



Annual Report 2011

Viet Nam

Head of state

Nguyen Minh Triet

Head of government

Nguyen Tan Dung

Death penalty

retentionist

Population

89 million

Life expectancy

74.9 years

Under-5 mortality (m/f)

27/20 per 1,000

Adult literacy

92.5 per cent

Freedom of expression, association and assembly remained severely restricted. New regulations on internet monitoring were introduced. Harsh repression of peaceful dissidents and human rights activists continued. The authorities increasingly used the charge of attempting to “overthrow” the state against peaceful dissidents. Prisoners of conscience were sentenced to long prison terms after unfair trials. Dissidents were arrested and held in lengthy pre-trial detention, and others under house arrest. Members of some religious groups were harassed and ill-treated. At least 34 people were sentenced to death, but secrecy was maintained over the application of the death penalty.

Background

Viet Nam took over as Chair of ASEAN and hosted a series of regional and international meetings during the year.

More than 17,000 prisoners were released under a large-scale prisoner amnesty to mark National Day. No prisoners of conscience were among those released.

The UN independent experts on minority issues and on the question of human rights and extreme poverty visited the country in July and August respectively at the invitation of the authorities.

Freedom of expression

Severe restrictions on the rights to freedom of expression, association and assembly of those critical of or opposed to government policies continued. Provisions of the national security section of the 1999 Penal Code, including Article 79 (“Carrying out activities aimed at overthrowing the people’s administration”) were used to criminalize peaceful political and social dissent. In April, new internet monitoring regulations affecting retail locations in the capital, Ha Noi, were introduced, placing further restrictions on freedom of expression and access to information. Vietnamese language dissident blogs and websites suffered widespread hacking which internet companies Google and McAfee alleged may have been politically motivated.

At least 30 prisoners of conscience remained behind bars, including members and supporters of banned political groups, independent trade unionists, bloggers, business people, journalists and writers. A further eight activists were arrested and held in pre-trial detention. Other dissidents were held under house arrest following their release from prison, including prisoner of conscience Le Thi Cong Nhan.

- Five members of Viet Tan, a Vietnamese group calling for democracy and political reform which is based overseas but has a network in Viet Nam, were arrested. Three were reportedly campaigning on land rights for farmers. Maths lecturer Pham Minh Hoang had protested against bauxite mining in the Central Highlands; and Hong Vo, an Australian national, took part in a peaceful protest against China. Hong Vo was charged with “terrorism” and deported 10 days after arrest.
- In October, independent labour activists Do Thi Minh Hanh, Nguyen Hoang Quoc Hung, and Doan Huy Chuong were charged and tried under Penal Code Article 89 (Disrupting security), for distributing anti-government leaflets and advocating strike action at a factory. They received seven- to nine-year prison sentences.

Unfair trials

By the end of the year courts had convicted at least 22 pro-democracy and human rights activists in a series of dissident trials that began in October 2009. They were all prisoners of conscience. Trials fell far short of international standards of fairness, disregarding basic rights such as the presumption of innocence and the right to defence. As in previous years, court proceedings were short, and permission for family members, journalists and diplomats to observe was either not given or arbitrarily restricted.

- In January, Ho Chi Minh City People's Court sentenced four dissidents – lawyer Le Cong Dinh, businessman Le Thang Long, computer engineer and blogger Nguyen Tien Trung and businessman Tran Huynh Duy Thuc – to between five and 16 years' imprisonment after a trial lasting one day. They were convicted of “activities aimed at overthrowing the people's administration”. The judges deliberated for 15 minutes before returning with a judgement which took 45 minutes to read out, suggesting it had been prepared in advance. Some family members and journalists observed the trial through a video link in an adjacent room; others were refused entry. Sentences of three of the accused were upheld on appeal in May; Le Thanh Long's prison sentence was reduced from five to three and a half years.
- Novelist and journalist Tran Khai Thanh Thuy was tried by Dong Da District People's Court in February. She was arrested after being beaten by thugs several hours after police had stopped her from travelling to another town to attend a dissidents' trial in October 2009. In an apparently deliberate distortion of the incident, she was charged with assault and sentenced to three and a half years in prison after a trial that lasted less than a day.

Discrimination – religious minorities

Members of the Unified Buddhist Church of Viet Nam (UBCV) continued to face harassment and restrictions on their freedom of movement in some provinces. Supreme Patriarch Thich Quang Do remained under de facto house arrest. Local authorities and police harassed and used unnecessary force against UBCV members at Giac Minh Pagoda in Quang Nam-Da Nang province in May and August as they attempted to hold special prayers.

Disputes over land ownership between local authorities and the Catholic church continued. In May hundreds of police used batons and electric prods against Catholics of Con Dau parish who were attempting to bury a woman in a cemetery on land designated by the authorities for development. Dozens of people were injured, and around 60 briefly detained. Two were sentenced in October to nine and 12 months' imprisonment, and five received non-custodial sentences after being charged with public order offences. Some 40 parishioners fled Viet Nam to seek asylum in Thailand.

Death penalty

The National Assembly voted in May to change the method of execution from firing squad to lethal injection, claiming that it causes less pain, costs less and reduces psychological pressure on executioners. The change was due to come into effect in July 2011. According to media reports, at least 34 people were sentenced to death. No executions were reported in the media. Official statistics on the death penalty were not made public.