

# Human Rights Watch

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

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### Annual reports

Events of 2006

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Vietnam's tenth Communist Party (VCP) Congress saw a significant turnover in the Politburo, as younger members replaced key aging party veterans. New faces, however, did not bring significant improvement in human rights practices.

Despite having one of Asia's highest growth rates, Vietnam's respect for fundamental human rights continues to lag behind many other countries, and the one-party state remains intolerant of criticism.

Hundreds of political and religious prisoners remain behind bars in harsh conditions. During 2006 the government released a handful of prisoners of conscience but arrested dozens more, including democracy activists, cyber-dissidents, and ethnic minority Christians.

Authorities continue to persecute members of independent churches, impose controls over the internet and the press, restrict public gatherings, and imprison people for their religious and political views. Media, political parties, religious organizations, and labor unions are not allowed to exist without official oversight, or to take actions considered contrary to Party policies.

The year saw unprecedented labor unrest, official efforts to muzzle an emerging democracy movement, and ongoing repression of Buddhists and ethnic minority Christians.

The year began with a series of wildcat strikes by thousands of workers at foreign-owned factories and those with heavy foreign investment around Ho Chi Minh City. They demanded wage increases and better working conditions. The strikes quickly spread to the central and northern provinces, but died down when the government increased the minimum wage at foreign-owned companies to US \$54 a month—a 40 percent increase, and the first since 1999.

In April 2006 more than 100 people publicly signed an "Appeal for Freedom of Political Association" and a "Manifesto for Freedom and Democracy." The initiators of the movement (called the 8406 Bloc, after the date of the Manifesto) included Father Nguyen Van Ly, dissident Hoang Minh Chinh, and writer Do Nam Hai. By August, more than 2,000 people had signed the public appeals.

In October, activists announced the creation of an independent labor union as an alternative to the party-controlled labor confederation. Dissidents also launched several unsanctioned independent publications during 2006, including *Tu Do Ngon Luan* ("Freedom of Expression") and *Tu Do Dan Chu* ("Freedom and Democracy").

The government responded by detaining and interrogating many of the more prominent activists and confiscating their documents, computers, and cell phones (see below).

Vietnam's Law on Publications strictly bans publications that oppose the government, divulge state secrets, or disseminate "reactionary" ideas. There are few privately-owned media outlets; most publications are published by the government, the Party, or Party-controlled organizations. In 2006 the state media, which have usually been allowed to write about corruption, covered the embezzlement of government and donor funds by transportation ministry officials.

The government blocks websites considered objectionable or politically sensitive, monitors email and online forums, and makes internet cafe owners responsible for information accessed and transferred on the internet by their customers.

A new law, Decree No. 56, "Administrative Sanctions on Information and Culture Activities," calls for steep fines for activities such as circulating "harmful" information, defaming the nation and national heroes, or revealing "party secrets, state secrets, military secrets and economic secrets."

Activists who launch unsanctioned publications or use the internet to disseminate opinions critical of the government are harassed, detained, and imprisoned. At this writing, at least two cyber-dissidents remained in prison.

Nguyen Vu Binh is serving a seven-year sentence for espionage for his internet postings, testimony submitted in writing to the US Congress on human rights, and communication with activists inside Vietnam and abroad.

Truong Quoc Huy, detained in 2005 for more than eight months after participating in internet discussions about democracy, was re-arrested in an internet cafe on August 18, 2006. He had reportedly expressed public support for the democracy movement.

In mid-April two journalists were detained at Ho Chi Minh City airport and prevented from attending a conference in Manila on free expression in Asian cyberspace.

On April 20 police arrested two Montagnard students and held them for 18 days in a district prison in Dak Lak, where they were beaten, interrogated, and accused of using the internet to send lists of political prisoners to advocacy groups abroad.

On June 30 police raided the home of dissident Nguyen Thanh Giang and confiscated books and documents. On August 12 police raided the homes of five dissidents, including Nguyen Khac Toan, Nguyen Van Dai, and Hoang Tien, as they prepared to launch an independent publication. In October Do Nam Hai and two other dissidents were called for "working sessions" with the police.

US citizen Cong Thanh Do (Tran Nam), a representative of the People's Democracy Party, was arrested on August 14. Upon Do's expulsion from Vietnam on September 21, the state press said he had been arrested for disseminating anti-government information. At this writing, six Vietnamese arrested in August because of alleged links to the People's Democracy Party remained in detention. In November, four Vietnamese and three Vietnamese-Americans arrested in 2005 were sentenced to fifteen months' imprisonment, or time served, on terrorism charges, for allegedly smuggling radio equipment in to Vietnam.

Suspected democracy movement supporters Truong Quoc Huy and three others arrested in August - Nguyen Ngoc Quang, Vu Hoang Hai, and Pham Ba Hai - were charged with conducting anti-government propaganda.

Public demonstrations are rare, especially after government crackdowns against mass protests in the Central Highlands in 2001 and 2004. Decree 38, signed by the prime minister in 2005, banned public gatherings in front of places where government, Party, and international conferences are held, and requires organizers to obtain government permission in advance.

In advance of the Party Congress in April 2006 and President Bush's visit in November, police in Hanoi rounded up street children and homeless people and sent them to compulsory "rehabilitation" centers on the outskirts of the city where some were badly beaten. Soldiers were dispatched to villages in the Central Highlands to prevent possible demonstrations during Bush's visit.

Vietnam's 2004 Ordinance on Beliefs and Religions affirms the right to freedom of religion. However, it requires that all religious groups register with the government in order to be legal, and bans any religious activity deemed to cause public disorder, harm national security, or "sow divisions."

Followers of some religions not officially recognized by the government continue to be persecuted. Security officials disperse their religious gatherings, confiscate religious literature, and summon religious leaders to police stations for interrogation.

Buddhist monks from the banned Unified Buddhist Church of Vietnam (UBCV), including its Supreme Patriarch, Thich Huyen Quang, and second-ranking leader, Thich Quang Do, remain confined to their monasteries.

Despite regulations to streamline the registration process, hundreds of Christian house church organizations that tried to register in 2006 were either rejected outright, ignored, or had their applications returned unopened. These included 500 ethnic minority churches in the Northwest Highlands. In the Central Highlands, some Montagnard churches linked to the government-approved Evangelical Church of Vietnam (ECVN) were reportedly able to register. However Montagnards belonging to unregistered Christian churches came under heavy pressure to join the ECVN or recant their beliefs, despite a 2005 decree banning such practices.

In May, fifty police officers raided the home and church of Mennonite pastor Rev. Nguyen Hong Quang and demolished repair work he had done to the Mennonite church building. Quang, a former political prisoner, was one of the signatories of the Bloc 8406 manifesto.

Even registered groups face problems. More than fifty monks and nuns from the officially-recognized Vietnam Buddhist Church (VBC) demonstrated in July 2006 to protest the unfair imprisonment and torture of eight Buddhists and the beating to death in custody of a monk. The case, which was heard on appeal at Bac Giang Provincial People's Court in June 2006, resulted in their temporary release.

Hundreds of religious and political prisoners remain in prisons throughout Vietnam. They include more than 350 Montagnards who have been sentenced to prison terms since 2001, largely for peaceful political or religious activities, or trying to seek asylum in Cambodia.

There is compelling evidence of torture and other mistreatment of detainees. Prisoners are reportedly placed in solitary confinement in cramped, dark, unsanitary cells; and beaten, kicked, and shocked with electric batons.

Police officers routinely arrest and detain suspects without written warrants. Trials of dissidents are closed to the public, media, and

detainees' families. Under Administrative Detention Decree 31/CP, individuals can be put under house arrest for alleged national security crimes for up to two years without going before a judge.

Vietnam's donors, including the World Bank, Asian Development Bank, and Japan raised strong concerns when news broke in January about major embezzlement of donor funds by the transportation ministry, which resulted in the resignation and arrest of several ministry officials.

While noting political prisoner releases, the EU, Vietnam's largest donor, placed Vietnam on its list of countries of concern in its human rights report for 2006. In May, a European Parliament delegation to Vietnam called for the release of prisoners of conscience, free access for the international press to the Central Highlands, and an end to the death penalty. In September, the United Kingdom praised Vietnam's progress on poverty reduction but said it would link ongoing aid to progress on human rights, anti-corruption, good governance, and financial reform.

Relations with the United States reached an unprecedented high in 2006, with the resumption of its human rights dialogue, which had been suspended since 2002, and the visit of President George Bush in November. The US removed its designation of Vietnam as a Country of Particular Concern (CPC) for religious freedom violations, and it was expected that by the end of the year the US would grant Vietnam "Permanent Normalized Trade Relations."

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