrested, with 6 of them sentenced to long jail terms. The government denies holding any prisoners on political grounds.

Ethnic minorities face unofficial discrimination in mainstream society, and some local officials restrict minority access to schooling and jobs. Minorities generally have little input into development projects that affect their livelihoods and communities.

Economic opportunities have grown for women, but they continue to face discrimination in wages and promotion. Many women are victims of domestic violence, and thousands are trafficked internally and externally each year for the purpose of prostitution.