



VIETNAM

	2012	2013
INTERNET FREEDOM STATUS	NOT FREE	NOT FREE
Obstacles to Access (0-25)	16	14
Limits on Content (0-35)	26	28
Violations of User Rights (0-40)	31	33
Total (0-100)	73	75

POPULATION: 89 million
INTERNET PENETRATION 2012: 39 percent
SOCIAL MEDIA/ICT APPS BLOCKED: No
POLITICAL/SOCIAL CONTENT BLOCKED: Yes
BLOGGERS/ICT USERS ARRESTED: Yes
PRESS FREEDOM 2013 STATUS: Not Free

* 0=most free, 100=least free

KEY DEVELOPMENTS: MAY 2012 – APRIL 2013

- Vietnam overtook Iran as the world’s second worst jailer of netizens after China in 2013, with more than 30 behind bars, according to Reporters Without Borders (see **VIOLATIONS OF USER RIGHTS**).
- A court sentenced blogger Nguyen Van Hai—already jailed since 2008—to another 12 years imprisonment on anti-state charges (see **VIOLATIONS OF USER RIGHTS**).
- Decree 72, passed in July 2013, sought to compel international service providers to comply with government censorship and surveillance (see **LIMITS ON CONTENT**).
- Anti-corruption blogger Le Anh Hung was committed to a mental institution without an exam for 12 days in 2013 (see **VIOLATIONS OF USER RIGHTS**).
- In 2013, propaganda officials acknowledged employing 1000 “public opinion shapers” to manipulate online content (see **LIMITS ON CONTENT**).

EDITOR'S NOTE ON RECENT DEVELOPMENTS

Decree 72 governing the management, provision, and use of internet services and information online was pending on April 30, 2013 when the coverage period for this report ended. Prime Minister Nguyen Tan Dung signed the decree on July 15, 2013, which subsequently took effect on September 1. The decree stipulated that all service providers operating in the country—including news websites, social networks, mobile service providers, and game service providers—must have at least one domestic server for the purposes of “inspection, storage, and provision of information at the request of competent authorities.” This appears to demand intermediaries to cooperate with any authority in Vietnam conducting censorship or monitoring, though how it might be enforced is not clear; penalties for refusing to comply have not been specified.

Other features of the decree were confusing, including sections that appeared to limit social media platforms from sharing externally-generated content, such as news reports. Vietnamese authorities have tried to ban political commentary from personal websites in the past, with mixed success, and debate on homegrown social networks leans towards non-controversial subjects like entertainment, so this far-reaching interpretation is not outside the realm of possibility. However, some experts noted that this section was geared towards businesses complaining about copyright violations.

The decree maintained other vaguely-worded bans on content “opposing Vietnam.” As many internet users know to their cost, however, this is not a dramatic departure from the status quo.

INTRODUCTION

The ruling Vietnamese Communist Party's concern that the internet could be used to challenge its political monopoly has resulted in contradictory policies. While investing in information and communication technologies (ICTs) through programs like its “Taking-Off Strategy 2011–2020,”¹ the government has intensified monitoring and censorship of online content. After a relative easing from 2004 to 2006 while Vietnam hosted an Asia-Pacific Economic Cooperation summit and joined the World Trade Organization, internet freedom deteriorated, and a growing number of online activists face harassment and imprisonment.

Reporters Without Borders counted more than 30 bloggers imprisoned in Vietnam on April 30, 2013, making the country the second worst in the world among nations that jail internet users after China.² Many were political activists, and in some cases, it was difficult to assess to what extent their arrests were related to online, as opposed to offline, action and expression. Either way, the number of blogger imprisonments has dramatically increased over the past two years, and penalties are getting heavier. Several recent trials have resulted in sentences longer than a decade.

¹ “‘Taking-off Strategy,’ Does It Stepping Up the Development of the ICT Industry in Vietnam?” *Business in Asia*, accessed June, 2012, http://www.business-in-asia.com/vietnam/vietnam_ict.html.

² Reporters Without Borders, “2013: Netizens Imprisoned,” <http://bit.ly/Wsi72Y>.

While the effects of the oppressive Decree 72 on internet management passed in 2013 are yet to be seen, the decree's drafting process was revealing. No timeframe for passing the decree was made public, and there was no open consultation with civil society, technology companies, or other stakeholders about the many contested provisions. However, both local and international service providers, as well as the international free expression community, objected to the drafts, and the final version contained fewer explicit demands on international service providers than many had feared—a possible sign that the state was willing to compromise to sustain foreign support for the developing ICT sector. Unfortunately, the implications for the Vietnamese people remain grave. The decree's provisions on both content and rights are vague enough to allow free interpretation by a seemingly limitless number of “relevant organizations and individuals.” Though it did not impact the coverage period of this report, it bodes ill for internet freedom in the years to come.

OBSTACLES TO ACCESS

Internet penetration slowed in 2012 after years of phenomenal growth fuelled by decreasing costs and improving infrastructure since the internet was introduced in 1997. Some areas reached saturation; others suffered from an economic downturn. Available bandwidth grew a modest 10 percent from 2011 to 2012, after a 250 percent increase between 2010 and 2011, according to official figures.³ Even so, by the end of 2012, internet penetration was above the global average at 39 percent,⁴ and Vietnam ranked 81 on the 2012 International Telecommunication Union's index of ICT development, higher than neighboring countries with larger GDPs like Thailand, Indonesia, and the Philippines.⁵

Vietnam does not report figures for computer literacy, but the 93 percent overall literacy rate has helped equip the adult population to use computers.⁶ In large cities, the internet has surpassed newspapers as the most popular source for information.⁷ Wi-Fi connections are free in many urban spaces such as airports, cafes, restaurants, and hotels. Cybercafés, though affordable for most urban dwellers,⁸ provide access for just 36 percent of internet users, and almost 90 percent of citizens can access the internet in their homes and workplaces, 2012 research shows.⁹ While access is more limited for the 70 percent of the population living in rural areas, with ethnic minorities and remote, impoverished communities especially disadvantaged, the research documented a remarkable 95 percent of citizens aged 15 to 24 with internet access nationwide. In a country where 54 percent of the population is under 30 and 75 percent of all internet users are under 35, this is a promising trend.

³ Vietnam Internet Network Information Center, “Statistics on Internet Development.”

⁴ International Telecommunication Union, “Percentage of Individuals Using the Internet, 2000-2012,” <http://bit.ly/14IlykM>.

⁵ International Telecommunication Union, “Measuring the Information Society,” 2012, <http://bit.ly/QfiEtR>.

⁶ UNICEF, “At a Glance: Vietnam,” accessed July 2013, http://www.unicef.org/infobycountry/vietnam_statistics.html.

⁷ “Tình hình sử dụng Internet tại Việt Nam 2011” [The Situation of Internet Use in Vietnam in 2011], VNVIC, August 3, 2011, <http://vnvic.com/tin-tuc-cong-nghe/140-tinh-hinh-su-dung-internet-tai-viet-nam-2011.html>.

⁸ “Việt Nam: 20% không tin tưởng thông tin trên Internet” [Vietnam: 20% Do Not Trust Information on the Internet], PA News, April 15, 2010, <http://news.pavietnam.vn/archives/1547>.

⁹ We Are Social, “Social, Digital and Mobile in Vietnam,” October 30, 2012, <http://bit.ly/Stwb8z>.

Mobile phone penetration was almost 150 percent in 2012, indicating that some subscribers have more than one device.¹⁰ Fifty-six percent of users accessed the internet via a mobile device in 2012, almost double the number in 2011.¹¹ A third-generation (3G) network, which enables internet access via mobile phones, has been operating since the end of 2009, and the number of users is slowly expanding. By the first quarter of 2012, 3G users were estimated to account for 11 percent of the overall market.¹²

The three biggest internet service providers (ISPs) are the state-owned Vietnam Post and Telecommunications (VNPT), which dominates 63 percent of the market; the military-owned Viettel (9 percent), and the privately owned FPT (22 percent).¹³ VNPT and Viettel also own the three largest mobile phone service providers in the country (MobiFone, VinaPhone, and Viettel), which serve 93 percent of the country's subscriber base, while three privately owned companies share the remainder.¹⁴ While there is no legally-imposed monopoly for access providers, informal barriers still prevent new companies without political ties or economic clout from entering the market. Similarly, there is a concentration of internet-exchange providers, which serve as gateways to the international internet: Four out of six are state or military-owned.¹⁵

The Vietnam Internet Center (VNNIC) allocates internet resources, such as domain names, under the Ministry of Information and Telecommunication. Three additional ministries—information and culture (MIC), public security (MPS), and culture, sport, and tourism (MCST)—manage the provision and usage of internet services. On paper, the MCST regulates sexually explicit and violent content, while the MPS oversees political censorship. In practice, however, all such guidelines are issued to relevant bodies by the ruling Vietnamese Communist Party in a largely nontransparent manner. In 2008, the MIC created the Administrative Agency for Radio, Television, and Electronic Information. Among other duties, the agency is tasked with regulating online content, which includes drafting guidelines for blogs and managing licenses for online media.¹⁶

LIMITS ON CONTENT

The impact of the 2013 internet management decree, which introduced vaguely-worded content restrictions and sought to increase companies' liability for implementing them, has yet to be seen. While its implications are potentially far-reaching, however, it was just the latest in a series of decrees that heavily restrict political commentary and instill self-censorship in an otherwise diverse

¹⁰ International Telecommunication Union, "Mobile-Cellular Telephone Subscriptions, 2000-2012;" Vietnam Post and Telecom Hanoi, "*Việt Nam đã có 136 triệu thuê bao di động*," [Vietnam Has 136 Million Mobile Phone Subscribers], July 2, 2013, http://www.vnpt-hanoi.com.vn/web/tintuc_chitiet.asp?news_id=5109.

¹¹ Thankiu, "Cimigo Net Citizens Report 2012," <http://bit.ly/164vsBv>.

¹² GSMA Intelligence, "3G growth stalls in Vietnam", April 2012, <http://bit.ly/1azUNmE>.

¹³ "*Thị trường Internet cũng sẽ có những vụ sáp nhập?*" [Will the Internet Market see Mergers?], *ICTNews*, September 21, 2012, <http://ictnews.vn/home/Internet/77/Thi-truong%C2%A0Internet-cung-se-co-nhung-vu-sap-nhap/105064/index.ict>.

¹⁴ GSMA Intelligence, "3G growth stalls in Vietnam."

¹⁵ The four are: VNPT, Viettel, Hanoi Telecom, and VTC.

¹⁶ Geoffrey Cain, "Bloggers the New Rebels in Vietnam," *SFGate*, December 14, 2008, <http://bit.ly/1bhBy1W>.

and lively blogging community. What's more, while content limits are nothing new in Vietnam, online content was increasingly subject to manipulation in the past year, and officials acknowledged paying commentators for the first time, a sign that information authorities are diversifying their tactics for controlling popular discourse.

While the Vietnamese government has fewer resources to devote to online content control than its counterpart in China, the authorities have nonetheless established an effective and increasingly sophisticated content-filtering system. Censorship is implemented by ISPs rather than at the backbone or international gateway level. No real-time filtering based on keywords or deep-packet inspection has been documented. Instead, specific URLs are identified in advance as targets for censorship and placed on blacklists; ISPs are legally required to block them or lose their license. Some users report being notified that a censored site has been deliberately blocked, while others receive a vague error message saying the browser was unable to locate the website's server.

Censorship ostensibly limits sexually explicit content. In practice, however, it primarily targets topics with the potential to threaten the VCP's political power, including political dissent, human rights and democracy. Websites criticizing the government's reaction to border and sea disputes between China and Vietnam are subject to blocking. Content promoting organized Buddhism, Roman Catholicism, and the Cao Dai religious group is blocked to a lesser but still significant degree.¹⁷ Vietnamese sites critical of the government are generally inaccessible, whether they are hosted overseas, such as *Talawas*, *Dan Luan*, and *Dan Chim Viet*, or domestically, like *Dan Lam Bao* and *Anh Ba Sam*.

Censors largely focus on Vietnamese-language content, so the *New York Times* and Human Rights Watch websites are accessible, while the U.S.-funded Radio Free Asia's Vietnamese-language site is not; BBC websites are accessible in English but not Vietnamese. Blocking is not consistent across ISPs. A 2012 OpenNet Initiative test of 1,446 sites found Viettel blocked 160 URLs, while FPT blocked 121, and VNPT only 77.¹⁸ There is no avenue for managers of blocked websites to appeal censorship decisions.

The unpredictable and nontransparent ways in which topics become forbidden make it difficult for users to know where exactly the "red lines" lie, and many self-censor. Bloggers and forum administrators commonly disable commenting functions to prevent controversial discussions.

Online media outlets and internet portals are state-owned and subject to VCP censorship. The party's Department for Culture and Ideology and the MPS regularly instruct online newspapers or portals to remove content they perceive as critical of the government. Editors and journalists who post such content risk disciplinary warnings, job loss, or imprisonment.

¹⁷ "Vietnamese Government Expands Internet Censorship to Block Catholic Websites," Catholic News Agency, August 6, 2009, <http://bit.ly/15BVkX4>.

¹⁸ OpenNet Initiative, "Update on Threats to Freedom of Expression Online in Vietnam", September 10, 2012, <http://opennet.net/blog/2012/09/update-threats-freedom-expression-online-vietnam>.

Since 2008, a series of regulations have extended controls on traditional media content to the online sphere. In December of that year, the state passed Decree 97 and MIC Circular 7 ordering blogs to refrain from political or social commentary and barred internet users from disseminating press articles, literary works, or other publications prohibited by the Press Law.¹⁹ Blogging platforms were instructed to remove this “harmful” content, report to the government every six months, and provide information about individual bloggers upon request.²⁰ Censorship of anti-government content increased, though blogs hosted overseas were unaffected. A decree followed in 2011, giving authorities power to penalize journalists and bloggers for a series of ill-defined infractions, including publishing under a pseudonym. The decree differentiated sharply between journalists accredited by the government and independent bloggers, who are allowed far fewer rights and protections.²¹

The Decree on the Management, Provision, Use of Internet Services and Internet Content Online, introduced by the MIC in May 2012 and passed just over a year later, extends this repressive trajectory by further regulating domestic internet use and replacing “blogs” with a broader definition of “social networks” to encompassing a range of online platforms.²² Article 5 limited overbroad categories of online activity including “opposing the Socialist Republic of Vietnam,” inciting violence, revealing state secrets, and providing false information.

The decree sought to force intermediaries—including those based overseas—to regulate third-party contributors in cooperation with the state. Vietnamese authorities have acknowledged this goal in the past. The deputy minister of information and communications said he would request Google and Yahoo cooperate with censors as early as 2008;²³ yet the new decree asks all social network operators to “eliminate or prevent information” prohibited under Article 5. It also mandated that companies maintain at least one domestic server “serving the inspection, storage, and provision of information at the request of competent authorities.” Social networks were further instructed to “provide personal information of the users related to terrorism, crimes, and violations of law” on request. It did not outline what penalties non-compliant companies could face, and how the decree might be enforced remains unclear. It came into effect after the coverage period of this report.

¹⁹ OpenNet Initiative, “Vietnam,” August 7, 2012, <https://opennet.net/research/profiles/vietnam>; The Government, “Decree No 97/2008/ND-CP of August 28, 2008,” *Official Gazette* 11-12, August 2008, <http://english.mic.gov.vn/vbqpp/Lists/Vn%20bn%20QPPL/Attachments/6159/31236373.PDF>; Ministry of Information and Communications, “Circular No. 07/2008/TT-BTTTT of December 18, 2008,” *Official Gazette* 6-7, January 2009, <http://english.mic.gov.vn/vbqpp/Lists/Vn%20bn%20QPPL/Attachments/6145/23434370.pdf>.

²⁰ Karin Deutsch Karlekar, ed., “Vietnam,” *Freedom of the Press 2009* (New York: Freedom House, 2009).

²¹ Article 19, “Comment on the Decree No. 02 of 2011 on Administrative Responsibility for Press and Publication Activities of the Prime Minister of the Socialist Republic of Vietnam,” June 2011, <http://www.article19.org/data/files/pdfs/analysis/comment-on-the-decree-no.-02-of-2011-on-administrative-responsibility-for-pr.pdf>; “Decree 02/2011/ND-CP” [in Vietnamese], January 6, 2011, available at Committee to Protect Journalists, <http://cpi.org/Vietnam%20media%20decree.pdf>.

²² “Decree No. 72/2013/ND-CP, dated July 15, 2013 of the Government on Management, Provision and Use of Internet Services and Online Information,” Luật Minh Khuê, <http://luatminhkhue.vn/copyright/decree-no-72-2013-nd-cp.aspx>.

²³ Ann Binlot, “Vietnam’s Bloggers Face Government Crackdown,” *Time*, December 30, 2008, <http://www.time.com/time/world/article/0,8599,1869130,00.html>.

Tools for circumventing censorship, such as proxy servers, are relatively well-known among younger, technology-savvy internet users in Vietnam, and many can be found with a simple Google search. The authorities are not known to have instituted restrictions on content transmitted via e-mail or mobile phone text messages.

Besides expanding censorship, the government has adopted new measures to manipulate public opinion online, acknowledging their deployment of up to 1000 “public opinion shapers” to produce and spread progovernment content in early 2013.²⁴ Hanoi’s Propaganda and Education Department revealed that it runs at least 400 online accounts—what kind was not specified—and 20 microblogs to fight “online hostile forces,” according to international news reports. Also in 2012, some blogs, such as *Quan Lam Nao*, established themselves as populist voices criticizing high-profile members of the party. Their critics counter that these platforms reflect the party’s internal power struggles and are not objective measures of increasing freedom online.

Despite government restrictions, Vietnam’s internet is vibrant and offers a diversity of content in the Vietnamese language. The Vietnamese blogosphere started around 2006 with Yahoo! 360 attracting about 15 million Vietnamese users at the height of its popularity.²⁵ Since Yahoo terminated the service in mid-2009, some stayed with its replacement 360Plus, while others migrated to Blogger, WordPress, or local networks such as YuMe, which are popular for entertainment content.

YouTube, Twitter, and international blog-hosting services are freely available and growing in popularity. Facebook, which faced sporadic—and officially unacknowledged—blocks in 2010 and 2011, was generally accessible on all types of devices in early 2013. Users of the service surged from 4 million in 2011 to 8.5 million by Oct 2012, overtaking local competitor Zing—with 8.2 million subscribers—as the top social network in Vietnam.²⁶ In 2010, the MIC launched a government-backed social network called Go.VN, which requires users to register with their real name and government-issued identity number when creating an account. The initial response to the new initiative was limited.²⁷ By early 2013, Go.VN had morphed into a mere entertainment portal.

Although most blogs address personal and nonpolitical topics, citizen journalism has emerged as an important source of information for many Vietnamese, particularly given the tightly controlled traditional media. People now recognize the parallel existence of official media and alternative counterparts operating exclusively online. Websites such as *Anh Ba Sam*, *Que Choa* or *Bauxite Vietnam* react quickly to socio-political events and have established themselves as influential opinion makers that were influential in mobilizing demonstrations on the streets of Hanoi and Ho Chi Minh City to protest China’s claim on the Paracel and Spratly Islands in 2011; the protests lasted several months

²⁴ “Vietnam Admits Deploying Bloggers to Support the Government”, BBC, January 11, 2013, <http://www.bbc.co.uk/news/world-asia-20982985>.

²⁵ Aryeh Sternberg, “Vietnam Online: Then and Now,” *iMedia Connection*, January 5, 2010, <http://www.imediaconnection.com/content/25480.asp>.

²⁶ We Are Social, “Social, Digital and Mobile in Vietnam.”

²⁷ James Hookway, “In Vietnam, State ‘Friends’ You,” *Wall Street Journal*, October 4, 2010, <http://online.wsj.com/article/SB10001424052748703305004575503561540612900.html>.

before the authorities shut them down and sent one of the organizers to an education camp.²⁸ In 2012, blogs played an important role in rallying public opinion and providing evidence against the local government of some provinces such as Hai Phong and Hung Yen, after local authorities controversially seized agricultural land from farmers, whose violent resistance shocked the country.²⁹

VIOLATIONS OF USER RIGHTS

Over the last five years, Vietnam has subjected bloggers and online writers to extended interrogations, imprisonment, and physical abuse, a repressive trend that intensified in 2012 and 2013. Vietnam was the world's second biggest prison for netizens after China in 2013, with more than 30 bloggers and cyber-dissidents detained, according to Reporters Without Borders. Sentences handed down in cursory trials, which are often closed to the press, are getting longer. Blogger Nguyen Van Hai, already jailed since 2008, was sentenced to an additional 12 years in prison on anti-state charges in 2012, while at least three activists—who may have come to police attention in part because of their online activity—were sentenced to 13 years each.

The constitution affirms the right to freedom of expression, but in practice, the VCP has strict control over the media. Legislation, including internet-related decrees, the penal code, the Publishing Law, and the State Secrets Protection Ordinance, can be used to imprison journalists and bloggers. The penal code's notorious Articles 79 and 88 are commonly used to prosecute and imprison bloggers and online activists for subversion and propaganda against the state.³⁰ The judiciary is not independent but follows the party's command, especially in trials related to free expression, which often last only a few hours. When detaining bloggers and online activists, the police routinely flout due process, arresting individuals without a warrant or retaining them in custody beyond the maximum period allowed by law.

Reporters Without Borders counted 32 netizens imprisoned in Vietnam as of April 30, 2013, a figure which climbed to 35 in June.³¹ The same group had documented 17 bloggers jailed in mid-2011. This significant jump—which took Vietnam past Iran's mid-2013 total of 25 bloggers behind bars—was fuelled by a January 2013 court ruling that found 14 Catholic students, bloggers, and human rights activists guilty of subversion under Article 79. The activists, who were mostly in their twenties and thirties, had been arrested after returning from training in Bangkok on non-violent struggle organized by the U.S.-based anti-communist party Viet Tan in 2011. At least five were regular contributors to the Catholic website *Vietnam Redemptorist News*;³² other online activity was

²⁸ “*Người biểu tình Thu Hằng bị đưa vào trại*” [Demonstrator Thu Hang Sent to Camp], BBC Vietnamese, December 9, 2011, http://www.bbc.co.uk/vietnamese/vietnam/2011/12/111209_bui_hang_arrested.shtml.

²⁹ Stuart Grudgings, “Web Snares Vietnam as Bloggers Spread Protests Over Land,” Reuters, August 19, 2013, <http://www.reuters.com/article/2012/08/19/us-vietnam-bloggers-idUSBRE87I09I20120819>.

³⁰ Reporters Without Borders, “Internet Enemies: Vietnam.”

³¹ Reporters Without Borders, “2013: Netizens Imprisoned,” <http://en.rsf.org/press-freedom-barometer-netizens-imprisoned.html?annee=2013>.

³² Committee to Protect Journalists, “Bloggers imprisoned in mass sentencing in Vietnam,” news alert, January 9, 2013, <http://www.cpj.org/2013/01/bloggers-imprisoned-in-mass-sentencing-in-vietnam.php>.

less well-documented, but may well have contributed to the charges against the group, which included participating in “propaganda against the Socialist Republic of Vietnam.”³³ The shortest sentence given was 3 years prison followed by 2 years house arrest, while at least three were jailed for 13 years with 3 years house arrest.³⁴

Arrests continued to be reported during the coverage period. In October 2012, police detained two students, Nguyen Phuong Uyen, 21, and Dinh Nguyen Kha, 25, for disseminating anti-governmental materials in public places and online; they were jailed for 6 and 10 years respectively in May 2013.³⁵ Respected lawyer and blogger Le Quoc Quan was also arrested in December 2012, shortly after the BBC Vietnamese service published one of his articles on its website; his trial remains pending.³⁶

The longest-serving blogger in prison in 2013 was Nguyen Van Hai, a vocal critic of the government’s human rights record and an advocate for Vietnamese sovereignty over the Spratly Islands, also known by the title of his blog, Dieu Cay. He was sentenced in late 2008 to two and a half years in prison on tax evasion charges that observers viewed as politically motivated.³⁷ After completing that term, authorities kept him in detention until September 2012,³⁸ when a new trial court sentenced him to an additional 12 years in prison and 5 years under house arrest for “activities against the government.”³⁹ Two others were sentenced at the same trial: Phan Thanh Hai, who blogged as Anh Ba Sai Gon and was arrested in late 2010 on the charge of distributing false information on his website, was sentenced to three years, while Ta Phong Tan, a former female police officer turned social justice blogger arrested in September 2011 for blog posts that allegedly “denigrated the state,” was jailed for ten.⁴⁰ Ta Phong Tan’s mother committed suicide by setting herself on fire outside of the local People’s Committee building to protest against her daughter’s trial. Others serving long term sentences in 2013 include one of Vietnam’s most vocal online dissidents, Cu Ha Huy Vu, who is serving a sentence of seven years in prison and three years house arrest handed down in a 2011 trial that barred access to the public and media.⁴¹

In addition to imprisonment, bloggers and online activists have been subjected to physical attacks, job loss, termination of personal internet services, travel restrictions, and other violations of their

³³ Seth Mydans, “Activists Convicted in Vietnam Crackdown on Dissent,” *New York Times*, January 9, 2013, http://www.nytimes.com/2013/01/10/world/asia/activists-convicted-in-vietnam-crackdown-on-dissent.html?_r=0.

³⁴ “Long Prison Terms For “Dissident” Vietnam Bloggers,” *Global Voices Online*, January 12, 2013, <http://globalvoicesonline.org/2013/01/12/long-prison-terms-for-dissident-vietnam-bloggers/>.

³⁵ “Nguyễn Phương Uyên bị phạt 6 năm tù, Đinh Nguyễn Kha 10 năm tù” [Nguyen Phuong Uyen Sentenced to 6 Years, Dinh Nguyen Kha to 10 Years Prison], *Thanh Nien*, May 16, 2013, <http://www.thanhvien.com.vn/pages/20130516/nguyen-phuong-uyen-bi-phat-6-nam-tu-dinh-nguyen-kha-10-nam-tu.aspx>.

³⁶ Human Rights Watch, “Vietnam: Drop Charges Against Le Quoc Quan,” July 8, 2013, <http://www.hrw.org/news/2013/07/07/vietnam-drop-charges-against-le-quoc-quan>.

³⁷ Human Rights Watch, “Banned, Censored, Harassed and Jailed,” news release, October 11, 2009, <http://www.hrw.org/en/news/2009/10/11/banned-censored-harassed-and-jailed>.

³⁸ Committee to Protect Journalists, “2012 Prison Census: Vietnam,” accessed May, 2013, <http://cpj.org/imprisoned/2012.php>.

³⁹ “Y án với Điều Cày và Tạ Phong Tần” [Sentences uphold for Dieu Cay and Ta Phong Tan], BBC Vietnamese, December 28, 2012, www.bbc.co.uk/vietnamese/vietnam/2012/12/121228_xu_khang_an_dieu_cay.shtml+&cd=10&hl=vi&ct=clnk&gl=vn.

⁴⁰ “An Odd Online Relationship,” *Economist* (Blog), August 9, 2012, <http://www.economist.com/blogs/banyan/2012/08/internet-freedom-vietnam>.

⁴¹ Reporters Without Borders, “Prime Minister Urged to Free All Imprisoned Bloggers and Journalists,” September 1, 2011, http://en.rsf.org/vietnam-prime-minister-urged-to-free-all-01-09-2011_40879.html.

rights. Blogger Nguyen Hoang Vi reported that the police forcibly stripped and sexually assaulted her after she tried to attend Dieu Cay and his co-defendants' December 2012 appeal hearing.⁴² In February, Le Anh Hung, whose blog accused high-ranking Vietnamese leaders of corruption, was detained in a mental institution for 12 days, without a medical examination.⁴³

Vietnamese authorities monitor online communications and dissident activity on the web and in real time. Cybercafé owners are required to install special software to track and store information about their clients' online activities,⁴⁴ and the 2013 internet management decree holds cybercafé owners responsible if their customers are caught surfing “bad” websites.⁴⁵ Citizens must also provide ISPs with government-issued documents when purchasing a home internet connection. In late 2009, the MIC announced that all prepaid mobile phone subscribers would be required to register their ID details with the operator, and individuals are allowed to register only up to three numbers per carrier.⁴⁶ As of early 2013, however, the registration process is not linked to any central database and could be easily circumvented using fake ID numbers.⁴⁷ Real-name registration is not required to blog or post online comments, and many Vietnamese do so anonymously.

Decree 72 may change that, and its privacy implications attracted concern throughout the year before it took effect. As outlined above, all providers and social networks in particular, are ordered to provide user information to “competent authorities” on request, but with no real procedures or oversight to discourage intrusive registration or data collection.⁴⁸ Users themselves were given the ambiguous right to “have their personal information kept confidential in accordance with law.” Other sections gestured in the direction of improved information security by encouraging providers of online information to “deploy technical systems and techniques.” Unfortunately, implementation of these nebulous provisions is left to the discretion of “ministers, heads of ministerial agencies, heads of governmental agencies, the presidents of people’s committees of central-affiliated cities and provinces, relevant organizations and individuals” under the guidance of the minister of information and communications, leaving anonymous and private communication subject to invasion from almost any authority in Vietnam in the coming years.

Blogger harassment has coincided with systematic cyberattacks targeting individual blogs as well as websites run by other activists in Vietnam and abroad that were first documented in September 2009.⁴⁹ The worst of these occurred in 2010 and involved dozens of sites, including those operated

⁴² Nguyen Hoang Vi, “What happened on the day of the Appeal Hearing for the members of The Free Journalist Network,” *Dan Lam Bao*, January 2013, <http://danlambaovn.blogspot.com/2013/01/what-happened-on-day-of-appeal-hearing.html#.UgEGCJK1EwD>.

⁴³ “Blogger Le Anh Hung duoc tha ve nha” [Blogger Le Anh Hung released], BBC Vietnamese, February 5, 2013, www.bbc.co.uk/vietnamese/vietnam/2013/02/130205_leanhung_released.shtml+&cd=2&hl=vi&ct=clnk&gl=vn.

⁴⁴ “Internet Censorship Tightening in Vietnam,” *Asia News*, June 22, 2010, <http://www.asianews.it/news-en/Internet-censorship-tightening-in-Vietnam-18746.html>.

⁴⁵ OpenNet Initiative, “Update on Threats.”

⁴⁶ Phong Quan, “Sim Card Registration Now Required in Vietnam,” Vietnam Talking Points, January 16, 2010, <http://talk.onevietnam.org/sim-card-registration-now-required-in-vietnam/>

⁴⁷ “Quản lý thuê bao di động trả trước: Chuyện không dễ,” [Managing Prepaid Mobile Subscribers Isn’t Easy], *Vinhphuc*, January 14, 2013, http://www.vinhphuc.vn/ct/cms/Convert/thihanhpl/Lists/tintuc/View_Detail.aspx?ItemID=10.

⁴⁸ “Decree No. 72/2013/ND-CP.”

⁴⁹ Human Rights Watch, “Vietnam: Stop Cyber Attacks Against Online Critics,” news release, May 26, 2010, <http://www.hrw.org/news/2010/05/26/vietnam-stop-cyber-attacks-against-online-critics>.

by Catholics who criticize government confiscation of church property, forums featuring political discussions, and a website raising environmental concerns about bauxite mining.⁵⁰ The attackers infected computers with malicious software disguised as a popular keyboard program allowing Microsoft Windows to support the Vietnamese language. Once infected, computers became part of a “botnet,” or network whose command-and-control servers were primarily accessed from internet protocol (IP) addresses inside Vietnam. Hackers manipulated that network to carry out denial-of-service (DoS) attacks, according to independent investigations by the internet security firm McAfee and Google. Google’s report estimated that “potentially tens of thousands of computers” were affected, most belonging to Vietnamese speakers.⁵¹ McAfee stated that “the perpetrators may have political motivations, and may have some allegiance to the government of the Socialist Republic of Vietnam.”⁵² The Vietnamese authorities—who have proudly advertised their ability to destroy “‘bad’ websites and blogs”⁵³—took no steps to find or punish the attackers.

In 2012 and 2013, hackers continued to target a handful important alternative blogs, including *Anh Ba Sam* and *Que Choa*.⁵⁴ It is now common practice for sites to post a list of alternative URLs in case the current one is hacked.

⁵⁰ “Authorities Crush Online Dissent; Activists Detained Incommunicado,” *Free News Free Speech* (blog), June 2, 2010, <http://freeneewsfreespeech.blogspot.com/2010/06/authorities-crush-online-dissent.html>.

⁵¹ George Kurtz, “Vietnamese Speakers Targeted in Cyberattack,” *CTO* (Blog), March 30, 2010, <http://siblog.mcafee.com/cto/vietnamese-speakers-targeted-in-cyberattack/>; Neel Mehta, “The Chilling Effect of Malware,” *Google Online Security Blog*, March 30, 2010, <http://googleonlinesecurity.blogspot.com/2010/03/chilling-effects-of-malware.html>.

⁵² Kurtz, “Vietnamese Speakers Targeted in Cyberattack.”

⁵³ Human Rights Watch, “Vietnam: Stop Cyber Attacks Against Online Critics.”

⁵⁴ David Brown, “Mysterious Attack on a Vietnamese Blog,” *Asia Sentinel*, March 18, 2013, http://asiasentinel.com/index.php?option=com_content&task=view&id=5257&Itemid=188.