

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Events of 2007

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2007 was characterized by the harshest crackdown on peaceful dissent in 20 years. The government, emboldened by international recognition after joining the World Trade Organization in late 2006, moved to suppress all challenges to the Vietnamese Communist Party (VCP) by arresting dozens of democracy and human rights activists, independent trade union leaders, underground publishers, and members of unsanctioned religious groups. This reversed a temporary easing of restrictions in 2006, prior to Vietnam's hosting the Asia-Pacific Economic Cooperation summit, when independent activism and opposition political parties had surfaced.

Of nearly 40 dissidents arrested since the crackdown began, more than 20 were sentenced to prison in 2007, most under Penal Code article 88, conducting anti-government propaganda. In March Roman Catholic priest Nguyen Van Ly, a founder of the Bloc 8406 democracy group, was sentenced to eight years in prison. Others sentenced included human rights lawyer Nguyen Van Dai, labor activist Tran Quoc Hien, and at least five opposition party members. Members of independent churches were also imprisoned. Le Tri Tue of the Independent Workers' Union "disappeared" in May after claiming political asylum in Cambodia with the United Nations High Commissioner for Refugees (UNHCR). He was presumed to have been abducted and sent to prison in Vietnam.

Prior to the visit of Vietnamese President Nguyen Minh Triet to the United States in June, Vietnam released political prisoners Nguyen Vu Binh, who had served five years, and lawyer Le Quoc Quan, arrested in March 2007 and charged with attempting to overthrow the government after participating in a fellowship at the National Endowment for Democracy in the United States. Eleven people imprisoned on national security charges were reportedly released in a prisoner amnesty in October 2007, but the Vietnamese government did not publicize their names.

Despite flouting its international human rights commitments, in October Vietnam was elected to a two-year term on the UN Security Council.

Vietnamese law continues to authorize arbitrary detention without trial. Administrative detention decree 31/CP was repealed in 2007, but a more repressive law, Ordinance 44, authorizes placing people suspected of threatening national security under house arrest or in detention without trial in Social Protection Centers, rehabilitation camps, or mental hospitals. Lawyer Bui Thi Kim Thanh, who assisted farmers with land rights complaints, was arrested in November 2006 and involuntarily committed to a mental hospital. She was released in July 2007.

Hundreds of religious and political prisoners remain behind bars in harsh conditions throughout Vietnam. Prisoners are placed in solitary confinement in dark, unsanitary cells, and there is compelling evidence of torture and ill-treatment of political prisoners, including beatings and electric shock. A disturbing number of Montagnard prisoners—even those in their thirties—have died shortly after release because of illness attributed to harsh conditions and mistreatment in prison.

All media in Vietnam is controlled by the government or the VCP. Criminal penalties apply to publications, websites, and internet users that disseminate information that opposes the government, threatens national security, or reveals state secrets.

Foreign internet service providers (ISPs) are prohibited from operating. Internet cafe owners are required to obtain customers' photo identification, which is supplied to Vietnamese ISPs. The ISPs are required to install monitoring software that identifies internet users and their online activities, and store the information for a year. The government monitors online activity and blocks websites covering

human rights, religious freedom, democracy groups, and independent media. Website owners must obtain government approval for website content.

Internet users such as Truong Quoc Huy, whose trial is expected by the end of the year, have been imprisoned for alleged national security crimes after participating in pro-democracy discussion forums or using the internet to disseminate views disfavored by the government.

In February police detained and questioned Roman Catholic priests Chan Tin and Phan Van Loi, editors of Freedom of Speech. In April police arrested Tran Khai Thanh Thuy, an editor of the dissident bulletin Fatherland. In September the government ordered the closure of Intellasia, an Australian-owned website in Hanoi, charging that it disseminated "reactionary" material.

Decree 38 bans public gatherings in front of places where government, Party, and international conferences are held, and requires organizers to obtain advance government permission. In July Ho Chi Minh City police dispersed a month-long peaceful protest by hundreds of farmers-many of them elderly women-against government land seizures.

Vietnamese law requires that all religious groups register with the government and bans religious activities deemed to cause public disorder, harm national security, or "sow divisions."

During 2007 the Minh Ly Sect in southern Vietnam and the more pro-government part of the Mennonite church in Vietnam were granted legal registration. Other Mennonites in Vietnam, such as those affiliated with Rev. Nguyen Hong Quang in Ho Chi Minh City, a former prisoner of conscience, continued to be harassed.

While most Roman Catholics are able to practice their religion, those who advocate for political and civil rights have been harassed, imprisoned, or threatened with arrest.

Monks from the banned Unified Buddhist Church of Vietnam (UBCV), including top leaders Thich Huyen Quang and Thich Quang Do, have been largely confined to their pagodas, and after Thich Quang Do spoke at the farmers' demonstration in Ho Chi Minh City in July the government increased its harassment and surveillance of the UBCV. In March UBCV monk Thich Thien Mien, who formed an association of former political and religious prisoners following his release in 2005 after 26 years in prison, was interrogated by police for alleged anti-government activities.

Four Hoa Hao Buddhists in Dong Thap were sentenced to prison terms of four to six years in 2007 for "causing public disorder" after protesting the imprisonment of Hoa Hao members in 2006.

In February 2007 several hundred ethnic Khmer (known as Kampuchea Krom) Buddhist monks in Soc Trang peacefully demonstrated for religious freedom. Police dispersed the demonstration and arrested protest leaders, with five later sentenced to two to four years' imprisonment for "causing public disorder." Tim Sakhorn, a Kampuchea Krom monk from Cambodia who had been defrocked and deported to Vietnam in June by Cambodian authorities was sentenced to a year's imprisonment at a trial in Vietnam in November on charges of undermining national unity (see Cambodia chapter).

Ethnic minority Christians belonging to independent house churches continue to be harassed, pressured to join government-authorized churches, and arrested. Most congregations that tried to legally register were rejected or received no response. In Phu Yen province the government recognized-Evangelical Church of Vietnam reported that an Ede Christian died in April 2007 after being detained and beaten by police for not renouncing his religion. In July police and soldiers forcibly evicted ethnic minority Stieng Christians from their farms in Binh Phuoc, beating some of the villagers and bulldozing their crops and homes.

An independent report facilitated by UNHCR in 2007 found "severe forms of religion-based punitive action" against Montagnard Christians in the Central Highlands. During 2007 at least 13 Montagnards were sentenced to prison, joining more than 350 Montagnards imprisoned on national security charges since 2001 for peaceful political or religious activities, or trying to seek asylum in Cambodia. A steady trickle of Montagnard asylum seekers fled to Cambodia, with many forcibly turned back by Cambodian border police. Problems remained in monitoring conditions in the Central Highlands without hindrance: after a UNHCR visit to Dak Lak in June, police detained and beat a Montagnard who had helped translate for the delegation.

Members of independent trade unions are arrested and harassed, with at least six members of the United Worker-Farmers Organization arrested since 2006.

In 2007 the government announced it would raise the minimum monthly salary for workers in foreign companies for the first time in six years. Despite this, unprecedented numbers of workers-mostly at South Korean, Japanese, Taiwanese, and Singaporean enterprises-continued to strike for better pay and working conditions.

A new draft law would fine workers who participate in "illegal" strikes not approved by the VCP-controlled union confederation. Decrees issued in 2007 enable local officials to force striking workers back to work, and ban strikes in strategic sectors including power stations, railways, airports, post offices, and oil, gas, and forestry enterprises.

While Vietnam's National Assembly has among the highest proportion of women representatives of any Asian country and laws prohibiting gender discrimination and trafficking, poor legal enforcement leaves many women disenfranchised and subject to domestic violence, trafficking, landlessness, growing rates of HIV/AIDS, and low school enrollment rates.

Vietnam continues to be a source of and transit point for women and children trafficked for forced prostitution, fraudulent marriages, and forced domestic servitude to China, Cambodia, Taiwan, Malaysia, and South Korea. Sex workers, trafficking victims, and street peddlers-officially classified by the government as "social evils"-are routinely rounded up and detained without warrants in compulsory "rehabilitation" centers, where they are subject to beatings and sexual abuse.

Vietnam's donors, including the World Bank, Asian Development Bank, and Japan, pledged US\$4.4 billion for 2007, which represents 15 percent of its annual budget. Vietnam's largest trading partners are China, Japan, the US, and Singapore.

In March 2007 33 countries made demarches to the Vietnamese government condemning the arrest of dissidents. In May the European Union called for the release of all nonviolent political activists, followed in July by a European Parliament resolution condemning the crackdown.

Relations with the United States continued to warm as the US granted Vietnam Permanent Normal Trade Relations at the end of 2006 and removed it from the US list of religious freedom violators. However, President Bush raised concerns about human rights with President Triet during their June 2007 White House meeting.

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