Home Office
UK Border Agency

VIETNAM

COUNTRY OF ORIGIN INFORMATION (COI) REPORT

COI Service

20 April 2011

SECURING OUR BORDER CONTROLLING MIGRATION

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Preface

i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The report includes information available up to 20 April 2011. The report was issued on 20 April 2011.

ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.

iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links are provided. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.

iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.

v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.

vi As noted above, the Report is a compilation of extracts produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents though COIS will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term ‘sic’ has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because

they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.

viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the UKBA website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.

ix COI Reports are published regularly on the top 30 asylum intake countries. Reports on countries outside the top 30 countries may also be published if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.

x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

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Website: http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/coi/

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's COI material. The IAGCI welcomes feedback on UKBA's COI Reports and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at http://www.ociukba.homeoffice.gov.uk

xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at http://www.ociukba.homeoffice.gov.uk/

xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself. The IAGCI can be contacted at:

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Background Information

1. GEOGRAPHY

1.01 The Socialist Republic of Vietnam is situated in South-East Asia, bordered to the north by the People's Republic of China, to the west by Laos and Cambodia, and to the east by the South China Sea. The capital is Hanoi. (Europa World, accessed on 9 February 2011) **[1]** Vietnam's relations with its largest neighbour, China, are complicated by disagreement over sovereignty of the Spratley and Paracel Islands in the South China Sea, which continues to lead to occasional incidents. (Foreign & Commonwealth Office, *Country Profile: Vietnam*, 23 July 2010) **[8a]**

1.02 Vietnam covers an area of 329,247 sq km (127,123 sq miles). A UN (United Nations) estimate in 2010 put the total population of Vietnam at 89 million, with life expectancy of 73 years for men and 77 years for women. (BBC News, *Country Profile: Vietnam*, 7 February 2011) **[14a]**

1.03 Vietnam is divided into 63 administrative units, comprised of provinces and cities. (Website of the Vietnam National Administration of Tourism, accessed on 22 March 2011) **[17d]**

1.04 While the official language of the country is Vietnamese, there are another 105 languages in use. (Ethnologue.com, accessed on 23 March 2011) **[24]**

1.05 Public holidays in Vietnam for 2011 and 2012 are: New Year's Day, 1 January; Vietnam Day, 27 January; Têt (Lunar New Year), 3 February (23 January in 2012); Foundation of the Vietnamese Communist Party, 3 February; International Women's Day, 8 March; Youth Day, 26 March; Liberation Day, 30 April; Labour Day, 1 May; Ho Chi Minh's Birthday, 19 May; International Children's Day, 1 June; Memorial Day for War Martyrs, 27 June; Revolution of 1945, 19 August; National Day, 2 September; Confucius' Birthday, 6 November; Teachers' Day, 20 November; Army Day, 22 December. (Wordtravels.com, accessed on 14 April 2011) **[39]**

See also Section 17: Religious groups

See also Section 18: Ethnic groups

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1.05 MAP

For further maps of Vietnam see ReliefWeb's Map Centre.

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2. ECONOMY

2.01 The CIA World Factbook, updated on 8 March 2011, recorded:

"Vietnam is a densely-populated developing country that in the last 30 years has had to recover from the ravages of war, the loss of financial support from the old Soviet Bloc, and the rigidities of a centrally-planned economy. While Vietnam's economy remains dominated by state-owned enterprises (SOEs), which still produce about 40% of GDP, Vietnamese authorities have reaffirmed their commitment to economic liberalization and international integration. They have moved to implement the structural reforms needed to modernize the economy and to produce more competitive export-driven industries. Vietnam joined the WTO [World Trade Organisation] in January 2007 following more than a decade-long negotiation process. Vietnam became an official negotiating partner in the developing Trans-Pacific Partnership trade agreement in 2010. Agriculture's share of economic output has continued to shrink from about 25% in 2000 to about 20% in 2010, while industry's share increased from 36% to 41% in the same period." **[4]**

2.02 The same source stated further:

"Deep poverty has declined significantly and Vietnam is working to create jobs to meet the challenge of a labor force that is growing by more than one million people every year. The global recession has hurt Vietnam's export-oriented economy, with GDP [Gross Domestic Product] in 2009-10 growing less than the 7% per annum average achieved during the last decade. In 2010, exports increased by more than 25%, year-on-year, but the trade deficit remained high, prompting the government to consider administrative measures to limit the trade deficit. Vietnam's managed currency, the dong, continues to face downward pressure due to a persistent trade imbalance, and, since 2008, the government devalued it by 20% through a series of small devaluations. Foreign donors pledged nearly $8 billion in new development assistance for 2011. However, the government's strong growth-oriented economic policies have caused it to struggle to control one of the region's highest inflation rates, which reached 11.8% in 2010. Vietnam's economy also faces challenges from falling foreign exchange reserves, an undercapitalized banking sector, and high borrowing costs." **[4]**

2.03 In its *Country Profile* on Vietnam, updated on 23 July 2010, the Foreign & Commonwealth Office (FCO) noted:

"Vietnam is now among the fastest-growing economies in Asia. 2008 was a challenging year, with inflation hitting 26% in the first half - a result of overheated economic growth and an asset bubble. The government's 'pro-growth' mentality since the renovation has shown some drawbacks in terms of ignoring measures to maintain the sustainability of growth. In the second half of 2008 the impact of the global economic turbulence started to kick in, with reduced overseas demand for Vietnamese goods and declining foreign investment. Despite these external challenges, Vietnam still recorded GDP growth of 5.3% in 2009, thanks to strong domestic market demand and the fiscal stimulus packages. Going into 2010, the overall macroeconomic situation has become more vulnerable, with the fiscal deficit shooting up to 9%, a persistent trade deficit and pressure for devaluation of the Dong again. Inefficient state-owned enterprises and poor domestic investment remain concerns. Reform of state-owned enterprises, to place them on a sounder economic footing, is happening - but slowly and has focused on smaller enterprises. Large amounts of lending by state-owned banks to unreformed state-owned enterprises has resulted in non-performing loans and the inefficient use of

capital. Long term investors maintain that Vietnam's long term prospects are good, providing that the government sticks to its reform plans, overcomes skills and infrastructure challenges, and tackles corruption... Vietnam's record on poverty reduction is excellent – the proportion of people living in poverty (under US$1 per day) has fallen from 58% in 1993 to 15% in 2007… [A] major issue facing Vietnam is the under-development and high poverty in remote, ethnic-minority regions, and the flux of unregistered internal migrants flocking to major cities. Despite fast economic growth, poverty among some ethnic minority groups in remote areas remains far above the national average." **[8a]**

See also Section 18: Ethnic groups

2.04 As recorded by Xe.com, the currency of Vietnam is the Dong (VND), and the exchange rate on 14 April 2011 was £1 (sterling) = 34,037.80 VND. **[40]**

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3. HISTORY

(From the US Library of Congress, *Country Profile* for Vietnam, dated December 2005. **[36]**)

COLONIAL PERIOD, INDEPENDENCE, AND WAR, 1858-1976

3.01 "After 900 years of independence and following a period of disunity and rebellion, the French colonial era began during the 1858–83 period, when the French seized control of the nation, dividing it into three parts: the north (Tonkin), the center (Annam), and the south (Cochinchina). In 1861 France occupied Saigon, and by 1883 it had taken control of all of Vietnam as well as Laos and Cambodia. French colonial rule was, for the most part, politically repressive and economically exploitative. The Japanese occupied Vietnam during World War II but allowed the French to remain and exert some influence. At the war's end in 1945, Ho Chi Minh, leader of the communist Viet Minh organization, declared Vietnam's independence in a speech that invoked the U.S. Declaration of Independence and the French Revolution's Declaration of the Rights of Man and of the Citizen. However, the French quickly reasserted the control they had ceded to the Japanese, and the First Indochina War (1946–54) was underway. French control ended on May 7, 1954, when Vietnamese forces defeated the French at Dien Bien Phu. The 1954 Geneva Conference left Vietnam a divided nation, with Ho Chi Minh's communist government ruling the North from Hanoi and Ngo Dinh Diem's regime, supported by the United States, ruling the South from Saigon (later Ho Chi Minh City)." **[36]**

3.02 "As a result of the Second Indochina War (1954–75), Viet Cong—communist forces in South Vietnam—and regular People's Army of Vietnam (PAVN) forces from the North unified Vietnam under communist rule. In this conflict, the insurgents—with logistical support from China and the Soviet Union—ultimately defeated the Army of the Republic of Vietnam, which sought to maintain South Vietnamese independence with the support of the U.S. military, whose troop strength peaked at 540,000 during the communist-led Tet Offensive in 1968. The North did not abide by the terms of the 1973 Paris Agreement, which officially settled the war by calling for free elections in the South and peaceful reunification. Two years after the withdrawal of the last U.S. forces in 1973, Saigon, the capital of South Vietnam, fell to the communists, and on April 30, 1975, the South Vietnamese army surrendered. In 1976 the government of united Vietnam

renamed Saigon as Ho Chi Minh City, in honor of the wartime communist leader who died in September 1969. The Vietnamese estimate that they lost nearly 3 million lives and suffered more than 4 million injuries during the U.S. involvement in the war." **[36]**

UNIFIED VIETNAM, 1976-2005

3.03 "In the post-1975 period, it was immediately apparent that the popularity and effectiveness of Vietnamese Communist Party (VCP) policies did not necessarily extend to the party's peacetime nation-building plans. Having unified North and South politically, the VCP still had to integrate them socially and economically. In this task, VCP policy makers were confronted with the South's resistance to communist transformation, as well as traditional animosities arising from cultural and historical differences between North and South. More than a million Southerners, including about 560,000 'boat people,' fled the country soon after the communist takeover, fearing persecution and seizure of their land and businesses. About a million Vietnamese were relocated to previously uncultivated land called 'new economic zones' for reeducation." **[36]**

3.04 "The harsh postwar crackdown on remnants of capitalism in the South led to the collapse of the economy during the 1980s. With the economy in shambles, Vietnam's government altered its course and adopted consensus policies that bridged the divergent views of pragmatists and communist traditionalists. In 1986 Nguyen Van Linh, who was elevated to VCP general secretary the following year, launched a campaign for political and economic renewal (Doi Moi). His policies were characterized by political and economic experimentation that was similar to simultaneous reform agendas undertaken in China and the Soviet Union. Reflecting the spirit of political compromise, Vietnam phased out its reeducation effort. The government also stopped promoting agricultural and industrial cooperatives. Farmers were permitted to till private plots alongside state-owned land, and in 1990 the government passed a law encouraging the establishment of private businesses." **[36]**

3.05 "Compounding economic difficulties were new military challenges. In the late 1970s, two countries—Cambodia and China—posed threats to Vietnam. Clashes between Vietnamese and Cambodian communists on their common border began almost immediately after Vietnam's reunification in 1975. To neutralize the threat, Vietnam invaded Cambodia in December 1978 and overran Phnom Penh, the Cambodian capital, driving out the incumbent Khmer Rouge communist regime and initiating a prolonged military occupation of the country." **[36]**

3.06 "In February and March 1979, China retaliated against Vietnam's incursion into Cambodia by launching a limited invasion of Vietnam, but the Chinese foray was quickly rebuffed. Relations between the two countries had been deteriorating for some time. Territorial disagreements along the border and in the South China Sea that had remained dormant during the Second Indochina War were revived at the war's end, and a postwar campaign engineered by Hanoi to limit the role of Vietnam's ethnic Chinese community in domestic commerce elicited a strong protest from Beijing. China also was displeased with Vietnam because of its improving relationship with the Soviet Union." **[36]**

3.07 "During its incursion into Cambodia in 1978–89, Vietnam's international isolation extended to relations with the United States. The United States, in addition to citing Vietnam's minimal cooperation in accounting for Americans who were missing in action (MIAs) as an obstacle to normal relations, barred normal ties as long as Vietnamese

troops occupied Cambodia. Washington also continued to enforce the trade embargo imposed on Hanoi at the conclusion of the war in 1975. Soon after the Paris Agreement on Cambodia resolved the conflict in October 1991, however, Vietnam established or reestablished diplomatic and economic relations with most of Western Europe, China, and other Asian countries. Vietnam normalized relations with China in 1991 and with Japan in 1993. In February 1994, the United States lifted its economic embargo against Vietnam, and in June 1995, the United States and Vietnam normalized relations. In June 2005, a high-level Vietnamese delegation, led by Prime Minister Phan Van Khai, visited the United States and met with their U.S. counterparts, including President George W. Bush. This was the first such visit in 30 years. Relations with China took another step forward after the two countries settled their long-standing border dispute in 1999. China is now a major trading partner, and Vietnam models its economic policies after China's." **[36]**

3.08 "As of late 2005, a three-person collective leadership was responsible for governing Vietnam… The leadership is promoting a 'socialist-oriented market economy' and friendly relations with China, Japan, the European Union, Russia, and the United States. Although the leadership is presiding over a period of rapid economic growth, official corruption and a widening gap between urban wealth and rural poverty remain stubborn problems that are eroding the VCP's authority." **[36]**

See also Section 2: Economy

See also Section 6: Political system

See also Annex A – Chronology of major events

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4. RECENT DEVELOPMENTS

4.01 In its *World Report 2011*, covering events in 2010 and published on 24 January 2011, Human Rights Watch stated:

"The Vietnamese government tightened controls on freedom of expression during 2010, harassing, arresting, and jailing dozens of writers, political activists, and other peaceful critics. Cyber-attacks originating from Vietnam-based servers disabled dissident websites and the government introduced new restrictions on public internet shops while continuing to restrict access to numerous overseas websites. Public protests over evictions, confiscation of church properties, and police brutality were met at times with excessive use of force by police. Police routinely tortured suspects in custody." **[5a]**

4.02 In *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report,* published on 31 March 2011, the FCO stated:

"Freedom of expression and political accountability did not improve in Vietnam in 2010. While the National Assembly played a more prominent role in holding the government to account, the authorities in this one-party state continued to target individuals who criticised the Communist Party and its policies. Freedom of expression and access to information were suppressed through a combination of stringent legislation, tight control of the state-run media, internet restrictions and the arrest and imprisonment of bloggers and political activists. These restrictions have tightened over the past year. In the area

of social and economic rights, Vietnam's performance was noticeably better. Vietnam's impressive record of socio-economic development was underscored by the country meeting or exceeding a number of the 2015 UN Millennium Development Goal targets in 2010, including alleviating extreme poverty and hunger. Modest advances were made in freedom of religion, with the government continuing to promote compliance with its legal framework on freedom of religion, although concerns remained over implementation in some areas… Over the course of the year, more than 20 peaceful activists, including bloggers, political campaigners and lawyers, were arrested, held in pre-trial detention or imprisoned following their trials. In most cases the individuals were charged under national security laws." **[8e]**

4.03 In January 2011, the five-yearly congress of the Communist Party reappointed Prime Minister Nguyen Tan Dung and elected the head of the national assembly, Nguyen Phu Trong, as party secretary-general. (BBC News, 7 February 2011) **[14b]**

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USEFUL SOURCES FOR FURTHER INFORMATION

4.04 A list of sources with weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report. The full list of sources used in this report can be found in Annex D – References to source material.

Amnesty International (*Report 2011*, due in May 2011, and regular news/reports)
http://www.amnesty.org/

BBC News (regular news/reports)
http://news.bbc.co.uk/1/hi/world/asia-pacific/default.stm

Canadian Immigration and Refugee Board (regular reports)
http://www.irb-cisr.gc.ca/Eng/Pages/index.aspx

European Country of Origin Information Network (regular news/reports)
http://www.ecoi.net/

Freedom House (*Freedom in the World 2011*, due in May 2011)
http://www.freedomhouse.org/template.cfm?page=15

Human Rights Watch (regular news/reports)
http://www.hrw.org/asia/vietnam

UNHCR Refworld (regular news/reports)
http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&skip=0&coi=VNM&x=10&y=12

US Commission on International Religious Freedom (*Annual Report 2011*, due in May 2011)
http://www.uscirf.gov/

US State Department (*Trafficking in Persons Report 2011*, due in June 2011)
http://www.state.gov/g/tip/rls/tiprpt/index.htm

US State Department (*2011 Report on International Religious Freedom*, due in November 2011)
http://www.state.gov/g/drl/rls/irf/index.htm

US State Department (*2011 Country Reports on Human Rights Practices*, due in March 2012)
http://www.state.gov/g/drl/rls/hrrpt/index.htm

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5. CONSTITUTION

5.01 According to Article 4 of the 1992 Constitution, "The Communist Party of Vietnam, the vanguard of the Vietnamese working class, the faithful representative of the rights and interests of the working class, the toiling people, and the whole nation, acting upon the Marxist-Leninist doctrine and Ho Chi Minh's thought, is the force leading the State and society." **[17a] (Chapter 1)**

5.02 A citizen's rights and duties are defined under Articles 50 to 80 of the 1992 Constitution. Regarding the fundamental rights of the citizen, Article 50 claims, "In the Socialist Republic of Vietnam human rights in the political, civic, economic, cultural and social fields are respected. They are embodied in the citizen's rights and are determined by the Constitution and the law." **[17a] (Chapter 5)**

(A copy of the Constitution is available at:
http://www.vietnamembassy-usa.org/learn_about_vietnam/politics/constitution/)

6. POLITICAL SYSTEM

6.01 In its *Country Profile* on Vietnam, updated on 23 July 2010, the Foreign & Commonwealth Office (FCO) noted:

"Vietnam is a one-party state in which the Communist Party of Vietnam (CPV) decides all major policy issues, which are then implemented by the government. The country is led by a triumvirate of CPV General Secretary, State President and Prime Minister. Although the National Assembly is increasingly powerful, it remains firmly subordinate to the CPV. No legal opposition to the regime is permitted in Vietnam, but neither is there much sign of widespread popular opposition. The CPV still enjoys popular support following its success in defeating the French colonialist rulers, resisting American intervention, re-unifying the country, opposing Chinese encroachment and - most importantly - creating and maintaining peace and stability." **[8a]**

6.02 The FCO also stated:

"There are no free elections in Vietnam. Candidates for election to the National Assembly and local People's Councils must in practice be approved by the CPV. There is, however, an increasing minority of elected representatives who are not CPV members. Vietnam's main legislative body is the National Assembly, which convenes twice per year. It has developed, in recent years, from little more than a 'rubber stamp' body to one increasingly able to scrutinise legislation and hold government to account. It has, on paper at least, wide powers over the state budget and its Members, 25% of

whom are full time, are increasingly professional. Ultimately, however, the National Assembly remains firmly under the control of the CPV and thus is still far from being a proper democratic legislature. Elections to the 500-Member National Assembly are held every five years. The last election was in May 2007 and the next will be in 2012." **[8a]**

6.03 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted that "The most recent National Assembly elections, held in 2007, were neither free nor fair, since the CPV's Vietnam Fatherland Front (VFF), an umbrella group that monitored the country's mass organizations, vetted all candidates." **[2a] (Introduction to Vietnam)**

6.04 The same source stated:

"The National Assembly, although subject to the control of the CPV (all of its senior leaders and more than 90 percent of its members were party members), continued to take incremental steps to assert itself as a legislative body. The National Assembly publicly criticized socioeconomic policies, corruption, the government's handling of inflation, financial problems of large state-owned enterprises, and the plan to mine bauxite in the Central Highlands. For the first time, the National Assembly voted against an official government project sponsored by the prime minister--a VND 1.12 quadrillion ($56 billion) high-speed rail project. Assembly sessions were televised live countrywide. Some legislators also indirectly criticized the CPV's preeminent position in society. All authority and political power is vested in the CPV, and the constitution recognizes the leadership of the CPV." **[2a] (Section 3)**

See also Section 14: Political affiliation

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Human Rights

7. INTRODUCTION

7.01 The Foreign & Commonwealth Office (FCO), in its *Annual Report on Human Rights 2009*, published on 17 March 2010, recorded:

"Until recently, the trajectory of change on human rights in Vietnam was positive. But there have been worrying developments during 2009 and there remain significant areas of concern, most notably freedom of expression, media freedoms and the death penalty… The relationship between the Vietnamese government and civil society deteriorated in 2009. In July, the government imposed further restrictions on the activities of civil society organisations with Decision 97. This forces organisations to register with the authorities and prevents them from publishing their research independently." **[8b] (p164-166)**

7.02 In its *Country Profile* on Vietnam, updated on 23 July 2010, the FCO stated:

"As Vietnam has opened to the world, ordinary people enjoy much more personal freedom on a day-to-day level than previously. But an ever-present, effective security apparatus keeps watch on society… Human rights in Vietnam have attracted considerable public attention from NGOs and Parliament in recent times… Vietnam has made great strides in terms of economic and social rights over recent decades. However, restrictions on freedom of expression, freedom of the media and the continued application of the death penalty remain issues of particular concern." **[8a]**

7.03 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted:

"Citizens could not change their government, and political opposition movements were prohibited. The government increased its suppression of dissent, arresting at least 25 political activists, convicting 14 dissidents arrested in 2008, 2009, and 2010, and denying the appeals of another 10 dissidents convicted at the end of 2009. Police commonly mistreated suspects during arrest or detention. Prison conditions were often austere. Although professionalism in the police force improved, members of the police sometimes acted with impunity. Individuals were arbitrarily detained for political activities and denied the right to fair and expeditious trials. Political influence, endemic corruption, and inefficiency strongly distorted the judicial system. The government increased measures to limit citizens' privacy rights and freedom of the press, speech, assembly, movement, and association. Internet freedom was further restricted as the government orchestrated attacks against critical Web sites and spied on dissident bloggers. Freedom of religion continued to be subject to uneven interpretation and protection; despite some progress, significant problems remained, especially at the provincial and village levels. Police corruption remained a significant problem. The government maintained its prohibition of independent human rights organizations. Violence and discrimination against women as well as trafficking in persons continued to be problems, despite laws and government efforts to combat such practices. Some ethnic minority groups suffered societal discrimination. The government limited workers' rights to form and join independent unions." **[2a] (Introduction to Vietnam)**

7.04 The USSD Report 2010 also noted:

"The government does not permit private, local human rights organizations to form or operate. The government did not tolerate attempts by organizations or individuals to comment publicly on its human rights practices, and it used a wide variety of methods to suppress domestic criticism of its human rights policies, including surveillance, limits on freedom of the press and assembly, interference with personal communications, and detention. The government generally prohibited private citizens from contacting international human rights organizations, although several activists did so. The government usually did not permit visits by international NGO [Non-Governmental Organisation] human rights monitors; however, it allowed representatives from the press, the UNHCR, foreign governments, and international development and relief NGOs to visit the Central Highlands. The government criticized almost all public statements on human rights and religious matters by international NGOs and foreign governments." **[2a] (Section 5)**

7.05 As recorded by Amnesty International's *Report 2010* (covering events in 2009), published in May 2010:

"Severe restrictions on freedom of expression and assembly continued. Repression of dissidents intensified with new arrests of political and human rights activists, most of whom had criticized widespread corruption and government policies relating to China. Bloggers were briefly detained. In most cases, national security concerns were cited as a pretext for arrests and criminal investigations. Peaceful protests by Catholics over land ownership were met with excessive force and arrests by police. Members of ethnic and religious minority groups were threatened and harassed. The National Assembly approved the removal of the death penalty for eight crimes, but 21 capital offences remained. At least 59 death sentences were handed down, and nine executions were reported in the media. No official statistics on the death penalty were made public." **[3a]**

7.06 Human Rights Watch, in its *World Report 2011* (covering events in 2010), stated:

"The Vietnamese government tightened controls on freedom of expression during 2010, harassing, arresting, and jailing dozens of writers, political activists, and other peaceful critics. Cyber-attacks originating from Vietnam-based servers disabled dissident websites and the government introduced new restrictions on public internet shops while continuing to restrict access to numerous overseas websites. Public protests over evictions, confiscation of church properties, and police brutality were met at times with excessive use of force by police. Police routinely tortured suspects in custody. Vietnam, which served as the chair of the Association of Southeast Asian Nations (ASEAN) in 2010, demonstrated little respect for core principles in the Association of Southeast Asian Nations (ASEAN) Charter to 'strengthen democracy' and 'protect and promote human rights and fundamental freedoms.'" **[5a]**

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8. SECURITY FORCES

8.01 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, recorded, "Internal security is the responsibility of the Ministry of Public Security (MPS); however, in some remote areas, the military is the primary government agency and performs public safety functions, including maintaining public order in the event of civil unrest." **[2a] (Section 1d)**

8.02 The same report continued:

"The MPS controls the police, a special national security investigative agency, and other internal security units. It also maintains a system of household registration and block wardens to monitor the population. While this system was less intrusive than in the past, it continued to be used to monitor those suspected of engaging, or likely to engage, in unauthorized political activities. Credible reports suggested that local police used 'contract thugs' and 'citizen brigades' to harass and beat political activists and others, including religious worshippers, perceived as 'undesirable' or a 'threat' to public security." **[2a] (Section 1d)**

POLICE

8.03 The USSD Report 2010 noted:

"Police organizations exist at the provincial, district, and local levels and are subject to the authority of people's committees at each level. At the commune level, it was common for guard forces made up of residents to assist the police. The police were generally effective at maintaining public order, but police capabilities, especially investigative, were generally very low. Police training and resources were inadequate… Corruption among police remained a significant problem at all levels, and members of the police sometimes acted with impunity. Internal police oversight structures existed but were subject to political influence." **[2a] (Sections 1d and 4)**

8.04 As recorded by Jane's *Sentinel Country Risk Assessment* on Vietnam, dated 10 January 2011:

"The police force falls under the authority of the Ministry of the Interior. The force's role is geared more to upholding party doctrine than combating law-breakers. Conventional police are composed of the urban People's Security Force (PSF - also known as People's Police), and the rural/village-based People's Public Security Force (PPSF- also known as People's Security Service). A plain-clothes secret police force is also in operation under the Ministry of the Interior." **[23]**

8.05 A report by the Canadian Immigration and Refugee Board (IRB) on 13 December 2006 recorded:

"…traffic police were considered to be the third most corrupt institution in the country… The government has reportedly set up a hot-line for citizens to confidentially report corrupt traffic police… Without explicitly referring to the police, a report authored by the ADB's [Asian Development Bank] principal regional cooperation specialist… states that Vietnam has yet to develop a 'respect of the law' and that 'those responsible for law enforcement also often violate the law in their adjudication practices'… A news report on the Vietnamese government's 10th National Party Congress states that corruption has affected 'any branches and sectors, including law enforcement agencies'." **[6f]**

See also Section 11: Arrest and detention – legal rights

See also Section 16: Corruption

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ARMED FORCES

8.06 Europa World, accessed on 14 April 2011, recorded, "As assessed at November 2009, the total strength of the armed forces was an estimated 455,000: army 412,000; navy 13,000; air force 30,000. Men are subject to a two-year minimum term of compulsory military service between 18 and 35 years of age. Paramilitary forces number in excess of 5m. and include the urban People's Self Defence Force and the rural People's Militia. Border defence troops number an estimated 40,000." **[1]**

HUMAN RIGHTS VIOLATIONS BY SECURITY FORCES

Torture

8.07 The USSD Report 2010 noted, "The law prohibits physical abuse; however, police commonly mistreated suspects physically during arrest or detention." **[2a] (Section 1c)** Human Rights Watch, in its *World Report 2011* (covering events in 2010), stated, "Police routinely tortured suspects in custody." **[5a]**

AVENUES OF COMPLAINT

8.08 The USSD Report 2010 noted:

> "There is no clear or effective mechanism for pursuing a civil action to redress or remedy abuses committed by authorities. Civil suits are heard by administrative courts, civil courts, and criminal courts, all of which follow the same procedures as in criminal cases and are adjudicated by members of the same body of judges and lay assessors. All three levels were subject to the same problems of corruption, lack of independence, and inexperience. By law a citizen seeking to press a complaint regarding a human rights violation by a civil servant is required first to petition the officer accused of committing the violation for permission to refer the complaint to the administrative courts. If a petition is refused, the citizen may refer it to the officer's superior. If the officer or his superior agrees to allow the complaint to be heard, the matter is taken up by the administrative courts. If the administrative courts agree that the case should be pursued, it is referred either to the civil courts for suits involving physical injury seeking redress of less than 20 percent of health-care costs resulting from the alleged abuse, or to the criminal courts for redress of more than 20 percent of such costs. In practice this elaborate system of referral and permission ensured that citizens had little effective recourse to civil or criminal judicial procedures to remedy human rights abuses, and few legal experts had experience with the system. In August [2010] the government issued new regulations limiting the number of government agencies that could receive a complaint and restricting each complaint to only one signatory. The new regulation restricted the common practice of individuals, particularly land-rights petitioners, from sending joint complaints to numerous federal agencies." **[2a] (Section 1e)**

8.09 The report stated further:

> "The anticorruption law allows citizens to complain openly about inefficient government, administrative procedures, corruption, and economic policy. In regular Internet chats with high-level government leaders, citizens asked pointed questions about anticorruption efforts. However, the government continued to consider public political criticism a crime unless the criticism was controlled by authorities. Attempts to organize those with complaints to facilitate action are considered proscribed political activities and subject to arrest. Senior government and party leaders traveled to many provinces,

reportedly to try to resolve citizen complaints. Corruption related to land use was widely publicized in the press, apparently in an officially orchestrated effort to bring pressure on local officials to reduce abuses." **[2a] (Section 4)**

See also Section 10: Judiciary

See also Section 16: Corruption

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9. MILITARY SERVICE

9.01 See the following sources:

Penal Code (Chapter XXIII (Articles 315-344): Crimes of Infringing upon the Duties and Responsibilities of Army Personnel), 21 December 1999
http://www.worldlii.org/vn/legis/pc66.txt **[17e]**

Law Amending and Supplementing a Number of Articles of the Law on Military Service Duty, 22 June 1994
http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,VNM,,3ae6b5374,0.html **[17f]**

War Resisters International (WRI), *Refusing to Bear Arms: A worldwide survey of conscription and conscientious objection to military service*, 19 March 1998
http://www.wri-irg.org/co/rtba/vietnam.htm **[19]**

10. JUDICIARY

ORGANISATION

10.01 As recorded by Europa World, accessed on 14 April 2011:

"The Supreme People's Court in Hanoi is the highest court and exercises civil and criminal jurisdiction over all lower courts. The Supreme Court may also conduct trials of the first instance in certain cases. There are People's Courts in each province and city which exercise jurisdiction in the first and second instance. Military courts hear cases involving members of the People's Army and cases involving national security. In 1993 legislation was adopted on the establishment of economic courts to consider business disputes. The observance of the law by ministries, government offices and all citizens is the concern of the People's Organs of Control, under a Supreme People's Organ of Control. The Chief Justice of the Supreme People's Court and the Chief Procurator of the Supreme People's Organ of Control are elected by the National Assembly, on the recommendation of the President." **[1]**

10.02 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, recorded:

"There was a shortage of trained lawyers and judges. Low salaries hindered efforts to develop a trained judiciary. The few judges who had formal legal training often had studied abroad in countries with communist legal traditions. The government continued

to participate in training programs to address the problem of inadequately trained judges and other court officials. In May [2010] the government granted a foreign nongovernmental organization (NGO) an operating license to conduct training initiatives aimed at reforming the criminal code and strengthening lawyers' capacity." **[2a] (Section 1e)**

10.03 The website of the Asia Foundation, accessed on 21 March 2011, stated, "Activities over the years have helped to enhance the skills of Vietnam's lawmakers and create more opportunities for citizens to participate in the lawmaking process. A web application allowing the National Assembly to solicit citizen opinions about draft legal documents via the Internet has been up and running since 2006." **[9]**

INDEPENDENCE

10.04 The USSD Report 2010 recorded:

"The law provides for the independence of judges and lay assessors; however, in practice the CPV controlled the courts at all levels through its effective control over judicial appointments and other mechanisms. In many cases the CPV determined verdicts. Most, if not all, judges were members of the CPV and were chosen at least in part for their political views. As in past years, the judicial system was strongly distorted by political influence, endemic corruption, and inefficiency. CPV influence was particularly notable in high-profile cases and other instances in which a person was charged with challenging or harming the CPV or the state." **[2a] (Section 1e)**

10.05 In its 2008 *Country Profile* on Vietnam, the Economist Intelligence Unit (EIU) stated, "The judiciary is relatively weak and is not independent of the Communist Party. The country has only about 3,000 lawyers, and trial procedures are rudimentary. There is a growing backlog of unsettled civil lawsuits, and the country is in need of at least 900 more judges." **[15] (p5)** In its report, *Freedom in the World 2010*, published on 3 May 2010, Freedom House noted, "Vietnam's judiciary is subservient to the CPV, which controls courts at all levels." **[29]**

10.06 In *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report*, published on 31 March 2011, the FCO stated:

"The Vietnamese authorities recognise the need to overhaul their judicial system, which lacks independence from the Communist Party and the government. However, progress on implementing the Communist Party's Judicial Reform Strategy to 2020 has been slow, and we continue to have concerns about political interference in the judiciary and the failure of the authorities to respect citizens' legal rights. The judiciary faces a number of challenges, including a lack of trained court officials and the frequent turnover of politically appointed judges. There also remains a serious shortage of qualified lawyers." **[8e]**

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FAIR TRIAL

10.07 The USSD Report 2010 recorded:

"The constitution provides that citizens are innocent until proven guilty; however, many lawyers complained that judges generally presumed guilt. Trials generally were open to the public, but in sensitive cases judges closed trials or strictly limited attendance.

Juries are not used. The public prosecutor brings charges against an accused person and serves as prosecutor during trials. Defendants have the right to be present and have a lawyer at trial, although not necessarily the lawyer of their choice, and this right was generally upheld in practice. Defendants unable to afford a lawyer generally were provided one only in cases involving a juvenile offender or with possible sentences of life imprisonment or capital punishment. The defendant or defense lawyer has the right to cross-examine witnesses; however, there were cases in which neither defendants nor their lawyers were allowed to have access to government evidence in advance of the trial, cross-examine witnesses, or challenge statements. Defense lawyers commonly had little time before trials to examine evidence against their clients. In national security cases, judges occasionally silenced defense lawyers who were making arguments on behalf of their clients in court that because the judges deemed the arguments reactionary. Convicted persons have the right to appeal. District and provincial courts did not publish their proceedings. The Supreme People's Court continued to publish the proceedings of all cases it reviewed." **[2a] (Section 1e)**

10.08 The report continued, "There continued to be credible reports that authorities pressured defense lawyers not to take as clients any religious or democracy activists facing trial, and several lawyers who took these cases faced harassment, arrest, conviction, and occasionally disbarment. Other human rights lawyers… were stripped of their bar memberships and were not permitted to practice law." **[2a] (Section 1e)**

See also Section 8: Avenues of Complaint

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11. ARREST AND DETENTION – LEGAL RIGHTS

11.01 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted:

"The criminal code [penal code] allows the government to detain persons without charges indefinitely under vague 'national security' provisions such as articles 84, 88, and 258. The government also arrested and detained indefinitely individuals under other legal provisions. Authorities subjected several dissidents throughout the country to administrative detention or house arrest… Arbitrary detentions, particularly for political activists, remained a problem. The government used decrees, ordinances, and other measures to detain activists for the peaceful expression of opposing political views. During the year authorities increasingly charged political dissidents with violating article 79, 'attempting to overthrow the state,' due to their alleged membership in political parties other than the CPV. While violators of article 79 had the possibility of receiving the death penalty, they typically received sentences of up to seven years in prison, although one individual received a sentence of 16 years' imprisonment. Unlike in previous years, all activists who appealed their sentences had their original sentences upheld. There were continued reports that government officials in the Central and Northwest Highlands temporarily detained ethnic minority individuals for communicating with the ethnic minority community abroad. Peaceful land-rights protests in Ho Chi Minh City and Hanoi resulted in the temporary detention and surveillance of several organizers, although the government handled the dispersal of these protests without significant violence. Religious and political activists also were subject to varying degrees of informal detention in their residences. In Ho Chi Minh City, prominent activists Nguyen Dan Que and Do Nam Hai remained under house arrest." **[2a] (Section 1d)**

11.02 Human Rights Watch, in its *World Report 2011* (covering events in 2010), stated, "Vietnamese law continues to authorize arbitrary 'administrative detention' without trial. Under Ordinance 44, peaceful dissidents and others deemed threats to national security or public order can be involuntarily committed to mental institutions, placed under house arrest, or detained in state-run 'rehabilitation' or 're-education' centers." **[5a]** In a report dated 3 November 2008, Amnesty International stated, "Decree CP-31, which was abolished in March 2007, was frequently used to detain dissidents under house arrest without bringing them before a court. However, other administrative detention provisions remain in place. Dissidents sentenced to prison terms under the national security section of the Penal Code are usually further restricted on release by the imposition of up to five years' house arrest under Article 38 (Probation) of the Penal Code." **[3b]**

11.03 Regarding arrest warrants, the British Embassy in Hanoi stated in March 2004, "No documentation is left with the accused or their family. The warrant is read out before the accused who may inspect it but not keep it or retain copies." **[8c]** A report by the Canadian Immigration and Refugee Board (IRB) dated 22 February 2007 recorded:

"An international human rights lawyer specializing in Southeast Asia who is also the Deputy Director of Human Rights Advocates International, an international public service law group, states in correspondence that the public prosecutor must sign off on Vietnamese arrest warrants… adding that these warrants can be initiated by the police, a representative of the court, or the public prosecutor... However, Human Rights Watch (HRW) reports that suspects are 'routinely' arrested and detained by police without written warrants (12 July 2006)." **[6h]**

11.04 The same source noted:

"Among the sources consulted by the Research Directorate, information was limited on the process by which an arrest warrant is issued when the person sought is out of the country. In a telephone interview, the Advocacy Director for Asia and the Pacific at the United States (US) branch of Amnesty International commented that Vietnam does not cross borders in order to arrest people… However, according to Time Asia, in April 2006 Nguyen Huu Chanh, a US resident and Vietnamese citizen, was recently arrested in South Korea by Korean authorities on behalf of the Vietnamese government, when he was there on business (17 April 2006). Chanh's supporters describe him as a 'prominent pro-democracy activist,'… but the government of Vietnam regards him as a terrorist and issued a warrant for his arrest for weapons trafficking and terrorism (Vietnam 19 May 2006). In addition, the government of Vietnam indicates that Interpol also transmitted 'an international arrest warrant' for Chanh. Chanh was released from a Korean jail in July [2006] because the Seoul High Court had not found sufficient proof to warrant his extradition to Vietnam." **[6h]**

See also Section 14: Opposition groups and political activists

11.05 The USSD Report 2010 noted:

"The criminal code outlines the process by which individuals are taken into custody and treated until they are brought before a court or other tribunal for judgment. The Supreme People's Procuracy (Public Prosecutor's Office) issues arrest warrants, generally at the request of police. However, police may make an arrest without a warrant on the basis of a complaint filed by any person. The procuracy issues retroactive warrants in such cases. The procuracy must issue a decision to initiate a formal criminal investigation of

a detainee within nine days; otherwise, police must release the suspect. In practice the nine-day regulation was often circumvented.

"The investigative period typically lasted from three months for less serious offenses (punishable by up to three years' imprisonment) to 16 months for exceptionally serious offenses (punishable by more than 15 years' imprisonment or capital punishment) or more than two years for national security cases. However, at times investigations were prolonged indefinitely. The criminal code further permits the procuracy to request additional two-month periods of detention after an investigation to consider whether to prosecute a detainee or ask police to investigate further. Investigators sometimes used physical abuse, isolation, excessively lengthy interrogation sessions, and sleep deprivation to compel detainees to confess.

"By law detainees are permitted access to lawyers from the time of their detention; however, authorities used bureaucratic delays to deny access to legal counsel. In cases investigated under broad national security laws, authorities prohibited defense lawyers' access to clients until after an investigation had ended and the suspect had been formally charged with a crime, most often after approximately four months. Under the regulations, investigations can be continued and access to counsel denied for more than two years. In addition a scarcity of trained lawyers and insufficient protection of defendant rights made prompt detainee access to an attorney rare. In practice only juveniles and persons formally charged with capital crimes were assigned lawyers.

"Attorneys must be informed of and allowed to attend interrogations of their clients. However, a defendant first must request the presence of a lawyer, and it was unclear whether authorities always informed defendants of this right. Attorneys also must be given access to case files and be permitted to make copies of documents. Attorneys were sometimes able to exercise these rights." **[2a] (Section 1d)**

11.06 The report continued:

"Police generally informed families of detainees' whereabouts, but family members could visit a detainee only with the permission of the investigator, and this permission was not regularly granted. During the investigative period, authorities routinely denied detainees access to family members, especially in national security cases. Prior to a formal indictment, detainees also have the right to notify family members. However, a number of detainees suspected of national security violations were held incommunicado. There is no functioning bail system or equivalent system of conditional release. Time spent in pretrial detention counts toward time served upon conviction and sentencing.

"Courts may sentence persons to administrative detention of up to five years after completion of a sentence. In addition police or mass organizations can propose that one of five 'administrative measures' be imposed by people's committee chairpersons at district and provincial levels without a trial. The measures include terms ranging from six to 24 months in either juvenile reformatories or adult detention centers and generally were applied to repeat offenders with a record of minor offenses, such as committing petty theft or 'humiliating other persons.' Terms of 24 months were standard for drug users and prostitutes. Individuals sentenced to detention facilities were forced to meet work quotas to pay for services and the cost of their detention. Chairpersons may also impose terms of 'administrative probation,' which generally was some form of restriction on movement and travel. Authorities continued to punish some individuals using vaguely worded national security provisions in the criminal [penal] code." **[2a] (Section 1d)**

(Penal Code: http://www.worldlii.org/vn/legis/pc66.txt) **[17e]**

11.07 In its report, *Freedom in the World 2010*, published on 3 May 2010, Freedom House noted, "Defendants have a constitutional right to counsel, but lawyers are scarce and many are reluctant to take on human rights and other sensitive cases for fear of harassment and retribution by the state. Defense attorneys cannot call or question witnesses and are rarely permitted to request leniency for their clients." **[29]**

11.08 In a report dated 10 November 2010, Human Rights Watch stated:

"Several lawyers have been arbitrarily arrested for defending controversial cases or exercising their rights to freedom of expression and association. On January 20, the People's Court of Ho Chi Minh City sentenced Le Cong Dinh, a lawyer who is former vice president of the Ho Chi Minh City Bar Association, to five years in prison on subversion charges under article 79. His arrest has been attributed to his alleged links with the banned Democratic Party of Vietnam and to his legal representation of human rights lawyers Le Thi Cong Nhan and Nguyen Van Dai, and Nguyen Van Hai, the blogger known as Dieu Cay." **[5j]**

See also Section 8: Police

See also Section 14: Opposition groups and political activists

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12. PRISON CONDITIONS

(Statistical information at: King's College London, *World Prison Brief: Vietnam* **[42]** http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=117)

12.01 In its report, *Freedom in the World 2010*, published on 3 May 2010, Freedom House noted, "The police are known to abuse suspects and prisoners, and prison conditions are poor. Many political prisoners remain behind bars." **[29]** The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, recorded:

"Prison conditions could be austere but generally were not life threatening. Overcrowding, insufficient diet, lack of clean drinking water, and poor sanitation remained serious problems. Prisoners generally were required to work but received no wages. Foreign diplomats observed Spartan but clean living areas and generally acceptable labor conditions during a November 2009 visit to Nam Ha Prison in Ha Nam Province. Prisoners sometimes were placed in solitary confinement, where they were deprived of reading and writing materials for periods of up to several months. Family members made credible claims that prisoners received benefits by paying bribes to prison officials or undertaking hunger strikes.

"Prisoners had access to basic health care, with additional medical services available at district or provincial hospitals. However, in many cases officials prevented family members from providing medication to prisoners. Family members of imprisoned activists who experienced health problems claimed that medical treatment was inadequate, resulting in greater long-term health complications.

"The total number of prisoners and detainees was not publicly available. Pretrial detainees were held separately from convicted prisoners. Juveniles were held separately from adults in prison, but on rare occasions they were held with adults in detention for short periods of time due to unavailability of space. Men and women were held separately. Political prisoners were typically sent to specially designated prisons that also held other regular criminals, and in most cases political prisoners were kept separate from nonpolitical prisoners. Some high-profile political prisoners were kept in complete isolation from all other prisoners. While prison sentences could be extremely lengthy, prisoners were not forced to serve beyond the maximum sentence for their charged offense.

"Prisoners were limited to one 30-minute family visit a month, and family members were generally permitted to give supplemental food and bedding to prisoners. Prisoners did not have the right to manifest their religious beliefs or practices in public. Roman Catholic priest Thaddeus Nguyen Van Ly (released in March), Le Thi Cong Nhan, and Nguyen Van Dai were allowed to keep the Bibles given to them by visiting foreign delegations, but in general prisoners were denied access to religious books and scriptures. Prisoners were allowed to submit complaints to prison management and judicial authorities, but their complaints were routinely ignored." **[2a] (Section 1c)**

12.02 The same source stated, "Authorities allowed foreign diplomats and a foreign delegation to make limited prison visits and meet with prisoners in various prisons. The press was permitted limited visits to prisons, but state control of the media restricted reporting on living conditions. In the past the International Committee of the Red Cross was permitted to visit prisons, but no such visits occurred during the year." **[2a] (Section 1c)**

12.03 In its *World Report 2011* (covering events in 2010), Human Rights Watch noted, "Political and religious prisoners, and others whose cases are considered sensitive, are routinely tortured during interrogation, held without access to communications prior to trial, and denied family visits and access to lawyers… The use of dark cells, shackling, and transfer of political prisoners to remote prisons far from family continue to be used as punitive measures." **[5a]**

See also Section 14: Political affiliation

12.04 The USSD Report 2010 recorded, "In honor of National Day, the central government amnestied approximately 17,500 prisoners, the overwhelming majority of whom had ordinary criminal convictions." **[2a] (Section 1d)**

12.05 In *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report*, published on 31 March 2011, the FCO stated:

"Prisons in Vietnam remain overcrowded. Inmates often share cells with up to 40 others and have limited access to recreational facilities. Inmates are forced to work and are punished if they refuse. Food rations are basic and prisoners rely on supplies brought in by family members to supplement their diet. There is no independent inspectorate of prisons. Any reported abuses are dealt with internally by the Ministry of Public Security… In September [2010], 17,520 prisoners were released under a National Day amnesty, including 27 foreign nationals and 20 Vietnamese prisoners charged under national security laws. To be granted amnesty, prisoners had to meet criteria set down by the government, including paying an additional fine and expressing remorse for their crimes." **[8e]**

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13. DEATH PENALTY

13.01 In a report dated 3 November 2008, Amnesty International stated:

"Twenty-nine offences in Viet Nam's Penal Code carry the death penalty as an optional punishment. These are economic crimes, such as fraud, embezzlement, smuggling, counterfeiting and offering bribes; manufacturing, concealing and trafficking narcotic substances; murder, rape, robbery; and crimes against national security, including treason, espionage, taking action to overthrow the government, rebellion, banditry, terrorism, sabotage, hijacking, destruction of national security projects, undermining peace, war crimes and crimes against humanity. The majority of death sentences are imposed for drug trafficking offenses… According to the July 2004 Criminal Procedure Code, once a death sentence has been imposed by a municipal or provincial court, the defendant is allowed 14 days to appeal against the sentence… Executions are carried out by a firing squad of five people, sometimes in public. Families of prisoners are not informed beforehand… In January 2004, a government decree prohibited the reporting of statistics on death sentences and executions as a 'state secret', and the total numbers are therefore not made public… From January 2004 to the end of September 2008, Amnesty International documented from media monitoring that 300 death sentences were imposed and 102 executions carried out. The exact numbers are believed to be much higher." **[3b]**

13.02 Amnesty International's *Report 2010* (covering events in 2009), published in May 2010, recorded:

"After discussions in the National Assembly, members voted to remove the death penalty for eight crimes, including four economic offences, reducing the number of capital offences to 21; the Ministry of Justice had proposed a reduction of 12 crimes. The death penalty for drug trafficking, for which most death sentences are handed down, was retained. The government maintained its policy of secrecy on all aspects of the death penalty, including statistics. According to media reports 59 people were sentenced to death during the year, and nine executions were reported by the media." **[3a]**

13.03 In *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report*, published on 31 March 2011, the FCO stated:

"Figures on the death penalty remain a state secret in Vietnam, although the government claims that all death sentences are reported in the media. By December, state-controlled media sources had reported that at least 110 people had been sentenced to death in 2010, although the actual numbers may have been much higher. The overwhelming majority were convicted of murder or drug trafficking. From January, the number of capital offences was reduced from 29 to 21, with crimes such as smuggling, hijacking of aircraft and ships, and bribery no longer carrying the death penalty. In May, the National Assembly approved a change in the method of execution from firing squad to lethal injection. This comes into effect in July 2011." **[8e]**

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14. POLITICAL AFFILIATION

FREEDOM OF POLITICAL EXPRESSION

14.01 As documented by the US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011:

"The constitution does not provide for the right of citizens to change their government peacefully, and citizens could not freely choose and change the laws and officials that govern them… Political opposition movements and other political parties are illegal. The government continued to restrict public debate and criticism severely. No public challenge to the legitimacy of the one-party state was permitted; however, there were instances of unsanctioned letters critical of government policy from private citizens, including some former senior party members… The government continued to crack down on the small opposition political groupings established in 2006, and members of these groups faced arrests and arbitrary detentions." **[2a] (Section 3)**

14.02 The same report noted, "There were no precise estimates of the number of political prisoners. The government reportedly held more than 100 political detainees at year's end, although some international observers claimed there were even more." **[2a] (Section 1e)**

See also Section 12: Prison conditions

14.03 As noted by Freedom House in its report, *Freedom in the World 2010*, published on 3 May 2010, "Vietnam is not an electoral democracy. The CPV [Communist Party of Vietnam], the sole legal political party, controls politics and the government, and its Central Committee is the top decision-making body." **[29]** The Economist Intelligence Unit's 2008 Democracy Index ranked Vietnam 149th out of 167 countries, putting it among the 55 countries considered "authoritarian regimes". (EIU 2008 *Country Profile: Vietnam*) **[15] (p3)**

See also Section 6: Political system

FREEDOM OF ASSOCIATION AND ASSEMBLY

14.04 The USSD Report 2010 recorded:

"The government severely restricted freedom of association. Opposition political parties were neither permitted nor tolerated. The government prohibited the legal establishment of private, independent organizations, insisting that persons work within established, party-controlled mass organizations, usually under the aegis of the VFF [Vietnam Fatherland Front]. However, some entities, including unregistered religious groups, were able to operate outside of this framework with little or no government interference." **[2a] (Section 2b)**

14.05 The same report noted:

"Freedom of assembly is limited by law, and the government restricted and monitored all forms of public protest or gathering. Persons wishing to gather in a group are required by law and regulation to apply for a permit, which local authorities can issue or deny arbitrarily. In practice only those arranging publicized gatherings to discuss sensitive matters appeared to require permits, and persons routinely gathered in informal groups without government interference. The government generally did not

permit demonstrations that could be seen to have a political purpose. The government also restricted the right of several unregistered religious groups to gather in worship. Demonstrations by citizens demanding redress for land-rights claims frequently took place in Ho Chi Minh City and occasionally in Hanoi. Police monitored these protests but generally did not disrupt them." **[2a] (Section 2b)**

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

14.06 The CIA World Factbook, updated on 8 March 2011, named the following as groups that advocate democracy but are illegal and not recognised by the government: 8406 Bloc; Democratic Party of Vietnam (DPV); People's Democratic Party Vietnam (PDP-VN); Alliance for Democracy. There are no officially-recognised opposition parties or groups in Vietnam. **[4]** In *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report*, published on 31 March 2011, the FCO stated, "The Vietnamese government does not tolerate political dissent or criticism of the Communist Party's role. Opposition political parties are illegal and dissidents expressing opinions about multi-party democracy risk imprisonment." **[8e]**

14.07 In its *World Report 2011* (covering events in 2010), Human Rights Watch stated:

"2010 saw a steady stream of political trials and arrests as the government stepped up suppression of dissent in advance of the 11th Communist Party congress in January 2011. In December 2009 and January 2010, five activists linked to the banned Democratic Party of Vietnam, including lawyer Le Cong Dinh, were sentenced to prison on subversion charges, followed by the January 29 sentencing of democracy campaigner Pham Thanh Nghien for disseminating anti-government propaganda… In February police arrested three activists for distributing anti-government leaflets and organizing worker strikes in Tra Vinh province. They were tried and sentenced to long prison sentences in October on charges of 'disrupting security.' In April the Lam Dong court sentenced four people to prison for alleged links to the Vietnam Populist Party…

"In July and August police arrested land rights petitioners Pham Van Thong and Nguyen Thanh Tam in Ben Tre, Tran Thi Thuy in Dong Thap, and Mennonite pastor Duong Kim Khai in Ho Chi Minh City. On August 13 Ho Chi Minh City math professor Pham Minh Hoang was arrested... The five were charged with subversion, with the banned Viet Tan Party claiming all but Pham Van Thong as members. Authorities harassed, detained, and interrogated online critics during the year." **[5a]**

14.08 Amnesty International's *Report 2010* (covering events in 2009), published in May 2010, recorded:

"A new wave of arrests began in May, targeting independent lawyers, bloggers and pro-democracy activists critical of government policies. The authorities claimed to have uncovered a plot 'infringing upon national security' involving 27 people. One of those arrested was sentenced to five and a half years' imprisonment in December, and at least four others were in pre-trial detention at year's end. They were charged under Article 79 of the national security section of the Penal Code for attempting to overthrow the state, which carries the death penalty. They are affiliated to the Democratic Party of Viet Nam, an exile political group calling for multi-party democracy. All had publicly criticized controversial business deals and border policies relating to China…

"At least 31 political prisoners, including prisoners of conscience Father Nguyen Van Ly, Nguyen Van Dai and Le Thi Cong Nhan, remained in prison after being sentenced in unfair trials. Others included lawyers, trade unionists and members of independent political and human rights groups. Most of them were convicted of 'conducting propaganda' against the state under Article 88 of the Penal Code. In October, nine dissidents arrested in September 2008 for unfurling banners, distributing leaflets, posting on the internet information criticizing government policies and calling for democracy, were tried. They were all charged under Article 88. The first trial took place at Ha Noi People's court, where poets Tran Duc Thach and Pham Van Troi were sentenced to three and four years' imprisonment respectively… In the second trial, six men, including writers Nguyen Xuan Ngia, aged 60, and Nguyen Van Tinh, aged 67, were sentenced to between three and six years' imprisonment. All nine defendants also received up to four years' probation or house arrest on release." **[3a]**

14.09 As reported by *Asia Times* on 14 September 2006:

"On that day [8 April 2006] hundreds of democratic-minded Vietnamese took the courageous step of publicly declaring and signing their names to a 'Manifesto on Freedom and Democracy for Vietnam', coincident with the Communist Party's 10th National Congress in Hanoi. Since then the group has grown into a thousands-strong pro-democracy movement popularly known as Bloc 8406, named after the date the group first publicly called for a political transition toward more participatory democracy… On August 22 [2006], Bloc 8406 publicly declared its four-phase proposal for Vietnam's democratization, including demands for the restoration of civil liberties, the establishment of political parties, the drafting of a new constitution and, finally, democratic elections for a new representative National Assembly that would be charged with choosing a new national name, flag and anthem… Scores of Bloc 8406's members have in recent weeks been harassed, interrogated and, in the case of Ho Chi Minh City member Vu Hoang Hai, brutally tortured. Other high-profile members have had their telephone lines cut or mobile phones confiscated. On August 12 [2006], security agents rounded up and interrogated five Bloc 8406 members in Hanoi who had planned to launch a new online political magazine aptly called Freedom and Democracy." **[16]**

14.10 In a report dated 6 April 2007, Human Rights Watch stated:

"On the eve of Bloc 8406's first anniversary, members of the group, which calls for greater political freedom in Vietnam, still face harassment and abuse, including imprisonment… The group's name, Bloc 8406, derives from the 8th of April 2006, when it published its 'Manifesto for Freedom and Democracy.' Two days earlier, it had also issued an 'Appeal for Freedom of Political Association.' These documents, which were initially signed by more than 100 people, challenged the Vietnamese government to uphold individuals' rights to free expression, association, and participation in political affairs. By August 2006, an additional 2,000 people had signed the statements. Among the Bloc's founders are Father Nguyen Van Ly, an outspoken supporter of religious freedom, writer Do Nam Hai, and professor Nguyen Chinh Ket. 'Several key organizers of Bloc 8406 and their families have been harassed and imprisoned, showing that the Vietnamese government is still trying to silence its critics,' said Sophie Richardson, deputy Asia director at Human Rights Watch. 'Targeting the most vocal, visible activists sends a message to the others: don't speak out, or you'll suffer the same fate.' Five 8406 members have in the past year been sentenced to actual or suspended jail terms." **[5d]**

14.11 In April 2010 Bloc 8406 issued a declaration to mark its fourth anniversary, which affirmed its goal of "a pluralist multi-party political system and democracy." **[37]** The USSD Report 2010 noted, "Members of Bloc 8406, a political activist group that calls for the creation of a multiparty state, continued to face harassment and imprisonment. At least 38 members of the group were in detention at year's end [2010]." **[2a] (Section 3)** The report also stated:

"On January 21 [2010], the Haiphong Appellate Court rejected the appeals of six dissidents affiliated with Bloc 8406 who were arrested in 2008 and convicted in October 2009 for violating article 88. The six were sentenced to jail terms ranging from two to six years' imprisonment for displaying banners that criticized the Communist Party and advocated multiparty democracy… Several other political dissidents affiliated with outlawed political organizations, including Bloc 8406, PDP [People's Democratic Party], People's Action Party, Free Vietnam Organization, DPV [Democratic Party of Vietnam], UWFO [United Workers and Farmers Organization], and others, remained in prison or under house arrest in various locations. In March Bloc 8406 published a list of 38 members imprisoned for their affiliation with the movement. Several of approximately 30 activists arrested in 2006-07 but later released remained under investigation and administrative detention without being formally charged... Authorities also detained and imprisoned persons who used the Internet to publish ideas on human rights, government policies, and political pluralism." **[2a] (Section 1e)**

14.12 The same report stated:

"On January 24 [2010], dissident Nguyen Ba Dang, a member of the People's Democratic Party (PDP), was arrested in Hai Duong Province and charged with violating article 88, which prohibits distribution of propaganda against the state… In February Doan Huy Chuong, Nguyen Hoang Quoc Hung, and Do Thi Minh Hanh, affiliated with the For the People's Party (FPP) and the United Workers and Farmers Organization (UWFO), were arrested for distributing pamphlets calling for citizens to advocate for democracy and fight attempted invasions from China. The distribution of the leaflets was a joint campaign by Viet Tan, Rally for Justice, the PDP, and the Viet Labor Movement. The individuals were tried jointly in October and convicted of violating article 89, 'causing public disorder to oppose the people's government.' Nguyen Hoang Quoc Hung was sentenced to nine years' imprisonment, while Do Thi Minh Hanh and Doan Huy Chuong each were sentenced to seven years' imprisonment…

"In June Phung Lam from Binh Phuoc Province was arrested for alleged ties to the Democratic Party of Vietnam (DPV) and DPV chairman Nguyen Sy Binh. Police claimed that Lam posted articles opposing the government on the Internet. Lam fled to Cambodia in May but was arrested when he attempted to return to visit his family in June. He was awaiting trial at year's end. In July and August, Nguyen Thanh Nam and Pham Van Thong from Ben Tre Province, Pastor Duong Kim Khai from Ho Chi Minh City, and Tran Thi Thuy from Dong Thap were arrested for their alleged ties to Viet Tan and for organizing and advocating on behalf of land-rights claimants in Ben Tre and Dong Thap provinces; they were charged with violating article 79… Several family members of the accused denied any connection to Viet Tan…

"On January 20, prominent attorney Le Cong Dinh, businessman and blogger Tran Huynh Duy Thuc, Le Thang Long, and DPV leader and Viet Youth for Democracy cofounder Nguyen Tien Trung, arrested in mid-2009, were tried jointly in Ho Chi Minh City for violating article 79. The government claimed the individuals were involved in a

plot to create new political parties and overthrow the government. Dinh and Trung pled guilty to joining political parties other than the CPV but denied they were attempting to overthrow the government. They were sentenced to five and seven years' imprisonment, respectively. Long and Thuc maintained their innocence but were sentenced to five and 16 years' imprisonment, respectively… On March 11, the Ho Chi Minh City Appellate Court rejected the appeals of Le Cong Dinh, Le Thang Long, and Tran Huynh Duy Thuc and upheld their original sentences… On April 29, the Thai Binh Province Appeals Court upheld the five-and-a-half-year prison term of Tran Anh Kim, arrested in July 2009 and convicted in December 2009 for violating article 79 due to his leadership role in the DPV." **[2a] (Section 1e)**

14.13 The report also stated:

"On October 29, U.S. citizen Le Kin was arrested in Ho Chi Minh City for violating article 79 relating to his alleged involvement with overseas political organizations critical of the government. He was awaiting trial at year's end… In December Chau Heng, a Khmer Krom land-rights activist from An Giang Province, was arrested upon reentering Vietnam after being denied political refugee status by the Office of the UN High Commissioner for Refugees (UNHCR) in Thailand. Heng led large-scale protests in 2007 and 2008 against local government land seizures… On April 20, four FPP members arrested in September 2009 were convicted in Lam Dong Province for violating article 91 for 'fleeing abroad to oppose the government.' Duong Au was sentenced to five years' imprisonment and five years' administrative probation, Phung Quang Quyen was sentenced to four years' imprisonment and four years' administrative probation, and Truong Van Kim and Truong Thi Tam were each sentenced to three years' imprisonment and three years' administrative probation… Nguyen Anh Hao was released in July after completing a 13-year sentence. Hao was arrested in 1997 and convicted of 'fleeing abroad to oppose the government.'" **[2a] (Section 1e)**

14.14 The report noted further:

"Police forcibly entered homes of a number of prominent dissidents, such as Nguyen Khac Toan, Nguyen Thanh Giang, Le Tran Luat, Nguyen Cong Chinh, and Do Nam Hai, and removed personal computers, cell phones, and other material. Government authorities opened and censored targeted persons' mail; confiscated packages and letters; and monitored telephone conversations, e-mail, text messages, and fax transmissions. The government cut the telephone lines and interrupted the cell phone and Internet service of a number of political activists and their family members… Political activists and family members of prisoners occasionally were physically prevented from meeting with foreign diplomatic representatives. Tactics included setting up barriers or guards outside their residences or calling them into the local police station for random and repetitive questioning… Several political dissidents, amnestied with probation or under house arrest, were subject to official restrictions on their movements. Although their probation ended in 2009, dissidents Nguyen Khac Toan, Pham Hong Son, Le Thi Kim Thu, and others were prohibited from receiving a passport and traveling overseas. Attorney Le Quoc Quan, attorney Le Tran Luat, and journalist Nguyen Vu Binh were allowed to travel within the country but were prohibited from traveling overseas." **[2a] (Sections 1f, 2a and 2d)**

See also Section 11: Arrest and detention – legal rights

See also Section 12: Prison conditions

See also Section 15: Freedom of speech and media

See also Section 29: Exit and return

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15. FREEDOM OF SPEECH AND MEDIA

RADIO, TV, INTERNET AND PRINT MEDIA

15.01 Reporters Without Borders, in its *Press Freedom Index 2010*, ranked Vietnam 165 out of the 178 countries included in the index (one being the most free and 178 being the least free). **[7b]** The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted:

"The law provides for freedom of speech and of the press; however, the government continued to restrict these freedoms, particularly with respect to speech that criticized individual government leaders; promoted political pluralism or multiparty democracy; or questioned policies on sensitive matters such as human rights, religious freedom, or border disputes with China. The line between private and public speech continued to be arbitrary. Both the constitution and the criminal code include broad national security and antidefamation provisions that the government used to restrict freedom of speech and of the press. The criminal code defines the crimes of 'sabotaging the infrastructure of socialism,' 'sowing divisions between religious and nonreligious people,' and 'conducting propaganda against the Socialist Republic of Vietnam' as serious offenses against national security. The criminal code also expressly forbids 'taking advantage of democratic freedoms and rights to violate the interests of the state and social organizations.'" **[2a]**

15.02 In its *Country Profile* on Vietnam, dated 7 February 2011, BBC News noted:

"The Communist Party has a strong grip on the media. The Ministry of Culture and Information controls the press and broadcasting. The government has closed publications for violating the narrow limits on permissible reporting. Journalists can be fined for transgressions which include denying revolutionary achievements and spreading 'harmful' information or 'reactionary ideology'. There are hundreds of newspapers and magazines, but TV is the dominant medium. State-run Vietnam Television (VTV) broadcasts from Hanoi… State-run Voice of Vietnam (VoV) has six radio networks… There were around 23 million internet users by late 2009 (InternetWorldStats). Providers face fines or closure for breaking the rules, and cyber dissidents have been imprisoned. Filtering of 'obscene' content, and of opposition websites, is in place. " **[14a]**

15.03 In its *World Report 2011* (Events of 2010), dated 24 January 2011, Human Rights Watch stated:

"The government does not allow independent or privately-owned domestic media to operate and exerts strict controls over the press and internet. Criminal penalties apply to authors, publications, websites, and internet users who disseminate materials that oppose the government, threaten national security, reveal state secrets, or promote 'reactionary' ideas. The government blocks access to politically sensitive websites, requires internet cafe owners to monitor and store information about users' online

activities, and subjects independent bloggers and online critics to harassment and pressure. In April the Hanoi People's Committee-the executive arm of the municipal government-issued Decision 15, which requires all internet cafes in Hanoi to install internet monitoring software approved by the authorities and prohibits the use of the internet to 'call for unauthorized protests, strikes, and slow-downs.' Since September 1 all internet service providers in Hanoi have been required to shut down internet transmissions at all internet retail providers from 11 p.m. to 6 a.m. every day." **[5a]**

15.04 In a report dated 8 January 2009, Human Rights Watch, recorded, "In December [2008], the government announced strict new regulations banning internet blogs that disseminate politically sensitive content deemed subversive by the government." **[5e]** In a further report, dated 26 May 2010, Human Rights Watch stated, "Vietnam has launched a sophisticated and sustained two-pronged attack against online dissent... The government is detaining and intimidating independent Vietnamese bloggers while also permitting cyber attacks from Vietnam to disable websites critical of the government." **[5i]**

15.05 In a report dated 14 January 2011, Reporters Without Borders stated:

"Vietnam has issued a new decree regulating the activities of journalists and bloggers that includes provision for fines of up to 40 million dong (2,000 dollars) in a country in which the average salary is 126 dollars… Signed by Prime Minister Nguyen Tan Dung and due to take effect next month, the decree makes it an offence to publish information that is 'non-authorised' or 'not in the interests of the people.' By interpreting these vague definitions broadly, the authorities will be able to increase the number of arrests of blogger and journalists. The decree also provides for fines of up to 3 million dong (155 dollars) for anyone who publishes documents or letters without identifying themselves or revealing their sources, and for up to 20 million dong if the documents are linked to an official investigation. With a total of 15 *netizens* and three journalists currently detained, Vietnam is already the world's second biggest prison for netizens." **[7a]**

See also: http://www.unhcr.org/refworld/country,,,,VNM,,4dad51bc20,0.html

JOURNALISTS

15.06 The USSD Report 2010 noted:

"In speeches in January and February [2010], the prime minister stated that 'journalists must be loyal soldiers serving the nation,' called on news agencies to fight against 'sedition,' and asserted that the press 'should not report information that harms the country's interests.'… Several journalists were attacked or threatened relating to their reporting on sensitive stories… The law requires journalists to pay monetary damages to individuals or organizations whose reputations were harmed as a result of journalists' reporting, even if the reports were true. Independent observers noted that the law severely limited investigative reporting." **[2a]**

15.07 In its report, *Attacks on the Press 2010,* published on 15 February 2011, the Committee to Protect Journalists stated:

"Vietnam targeted online journalists in a clampdown on dissent ahead of a 2011 Communist Party Congress at which top government appointments and policies were to be determined. At least five journalistic bloggers were among dozens of activists arrested on national security-related charges, including 'spreading propaganda against

the state' and 'abusing democratic freedoms'... Pham Thanh Nghien, an online writer, was sentenced in January to four years in prison and three years of house arrest on charges of spreading antistate material. The court ruling singled out an online article in which she criticized public officials for siphoning off compensation funds intended for victims of fishermen killed by Chinese maritime patrols in 2007." **[22]**

See also Section 14: Opposition groups and political activists

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16. CORRUPTION

16.01 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted:

"The law provides for criminal penalties for official corruption; however, the government did not always implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. Corruption continued to be a major problem. The government persisted in efforts to fight corruption, including publicizing budgets of different levels of government and continuing to streamline government inspection measures. Cases of government officials accused of corruption occasionally were widely publicized. The anticorruption law allows citizens to complain openly about inefficient government, administrative procedures, corruption, and economic policy. In regular Internet chats with high-level government leaders, citizens asked pointed questions about anticorruption efforts. However, the government continued to consider public political criticism a crime unless the criticism was controlled by authorities." **[2a]**

16.02 In Transparency International's (TI) *Corruption Perceptions Index 2010*, released on 26 October 2010, Vietnam was placed at 116 out of 178 countries (178 being the most corrupt). Vietnam scored 2.7 out of ten, ten representing lowest levels of corruption. The Corruption Perceptions Index (CPI) ranks countries according to perception of corruption in the public sector. The CPI is an aggregate indicator that combines different sources of information about corruption, making it possible to compare countries. The 2010 CPI draws on different assessments and business opinion surveys carried out by independent and reputable institutions. **[26]**

16.03 In a report published by the Asian Development Bank in 2005, Clay Wescott stated:

"Corruption in Viet Nam thrives because of complicated and unclear administrative procedures, excessive regulations, the opaque nature of decision-making, lack of public information, bureaucratic discretion on the part of middle-level officials, and long delays. State agencies and individuals regularly violate laws, and those responsible for law enforcement also often violate the law in their adjudication practices. Corrupt practices are also exacerbated by the weak accountability of the State enterprise sector. Another contributing factor is low public sector pay." **[35]**

See also Section 8: Police and Avenues of Complaint

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17. FREEDOM OF RELIGION

17.01 Amnesty International's *Report 2010* (covering events in 2009), published in May 2010, recorded, "Security officials continued to arrest, harass and closely monitor members of religious groups perceived to be opponents of the government." **[3a]** In its *Annual Report 2010*, dated May 2010, the US Commission on International Religious Freedom (USCIRF) included Vietnam on its list of 13 "countries of particular concern" (CPC). The report stated, "The government of Vietnam continues to impose major restrictions on, and commit egregious abuses of, religious freedom." **[34] (p12)** In its *International Religious Freedom Report 2010* (IRFR 2010), published on 17 November 2010, the US State Department (USSD) noted:

"The constitution provides for freedom of worship; however, government restrictions on the organized activities of many religious groups continued. Respect for religious freedom and practice improved in some regards during the reporting period. However, significant problems remained, including occasional harassment and excessive use of force by local government officials against religious groups in some locations… Despite areas of progress during the reporting period, significant problems remained, especially at the provincial and village levels… The government maintained a prominent role overseeing all officially recognized religions. Religious groups encountered the greatest restrictions when the government perceived their activities as challenging its rule or the authority of the Communist Party… Persons who belonged to unofficial religious groups were not permitted to speak publicly about their beliefs, but some conducted religious training and services without harassment. Members of registered religious organizations may speak about their beliefs and may persuade others to adopt their religions, but only in their registered places of worship. The government controlled all forms of public assembly; however, several large religious gatherings were allowed." **[2b] (Introduction to Vietnam and Section II)**

17.02 On 18 June 2004 the government issued an ordinance on religion. **[17c]** The USSD's IRFR 2010 recorded:

"The 2004 Ordinance on Religion and Belief (Ordinance) serves as the primary document governing religious practice. It reiterates citizens' rights to freedom of belief, freedom of religion, and freedom not to follow a religion, affirming that violations of these freedoms are prohibited. It states, however, that the 'abuse' of freedom of belief or religion 'to undermine the country's peace, independence, and unity' is illegal and warns that religious activities must be suspended if they negatively affect the cultural traditions of the nation. Under the Ordinance government has control and oversight of religious organizations. Religious denominations must be officially recognized or registered, and the 'appropriate' lower-level authorities must approve activities and leadership of individual religious congregations… The Ordinance explicitly bans forced renunciations of faith. The Ordinance requires religious organizations to inform appropriate authorities of their annual activities or the investiture and transfer of clerics, and no longer requires official government approval. Further, the Ordinance encourages religious groups to carry out charitable activities in health care and education, which were limited in the past." **[2b] (Section II)**

17.03 The same source reported further:

"Implementing Decree 22, also issued in 2005, provides further guidance on the Ordinance on Religion and Belief. It delineates specific procedures by which an unrecognized religious organization may register its places of worship, its clerics, and its

activities and thus operate openly. It provides procedures for these groups to apply for official recognition from the government to gain additional rights. The Decree specifies that a religious organization must have 20 years of 'stable religious operation' in the country to be recognized by the government and states that past operation in the country can be counted toward this requirement. The Decree further defines specific time periods for the government to consider requests from religious organizations and requires officials to give an organization an explanation in writing for any rejected application. Decree 22 also clarifies the procedures for religious organizations and individual congregations seeking official recognition… Implementation of the legal framework on religion at lower levels of the government continued to be mixed… The constitutional right to freedom of belief and religion continued to be subject to uneven interpretation and protection. Government practices and bureaucratic impediments restricted religious freedom… Because of the lack of due process and inconsistent oversight, religious activities can be subject to the discretion of local officials. In some cases local officials reportedly told religious leaders that national laws did not apply to their jurisdictions." **[2b] (Section II)**

17.04 The report also noted:

"Most estimates suggest more than half of the population is at least nominally Buddhist. The Roman Catholic Church constitutes 7 percent. Several Cao Dai organizations constitute 2.5 to 4 percent, the primary Hoa Hao organization 1.5 to 3 percent, Protestants 1 to 2 percent, and Muslims less than 0.1 percent of the population. Most other citizens consider themselves nonreligious, although some practice traditional beliefs such as animism and veneration of ancestors and national heroes… The government officially recognizes the Buddhist, Catholic, Protestant, Hoa Hao, Cao Dai, Baha'i, Muslim, Pure Land Buddhist Home Practice, Threefold Southern Tradition, and Threefold Enlightened Truth Path faiths as religious organizations. Individual congregations within these recognized groups must also be registered. Practitioners of alternative Buddhist, Protestant, Hoa Hao, and Cao Dai groups do not participate in government-recognized or government-registered religious organizations." **[2b] (Sections I and II)**

17.05 In a report dated March 2007, Christian Solidarity Worldwide noted, "On 1 February 2007, the Vietnamese government announced the release of a white paper on religion, entitled, 'Religion and Policies Regarding Religion in Vietnam' (2006), published by the Central Bureau of Religious Affairs (CBRA), the main government body for the regulation of religion, and designed to present the government's policies on religion and religious freedom. As such, it indicates Vietnam's concern to address her much-vaunted religious freedom record." **[20a] (p3)**

17.06 The report stated further:

"Even as a propaganda document, couched in terms of respect for religious freedom, this paper is highly ambiguous. It contains several promising signs, particularly an acknowledgment of the social and humanitarian contributions of religious organisations, but the underlying approach to religious freedom which it enshrines is wrought with problems. Religious organisations are envisaged as being subordinate to the national interest, and their value is seen in contributing to the enterprise of nation-building. The foreign relations of religious organisations, and particularly human rights defenders within such organisations, are the focus of particular suspicion. Furthermore, significant loopholes still remain within Vietnam's legislative framework for religion, which allow the

arbitrary treatment of different religious groups by local officials in different areas..." **[20a] (p3)**

17.07 In its report, *Freedom in the World 2010*, published on 3 May 2010, Freedom House noted, "Religious freedom remains restricted. All religious groups and most individual clergy members must join a party-controlled supervisory body and obtain permission for most activities… Many restrictions on charitable activities have been lifted, and clergy enjoy greater freedom to travel domestically and internationally. However, several religious leaders and adherents remain in prison or face other forms of government harassment." **[29]**

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RELIGIOUS GROUPS:

Buddhists

17.08 The USSD's IRFR 2010 recorded:

"Many Buddhists practice an amalgam of Mahayana Buddhism, Taoism, and Confucianism that is sometimes called the "triple religion." The government Committee for Religious Affairs (CRA) cites an estimate of 10 million (11 percent of the population) practicing Mahayana Buddhists, most of whom are members of the ethnic Kinh community (the country's majority group, also referred to as Viet). There are proportionally fewer Buddhists in the highland areas, although migration of Kinh to these areas is changing the distribution. In Ho Chi Minh City alone, there are more than 1,000 active Buddhist pagodas. A Khmer ethnic minority in the south practices Theravada Buddhism and has more than 570 pagodas. Numbering more than one million, they live almost exclusively in the Mekong Delta." **[2b] (Section I)**

17.09 The report continued:

"In 1981 the officially sanctioned Vietnam Buddhist Sangha (VBS) was established incorporating all Mahayana, Theravada, and Bhikshu Buddhism under its umbrella. All Buddhist groups within the VBS are proportionally represented throughout the leadership structure and organization. In practice Theravada monks meet separately to determine issues such as doctrine, education, and other community needs to raise within the VBS. The government requires all Buddhist monks, including Khmer Krom monks who practice the Theravada tradition, to be approved by and work under the government-sponsored VBS. In theory the CRA regulates the number of Buddhist student monks, although the number of Buddhist academies at the local and provincial levels, in addition to four university-equivalent academies, has greatly increased in recent years. Since the government's merger of all Buddhist organizations into the VBS, the government does not recognize the legitimacy of the UBCV [Unified Buddhist Church of Vietnam]. There are several recently recognized religious organizations that have Buddhist influences, although they are separate and distinct from the VBS. Of these the Pure-Land Buddhist Home Practice faith has the largest membership with more than 1.3 million followers." **[2b] (Section I)**

17.10 On 21 January 2009 Human Rights Watch published a report entitled, On the Margins: Rights Abuses of Ethnic Khmer in Vietnam's Mekong Delta, documenting ongoing violations of the rights of the Khmer Krom in southern Vietnam and also abuses in

Cambodia against Khmer Krom who have fled there for refuge. **[5g]** On the same day Human Rights Watch stated:

"The Vietnamese government should immediately free Khmer Krom Buddhist monks and land rights activists in prison or under house arrest for the peaceful expression of their political and religious beliefs…The Khmer Krom is a large ethnic group in the Mekong Delta that is central to Vietnam-Cambodia relations. Wary about possible Khmer Krom nationalist aspirations, Vietnam has suppressed peaceful expressions of dissent and banned Khmer Krom human rights publications. It also tightly controls the Theravada Buddhism practiced by the Khmer Krom, who see this form of Buddhism as the foundation of their distinct culture and ethnic identity." **[5f]**

17.11 The USSD's IRFR 2010 noted, "Protestant Khmers (also) reported harassment, intimidation and, in some cases, property damage and beatings by Khmer Krom Buddhists in certain districts of Tra Vinh Province. They reported that authorities did little to prevent the incidents and, in some cases, may have participated in or instigated the actions." **[2b] (Section III)**

See also Section 17: Protestants

See also Section 18: Ethnic groups

17.12 The same report recorded that the government continued "to restrict and actively discourage participation in certain unrecognized religious groups, including the UBCV." **[2b] (Section II)** The report also noted:

"The government continued to oppose UBCV operation of charitable activities and restricted the movement of some UBCV leaders, although the UBCV operated many pagodas without restriction. The UBCV held several large events to mark Vesak Day, most without incident. UBCV Supreme Patriarch traveled to Hue and delivered a sermon during a ceremony attended by more than 700 individuals. In April [2010] the UBCV executive board consisting of 40 senior monks denounced the Vietnamese Buddhist Sangha (VBS), asked the government to return all UBCV properties, and called for a democratic regime in Hanoi. As in previous reporting periods, UBCV leaders reported they were urged to restrict their movements although they were able to receive visits from foreign diplomats, visit other UBCV members, and maintain contact with associates overseas; however, these activities were closely scrutinized… Provincial leaders of the UBCV throughout the southern region reported routine surveillance by local authorities. UBCV Supreme Patriarch Thich Quang Do stated he was allowed to leave his pagoda to visit his doctor once or twice a month and could meet with others inside and outside the pagoda." **[2b] (Section II)**

17.13 In its *World Report 2011* (covering events in 2010), Human Rights Watch stated, "During Buddhist festivals in May and August Da Nang police blocked access to Giac Minh Buddhist pagoda and interrogated the pagoda's abbot, who is the provincial representative of the banned Unified Buddhist Church of Vietnam (UBCV)… Religious leaders under house arrest include UBCV Supreme Patriarch Thich Quang Do… and Khmer Krom Buddhist Abbot Thach Sophon." **[5a]**

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Hoa Hao

17.14 The USSD's IRFR 2010 noted:

> "According to the government, there are 1.3 million Hoa Hao followers; affiliated expatriate groups estimate as many as three million adherents. Hoa Hao followers are concentrated in the Mekong Delta, particularly in provinces such as An Giang and Dong Thap, where the Hoa Hao were dominant as a social, political, and military force before 1975. The government-recognized Hoa Hao Administrative Committee (HHAC) was organized in 1999. A small number of Hoa Hao belong to other sects that oppose the HHAC, such as the Pure Hoa Hao Church and the Traditional Hoa Hao Church." **[2b] (Section I)**

17.15 The report also recorded:

> "The government continued to refuse registration and to discourage participation in unrecognized factions of the Hoa Hao Buddhist and Cao Dai faiths reportedly due to their past and current support of opponents of the government… The government formed and recognized the official Hoa Hao body, the Hoa Hao Administrative Council, in 1999. Several leaders of the Hoa Hao community, including several pre-1975 leaders, openly criticized the council as subservient to the government. Dissenting Hoa Hao groups formed two smaller churches, the Traditional Hoa Hao Church and the Pure Hoa Hao Church. They have also faced some restrictions on their religious and political activities since 1975, due in part to lingering CPV concerns about the Hoa Hao's prior armed opposition to communist forces dating back to French colonial rule and involvement with dissident political groups… In March 2010 two leaders of unrecognized Hoa Hao groups in Can Tho, Dang Thanh Dinh, and Dang Van Nghia, were denounced in the state-run media for opposing the government and stirring unrest. The two leaders led a large and growing congregation of 700 followers. Local officials followed suit with public denouncements. Six Pure Hoa Hao followers, a related group, alleged that they were assaulted by police in Dong Thap Province and fined for conducting services in March." **[2b] (Introduction to Vietnam and Section II)**

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Catholics

17.16 As noted by the USSD's IRFR 2010:

> "Although government statistics indicate there are 6.28 million Catholics, other estimates place the number at eight million. Catholics live throughout the country, with the largest concentrations in the provinces around Ho Chi Minh City, in parts of the Central Highlands, and in the provinces southeast of Hanoi. Catholicism has revived in recent years with newly rebuilt or renovated churches and a growing number of persons who want to be religious workers. Three archbishops, 44 bishops, and nearly 4,000 priests oversaw 26 dioceses. There are more than 10,000 places of worship including six seminaries and two clergy training centers. The number preparing for the priesthood has grown by more than 50 percent over the past five years and now totals 1,500, according to the Vatican." **[2b] (Section I)**

17.17 The report noted further:

"The government does not permit religious instruction in public schools; however, it permitted clergy to teach at universities in subjects in which they are qualified… Catholic religious education, on weekends or evenings, is permitted in most areas and has increased in recent years… Religious groups are not permitted to operate independent schools beyond preschool and kindergarten… In some areas, especially in the south, Catholic priests and nuns operated kindergartens, orphanages, vocational training centers, and clinics and engaged in a variety of other humanitarian projects. Operating without a legal basis, however, created some difficulties for the church… Charitable activities of religious groups in the northern section of the country were comparatively more restricted… The Catholic charity Caritas held training courses for social workers assisting people living with HIV/AIDS and substance abuse… The church also operated a shelter for HIV-positive mothers and HIV-infected children." **[2b] (Section II)**

17.18 The same report stated:

"In January 2010 following police demolition of the large concrete cross at the Dong Chiem Catholic parish, several hundred parishioners protested the action. Police dispersed the crowd with tear gas and beat approximately a dozen individuals. The Hanoi Archdiocese issued a statement calling the police actions 'sacrilege' and 'savage.' Archbishop Kiet visited the injured. Following the altercation, followers erected a similar cross made out of bamboo, which was later removed by security officials. Two weeks following the original incident, a Catholic monk affiliated with the Redemptorist Thai Ha parish in Hanoi was beaten unconscious by police as he tried to enter the parish near where the cross was demolished. In February a group of nuns and other Catholics from Ho Chi Minh City making a pilgrimage to the parish were harassed by police and denied entry. Six Catholic parishioners involved in the original protest were detained and later released." **[2b] (Section II)**

17.19 The report also noted:

"Despite protests surrounding land disputes, the relationship between the Catholic Church and the government continued to improve during the reporting period. For the first time, the president traveled to the Vatican and met the Pope in December 2009. The Vatican called it 'a significant stage in the progress of bilateral relations with Vietnam.' Catholic leaders regularly traveled to the Vatican for consultations. In June 2009 30 Catholic Bishops met with the Pope and presented a request for the Pope to visit Vietnam in 2010. The government also facilitated the first-ever meeting of the Federation of Catholic Bishops Conferences of Asia in Ho Chi Minh City in October… On June 23 and 24, 2010, the government and the Vatican held the second round of discussions in Rome under a newly created 'Joint Vietnam-Holy See Working Group' on re-establishing diplomatic relations. The two sides highlighted that positive progress has been made in the religious life in the country, discussed plans for future talks, and agreed to a Vatican appointment of a non-resident Representative of the Holy See for Vietnam. The government maintained regular dialogue with the Vatican on other issues, such as church leadership, organizational activities, land issues, and interfaith dialogue." **[2b] (Section II)**

17.20 Amnesty International's *Report 2010* (covering events in 2009), published in May 2010, recorded, "Peaceful protests by Catholics over land ownership were met with excessive force and arrests by police." **[3a]** In its *World Report 2011* (covering events in 2010), Human Rights Watch noted:

"Members of officially recognized religious groups, including Roman Catholics, also face harassment, especially church leaders and lay people attempting to protect church property. In January police used tear gas and electric batons to disperse villagers from Dong Chiem parish near Hanoi who were trying to stop police from taking down a crucifix. In May police violently dispersed villagers conducting a funeral procession and protest march to a cemetery located on disputed land in Con Dau parish in Da Nang. Police used truncheons and electric shock batons to beat people and arrested more than 60 persons. Most of those arrested were subsequently released, but seven were charged with opposing law enforcement officers and disturbing public order. Afterwards one of the villagers, Nguyen Thanh Nam, was interrogated and beaten by police on several occasions; he died in July from injuries suffered during a beating by civil defense forces." **[5a]**

17.21 In a report dated 3 November 2008, Amnesty International stated:

"In September 2008 police carried out a violent crackdown on peaceful mass protests in Ha Noi [Hanoi]. Since December 2007, members of the Catholic Church there engaged in peaceful mass protests and prayer vigils to support the church's claims to ownership of two pieces of land. During the crackdown police injured several people with their batons, and 20 people were hospitalised after teargas was used against protesters. At least eight people were arrested in the last wave of protests which began in mid-August; two of them remain in detention. Others, including senior church officials, remain at risk of arrest. Following the crackdown, the authorities continued to threaten and otherwise intimidate Catholics who supported the church's claims. The government also failed to protect them against attacks, acts of intimidation and harassment by others, including state-sponsored gangs, even when police were present at the site. Reports of intimidation against Catholics increased in Ha Noi following the crackdown on Catholics and the public campaign against the protesters in the state-controlled mass media." **[3b]**

17.22 On 1 October 2008 Amnesty International released a report documenting "intimidation and harassment against Catholics in Hanoi," in which it also noted that "State-sponsored gangs have attacked at least one Catholic church outside Ha Noi, and discrimination against Catholics is growing." The report stated further:

"Amnesty International believes that more people may have been arrested and that others are at risk of arrest, particularly priests at Thai Ha parish, the Archbishop of Ha Noi, and hundreds of Catholic protesters from rural areas, who travelled to join the mass protests in August and September [2008]. According to reports received by Amnesty International, police are searching for additional protesters… An unknown number of parishioners have also been called in for questioning, where police have tried to establish who organized the mass protests… the authorities have ordered school teachers to monitor Catholic students' activities and cautioned that teachers will be held accountable if their students are found to take part in any prayer vigils or demonstrations… Others perceived by the authorities as organisers of the protests have received threats of violence… Media, which by and large is a government mouthpiece and under its strict control, have published numerous articles in an intensifying campaign to discredit Catholic leaders in Ha Noi… Amnesty International believes that this media campaign may fuel further violent attacks by individuals against church leaders and parishioners, and that it is partly perpetuating discrimination and intimidation against parishioners and the Catholic community at large in Viet Nam. Reports are increasingly emerging about attacks and acts of discrimination against

Catholics in Ha Noi… Students are increasingly worried to speak about their faith at school or at university, where reports are emerging about bullying and expulsions." **[3c]**

17.23 In a report dated 6 October 2008, Human Rights Watch stated, "This is the harshest crackdown on Catholics in Vietnam in decades... Hundreds of unidentified thugs, some in the blue shirts of the Communist Youth League, have harassed, cursed, and spit at parishioners and destroyed church statues [sic]… Hanoi authorities targeted for harassment Archbishop Kiet after he publicly defended the prayer vigils." **[5b]**

17.24 On 30 July 2009 Christian Solidarity Worldwide reported:

"Catholics have carried out mass demonstrations in Vietnam this week, against a violent police clampdown on a protest over a disputed site. Among the casualties was a priest, now in a coma, who was beaten and thrown from the second floor of a hospital by gangs allegedly acting on police instructions. The Catholic News Agency reported that armed police attacked a group of priests and lay people, arresting seven, on 20 July as they tried to erect a cross and altar at the ruins of Tam Toa Church in the coastal city of Dong Hoi. Police reportedly used stun guns, tear gas and batons… The Vietnamese government plans to build a war memorial on the site of Tam Toa church. In response to the violent police clampdowns, Catholics all over Vietnam have protested and called for the release of those arrested. These protests have reportedly triggered further violence against Catholics by police and gangs acting on police orders. According to the Catholic News Agency, the authorities in Dong Hoi are openly trying to create a 'No Catholic Zone' in the city. Hundreds of Catholic families have now fled due to growing anti-Catholic sentiment." **[20c]**

See also Section 18: Ethnic groups

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Protestants

17.25 The USSD's IRFR 2010 noted that the government continued to restrict and actively discourage participation in certain unrecognised religious groups, including some Protestant ones. **[2b] (Section II)** As recorded by the same report:

"The two largest officially recognized Protestant churches are the Southern Evangelical Church of Vietnam (SECV) and the smaller Evangelical Church of Vietnam North (ECVN). The Vietnam Baptist Convention (Grace Southern Baptist), United World Mission Church, Vietnam Mennonite Church, Vietnam Presbyterian Church, Vietnam Baptist Society (Southern Baptist), Vietnam Seventh-day Adventist Church, and Vietnam Christian Fellowship also are officially recognized. Other Protestant denominations also are present, including the Assemblies of God (officially registered) as well as the United Methodist Church and others registered locally but not registered on the national level. Estimates of the number of Protestants ranged from government figures of one million to claims by churches of over two million, with the strongest recent growth occurring from 1996 to 2000. Some new converts belong to unregistered evangelical house churches. Based on adherents' estimates, two-thirds of Protestants are members of ethnic minorities, including minority groups in the Northwest Highlands (H'mong, Dzao, Thai, and others) and in the Central Highlands (Ede, Jarai, Sedang, and M'nong, among others)… There are approximately 1,000 members of The Church of Jesus Christ of Latter-day Saints (Mormons) throughout the country. The church has

two locally recognized congregations in Ho Chi Minh City and Hanoi. The Jehovah's Witnesses have 55 active congregations in 18 provinces with 3,000 members. There are 32 places of worship registered locally. A majority of the congregations are in the south with half the total membership located in Ho Chi Minh City and 500 members in Hanoi." **[2b] (Section I)**

17.26 The report also stated:

"The 2005 Prime Minister's 'Instruction on Some Tasks Regarding Protestantism' (Instruction) calls on authorities to facilitate the requests of recognized Protestant denominations to construct churches as well as to train and appoint pastors. The Instruction directs authorities to help unrecognized denominations register their congregations so they can worship openly and move toward fulfilling the criteria for full recognition. The Instruction directs authorities in the Central and Northwest Highlands to help groups of Protestants register their religious activities and practice in homes or 'suitable locations,' even if they do not meet the criteria to establish an official congregation, such as having the required minimum number of adherents. The Instruction also directs local officials to allow unregistered 'house churches' to operate so long as they are 'committed to follow regulations' and are not affiliated with separatist political movements." **[2b] (Section II)**

17.27 As reported by the same source:

"Despite areas of progress during the reporting period, significant problems remained, especially at the provincial and village levels. These included the slow pace, in some cases due to government inaction, of registration of Protestant congregations in the North and the Northwest Highlands. Inconsistent application of procedures for registration caused some of the above-mentioned problems. In some areas, Protestant congregations experienced harassment… In certain cases recognized and unrecognized Protestant groups were able to overcome local harassment or to overturn negative local decisions after they appealed to higher-level authorities. Several hundred ECVN congregations continued to await action on their applications to register…In many provinces, Protestant churches were required to submit lists of all worshippers as part of the registration process, although the legal framework on religion does not require this information. This practice appeared to be widespread. In some cases authorities removed this requirement in response to the protests of the registering groups; in other cases the extra-legal requirement was maintained, slowing the registration process… Protestants also faced land rights issues. The government returned a small number of previously confiscated properties to recognized Protestant organizations, but other disputes continued… As in previous years, there were indications that provincial officials rebuked local authorities for harassing house churches in contravention of the Prime Minister's Instruction on Protestantism. In a few incidents in Tra Vinh Province, local authorities reportedly harassed groups that submitted registration applications. Other Protestant churches in Ha Giang, Quang Ngai, Long An, Binh Duong, and Dong Nai also reported difficulties from local officials after submitting church registration applications… Religious contacts from the Central and Northwest Highlands reported attempts by local authorities to force renunciations continued to decrease. A few incidents were reported during in central Kon Tum Province, Southern Tra Vinh Province, and Northern Dien Bien and Lao Cai Provinces… Many recognized and unrecognized religious groups, especially Protestant groups in the Central and Northwest Highlands, reported that the situation for their practitioners continued to improve overall, including increased numbers of registrations

and growth in the number of persons attending services." **[2b] (Introduction to Vietnam and Section II)**

17.28 The report also stated:

"Many pastors of Protestant denominations such as the Seventh-day Adventists, Mennonites, Baptists, UGOC [United Gospel Outreach Church], and Assemblies of God have not joined the SECV or ECVN because of doctrinal differences. These and other Protestant denominations reported they were able to practice openly and with the knowledge of local officials, particularly in urban areas. While there were exceptions, harassment by officials of unrecognized house churches that belong to denominations not associated with the SECV or ECVN continued to decline. The government held discussions about registration and recognition procedures with leaders of a number of Protestant denominations, including the United Methodist Church, The Church of Jesus Christ of Latter-day Saints, and Jehovah's Witnesses. The ECVN continued to grow, particularly in the Northwest Highlands and in Dien Bien Province and Son La Province. Although local and provincial officials registered only a handful of Protestant congregations during the reporting period, congregations in the two provinces reported an easing of restrictions and were able to conduct religious services and activities without incident." **[2b] (Section II)**

17.29 The same source also noted:

"The government continued to assert that some ethnic minorities in the Central Highlands were operating a self-styled 'Dega Church,' which reportedly mixed religious practice with political activism and called for ethnic minority separatism. This suspicion made the registration process for other churches in the area more complicated… The practice of Protestantism in the Central Highlands was complicated by the presence of 'Dega' separatists, who have advocated an autonomous or independent homeland for indigenous persons in the area, particularly in Gia Lai, Dak Nong, and Dak Lak Provinces. The relationship between the Dega movement and Protestant believers belonging to the SECV was tense in some parts of the Central Highlands. Dega activists reportedly threatened that SECV pastors would not be allowed to serve in a 'Dega State' unless they abandoned their ties to the SECV. Other Protestant pastors have accused the Dega movement of manipulating religion for political purposes." **[2b] (Sections II and III)**

17.30 In a report dated June 2009, Christian Solidarity Worldwide stated:

"Since 2006 the Vietnamese Government's Committee on Religious Affairs (CRA) has produced three substantive editions of an internal training manual outlining guidelines for dealing with religious affairs in the northern highland provinces. The first document (2006) was the subject of widespread criticism due to its attempt to subdue the rapid expansion of the Protestant religion in the region. In response to this criticism, the revised 2007 version softened the inflammatory language, but retained the core objection of 'solving the Protestant problem' by subduing its development. Following a recent evaluation of the results of religious policy to date, the CRA produced a new manual in 2008 entitled 'Training Manual for the Task Concerning the Protestant Religion', which seems to be intended to supersede the previous manuals (2006 and 2007) and to apply to the whole of Vietnam. While the 2008 manual is less critical of Protestantism in its rhetoric and addresses some of the criticisms of the earlier editions, strong concerns remain. Of primary concern is the retention of an underlying suspicion of the Protestant religion and its perceived potential to be abused by 'hostile forces' to

cause political instability. Also, although the manual expressly states that forced renunciations of faith are not permitted, it still encourages local officials to 'create the conditions' for new converts to Protestantism to return to their traditional beliefs if they have a 'need' to do so, allowing for arbitrary implementation. Another major shortcoming concerns deficiency in the process of registration of congregations – local authorities are encouraged to begin with 'pilot projects' before undertaking widespread registrations, and additional stringent requirements are imposed on ethnic minorities in the northern highlands seeking to register Protestant meeting places. Finally, the 2008 manual adds an entirely new section to make clear the government's intent in ongoing regulation and tight control of all levels of religious activities of registered groups, individual congregations and meeting places." **[20b] (p3)**

17.31 In a report dated 30 March 2011, Human Rights Watch detailed the latest government crackdowns on Montagnard Christians. The report documented police sweeps to root out Montagnards in hiding, and detailed how the authorities have dissolved house church gatherings, orchestrated coerced renunciations of faith, and sealed off the border to prevent asylum seekers from fleeing to Cambodia. The report stated, "Since mid-2010 the Vietnamese government has intensified suppression of Montagnard Christians, indigenous people in the Central Highlands who are pressing for religious freedom and land rights." **[5k]**

See also Section 17: Buddhists

See also Section 18: Ethnic groups, H'mong and Montagnards

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Cao Dai

17.32 As noted by the USSD's IRFR 2010, several Cao Dai organisations comprise 2.5 to 4 per cent of the population. **[2b] (Section I)** The same report noted that the government continued to restrict and actively discourage participation in certain unrecognised religious groups, including some Cao Dai ones. **[2b] (Section II)** The report also stated:

"Government statistics put the number of Cao Dai at 2.3 million, although Cao Dai officials claim approximately 3.9 million adherents. Cao Dai groups are most active in Tay Ninh Province, where the Cao Dai 'Holy See' is located; in Ho Chi Minh City; and throughout the Mekong Delta. There are separate groups within the Cao Dai religion; the largest is the Tay Ninh sect, which represents more than half of Cao Dai believers and more than 40 percent of the population of the province. Cao Dai is syncretic, combining elements of many faiths." **[2b] (Section I)**

17.33 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, recorded:

"In May [2010] a priest with the unrecognized Cao Dai faith in Tay Ninh was convicted for 'slandering an on-duty official,' according to the MPS-affiliated People's Police newspaper. The priest was arrested in November 2009 after criticizing several police officers for actions against religious followers of the unrecognized Cao Dai faith. In 2008 the priest had led a protest of more than 300 followers of the group to the Cao Dai Holy See to denounce the leader of the official Cao Dai organization and demand that the

officially recognized church return properties, including the Cao Dai Holy See, to the unrecognized church." **[2a] (Section 1e)**

Muslims

17.34 Muslims make up less than 0.1 per cent of the population and the government officially recognises one Muslim organisation. (USSD IRFR 2010) **[2b] (Section I)** The USSD's IRFR 2010 also recorded:

"The small Muslim population numbers 60,000 to 80,000, and mosques are located in Ho Chi Minh City, Hanoi, western An Giang Province, and provinces in the southern coastal area. The government estimates there are nearly 73,000 Muslims. The Muslim community is composed mainly of ethnic Cham; however, in Ho Chi Minh City and An Giang Province it includes some ethnic Kinh and migrants originally from Malaysia, Indonesia, and India. Approximately 40 percent of Muslims are Sunnis; the remaining 60 percent practice Bani Islam, a type of Islam unique to the ethnic Cham who live on the south-central coast." **[2b] (Section I)**

17.35 Muslim groups are allowed to provide religious education to children. Cham Muslims regularly hold religious and language classes outside of normal classroom hours in their mosques, but, like other religious groups, are not permitted to operate independent schools beyond preschool and kindergarten. (USSD IRFR 2010) **[2b] (Section II)**

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18. ETHNIC GROUPS

18.01 Ethnologue.com, a website specialising in languages of the world, accessed on 23 March 2011, stated that there are 54 official ethnic communities within Vietnam. **[24]** The website of the Vietnam National Administration of Tourism, accessed on 22 March 2011, also provides information on these ethnic communities. **[17d]**

18.02 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, recorded, "Although the government officially prohibits discrimination against ethnic minorities, longstanding societal discrimination against ethnic minorities persisted. Despite the country's significant economic growth, some ethnic minority communities benefited little from improved economic conditions. In certain areas, including the Northwest Highlands, Central Highlands, and portions of the Mekong Delta, ethnic minority groups made up the majority of the population." **[2a] (Section 6)**

18.03 The report noted further, "The government continued to address the causes of ethnic minority discontent through special programs to improve education and health facilities and expand road access and electrification of rural communities and villages." **[2a] (Section 6)**

18.04 The same report stated:

"The government maintained a program to conduct classes in some local ethnic minority languages in elementary and secondary schools. The government worked with local officials to develop local language curricula, but it appeared to implement this program more comprehensively in the Central Highlands and the Mekong Delta than in the mountainous northern and northwestern provinces. Ethnic minorities were not required

to pay regular school fees, and the government operated special schools for ethnic minorities in many provinces, including subsidized boarding schools at the middle- and high-school levels. The government offered special admission and preparatory programs as well as scholarships and preferential admissions at the university level. There were also a few government-subsidized technical and vocational schools for ethnic minorities. Nonetheless, there were credible cases of discrimination against Christian ethnic minorities, although the law provides for universal education for children regardless of religion or ethnicity." **[2a] (Section 6)**

See also Section 17: Catholics and Protestants

18.05 The USSD Report 2010 also noted:

"The government broadcast radio and television programs in ethnic minority languages in some areas. The government also instructed ethnic-majority Kinh officials to learn the language of the locality in which they worked. Provincial governments continued initiatives designed to increase employment, reduce the income gap between ethnic minorities and ethnic Kinh, and make officials sensitive and receptive to ethnic minority culture and traditions… The government also maintained infrastructure development programs that targeted poor, largely ethnic minority areas and established agricultural extension programs for remote rural areas. The July and August [2010] visits of the UN independent expert on minority issues and the independent expert on human rights and extreme poverty focused on the need to facilitate bilingual education to improve the economic situation of minorities. Both experts visited majority minority areas, including the Northwest Highlands, Central Highlands, and portions of the Mekong Delta." **[2a] (Section 6)**

See also Section 17: Buddhists

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CHINESE (HOA)

18.06 A report by the Minorities at Risk Project, dated 31 December 2006, stated:

"The Chinese are well integrated into Vietnamese society. There is no history of persistent protest or rebellion; there is little support from kindred elsewhere for such activities. Furthermore, the government of Vietnam does not actively discriminate against or repress the group. More than 400,000 Chinese fled the country in the late 1970s but they are unlikely to return as they have settled in China and other Southeast Asian and Western countries. The Chinese remain economically advantaged in relation to the Kinh. This situation will likely continue unless there are reversals in Vietnam's economic and political liberalization programs. Links between the Hoa [Chinese] and the overseas Chinese community have helped to promote Vietnam's economic growth and could help assuage any potential economic downturn… The Chinese are reportedly dispersed across the country, although they are concentrated in the southern region of Vietnam, with many residing in and round Ho Chi Minh City… They speak Mandarin and other Chinese dialects, but many are also likely to speak Vietnamese... Referred to as the Hoa in Vietnamese, the Chinese are Buddhists and they are physically distinguishable from the Vietnamese, who are referred to as the Kinh… There is limited information available about the cultural characteristics of the Chinese Vietnamese. However, they are likely to share similar cultural characteristics with the Kinh, because of the long period of Chinese Han dynasty domination of Vietnam." **[28]**

18.07 The same source stated:

"The 1975 victory of the communist North Vietnam adversely affected the status of the Chinese… Some prosperous Chinese chose to leave Saigon prior to the fall of South Vietnam, but the major outflow occurred between 1979 and 1981. Many Hoa were among the thousands of Vietnamese boat people who were fleeing the economic and political reconstruction under the Orderly Departure Program. More than 200,000 Chinese left Vietnam for Hong Kong and other Southeast Asian countries during 1979. By 1981, some 227,000 Chinese refugees had been accepted by the PRC alone. Hundreds of thousands of other Hoa and Kinh boat people were to reside in refugee camps in Hong Kong and other South East states for up to two decades after fleeing Vietnam in the late 1970s. The relationship between the Chinese and state authorities has vastly improved since the late 1970s. Since the early 1980s, political, economic, and cultural restrictions against the Chinese have slowly been lessened. In 1982, for instance, a law was passed which recognized the Hoa as Vietnamese citizens that possess the rights of all other citizens. Restrictions were still maintained on Chinese employment in the security sphere (e.g., armed forces). All employment restrictions were removed in 1986. The Chinese were able to expand their economic influence after Vietnam launched an economic liberalization program late in the decade. Reports indicate that the economically advantaged Chinese control up to 50% of local commercial activities in Ho Chi Minh City. In the mid-1990s, all official policies that limited the participation of the Chinese in the political sphere were lifted. They possess the same rights as the country's other citizens. The improvement in the status of the Chinese has also been mirrored in the China-Vietnam relationship. Bilateral trade is an important source of revenue for Vietnam; in 1999, trade between the two countries was valued at $1.5 billion, up from $1 billion the previous year. The Hoa have also been critical in helping to draw in foreign investment from other Southeast Asian countries. There is no evidence of political or economic discrimination against the Chinese… The Chinese actively participate in the Communist Party, which in turn advocates for their interests… There have been no reports of tense relations between the Hoa and the Kinh from 1998-2006. There have been no reported instances of protest or rebellion against the government in recent years." **[28]**

18.08 In its *World Refugee Survey 2008*, the US Committee for Refugees and Immigrants reported:

"Vietnam hosted some 9,500 ethnic Chinese Cambodians who arrived in 1975. The Office of the UN High Commissioner for Refugees (UNHCR) considered them stateless as Cambodia no longer recognized them and most had lost any documentation proving their nationality. About 2,300 lived in four camps in Binh Duong and Binh Phuoc Provinces and Ho Chi Minh City since the 1980s. The rest lived mostly in and around Ho Chi Minh City. The Prime Minister promised to begin naturalizing them in 2007 and, in November, the Government agreed to waive all fees (about $200 per person) but postponed the process until 2008… Refugees did not have the right to work legally in Vietnam. It was difficult for refugees to work for companies or the Government because they lacked legal status and identity documents. They worked for fellow ethnic Chinese in Ho Chi Minh City, however, or in the areas surrounding the camps without work permits. This consigned them to low-paying jobs without the protection of labor legislation or insurance." **[21]**

See also Section 26: Foreign refugees

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H'MONG

18.09 As noted by the US State Department's *International Religious Freedom Report 2010* (IRFR 2010):

"Based on adherents' estimates, two-thirds of Protestants are members of ethnic minorities, including minority groups in the Northwest Highlands (H'mong, Dzao, Thai, and others)… Increasing numbers of H'mong, Dao, Jarai, Ede, M'nong, Thai, and Sedang in the Northwest and Central Highlands are converting to Protestantism… The Religious Publishing House has not yet acted on a longstanding request to allow printing of the Bible in the H'mong language. The delay was due to the fact that the government recognizes only an archaic form of the H'mong language that is not in regular use today and cannot be read by the average H'mong. The proposed H'mong translation is a more current form of the language… the ECVN (also) held numerous training activities for hundreds of ethnic minority lay pastors (H'mong and Dzao)." **[2b] (Sections I and II)**

18.10 The report stated further:

"Local officials in several northwestern villages continued to attempt to convince or force H'mong Protestants to recant their faith. Local authorities encouraged clan elders to pressure members of their extended families to cease practicing Christianity and to return to traditional practices… In Dien Bien Dong District of Dien Bien Province in December 2009, district officials pressured 10 Christian convert families in the Ho Kaw Village in Nam Son Commune to return to their traditional beliefs. Three ethnic Protestant H'mongs, Sung Cua Po, Sung A Sinh, and Hang A Xa, who refused to renounce Christianity were allegedly detained, handcuffed, and beaten by police in order to force them to renounce their faith. Following the beatings, most Christians in the village stopped practicing their religion under pressure from local officials and family members. It was alleged that each paid fines of 33 pounds (15 kilograms) of pork and alcohol to gain release. Later in December local police and authorities allegedly took Po and his wife to meet members of their extended family to exert further pressure on them to return to traditional beliefs. After additional police threats, Po signed a renunciation of Christianity. In March, Po and his family fled his home after continued abuse from authorities and family members, and have not been seen since that time." **[2b] (Section II)**

See also Section 17: Protestants

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MONTAGNARDS

18.11 The Montagnards is the collective term used for a number of ethnic minorities that inhabit the Central Highlands of Vietnam. In a report dated 3 November 2008, Amnesty International stated:

"Human rights violations against ethnic minority Montagnards in the Central Highlands continue. These include restrictions on movement and forcing Christians belonging to unauthorized 'house churches' to renounce their religion. An unknown number of Montagnards from among the more than 250 who were sentenced to lengthy prison terms in connection with the large-scale protests in 2001 and 2004 around land

ownership and religious freedom are believed to remain in prison. Many of them were sentenced to between five and 12 years' imprisonment under Articles 87 (Undermining the unity policy), 88 (Conducting propaganda against the Socialist Republic of Viet Nam), 89 (Disrupting security) and 91 (Fleeing abroad or defecting to stay overseas with a view to opposing the people's administration) of the national security section of the Penal Code." **[3b]**

18.12 The report continued:

"In April 2004, thousands of Montagnard people protested against government policies in three provinces of the Central Highlands. Most of the protesters were Christians who had planned five days of peaceful protests against government policies on long-standing land disputes, restrictions on religious practice and restrictions on freedom of movement and expression imposed since the last major protests in 2001. The authorities used disproportionate force to break up the demonstrations. At least eight people were unlawfully killed and many hundreds injured in the ensuing crackdown. During the period under review, hundreds of Montagnards have attempted to seek asylum in neighbouring Cambodia, where their situation has been precarious, with lack of protection by the Cambodian authorities. A Memorandum of Understanding (MOU) between Viet Nam, Cambodia and UNHCR, signed in January 2005 to resolve the situation of asylum-seekers, remains in place. It appears to have been violated by the Vietnamese authorities, with reports that in some cases people who had returned from Cambodia to Viet Nam under the MOU were detained, interrogated and ill-treated." **[3b]**

18.13 The USSD Report 2010 noted:

"The government continued to honor a tripartite memorandum of understanding signed with the Government of Cambodia and the UNHCR to facilitate the return from Cambodia of all ethnic Vietnamese who did not qualify for third-country resettlement. Local government authorities observed but did not hinder fact-finding and monitoring visits by UNHCR and foreign diplomatic representatives to the Central Highlands. The UNHCR reported that it was able to meet with returnees in private. Foreign diplomats experienced some resistance from lower-level officials in permitting private interviews of returnees. As in previous years, local police officials sometimes were present during foreign diplomat interviews with returnees but left when asked. Provincial governments generally continued to honor their obligations to reintegrate peacefully ethnic minority returnees from Cambodia. The UNHCR, which conducted several monitoring trips throughout the year, reported that there was 'no perceptible evidence of mistreatment' of any of the ethnic minority individuals it monitored in the Central Highlands." **[2a] (Section 2d)**

18.14 The same source recorded:

"Some members of ethnic minority groups continued to leave for Cambodia and Thailand, reportedly to seek greater economic opportunity or shortcuts to immigration to other countries. Government officials monitored certain highland minorities closely, particularly several ethnic groups in the Central Highlands, where it continued to impose security measures because of concern that the religion they practiced encouraged ethnic minority separatism.

"The government continued to impose security measures in the Central Highlands in response to concerns over possible ethnic minority separatist activity. There were reports that ethnic minority individuals who telephoned the ethnic minority community

abroad were a special target of police attention. Several individuals connected to overseas separatist organizations were arrested, convicted, and sentenced to lengthy prison terms. During the period around sensitive occasions and holidays, an increased security presence was reported throughout the region. There were a few reports that members of ethnic minorities seeking to enter Cambodia were returned by Vietnamese police operating on both sides of the border, sometimes followed by police beatings and detentions… The government continued to address the causes of ethnic minority discontent through special programs to improve education and health facilities and expand road access and electrification of rural communities and villages. The government allocated land to ethnic minorities in the Central Highlands through a special program, but there were complaints that implementation of these special programs was uneven." **[2a] (Section 6)**

18.15 The USSD Report 2010 also noted, "International NGOs estimated that several hundred ethnic minority demonstrators associated with the 2004 Central Highlands protests remained in prison... During the year there were reports that authorities released more than 100 Montagnards from the Central Highlands convicted of violating national security laws relating to 2001 and 2004 protests in the Central Highlands." **[2a] (Section 1e)**

18.16 In its *World Report 2011* (covering events in 2010), Human Rights Watch recorded:

"In January the Gia Lai provincial court handed down prison sentences to two Montagnards, Rmah Hlach and Siu Koch, on charges of violating the country's unity policy. After conflicts broke out in June between Montagnards and a rubber plantation company in Gia Lai, authorities reinforced the security presence in three districts and arrested Montagnards belonging to independent Protestant house churches, who they accused of using religion to forward a political agenda. In November the Phu Yen provincial court sentenced Ksor Y Du and Kpa Y Ko to prison for 'undermining national unity'… Those currently in prison for their religious or political beliefs-or a combination of the two-include more than 300 Montagnard Christians…" **[5a]**

See also Section 12: Prison conditions

See also Section 17: Catholics and Protestants

18.17 A report commissioned by USAID (United States Agency for International Development), dated 29 December 2008, identified the following vulnerable groups in the Central Highlands: indigenous ethnic minorities, poor migrant groups, children in need of social assistance, people with disabilities, and abandoned elderly people. The report discusses minorities' loss of access to lands and how that has increased their vulnerability. **[38a]**

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19. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

LEGAL RIGHTS

19.01 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, recorded, "There are no laws that criminalize homosexual practices." **[2a] (Section 6)**

TREATMENT BY, AND ATTITUDES OF, STATE AUTHORITIES

19.02 The USSD Report 2010 stated, "There was no official discrimination in employment, housing, statelessness, or access to education or health care based on sexual orientation… There was growing public awareness of homosexuality and little evidence of direct official discrimination based on sexual orientation." **[2a] (Section 6)**

19.03 According to the *Gay Times* website, accessed on 12 April 2011, "…there has been a burgeoning gay scene developing in Ho Chi Minh City (Saigon) and to a lesser extent a smaller scene in Hanoi. In both cities various bars and clubs have opened catering to gays." **[31]**

SOCIETAL TREATMENT AND ATTITUDES

19.04 The USSD Report 2010 recorded, "…social stigma and discrimination was pervasive. Most homosexual persons chose not to tell family of their sexual orientation for fear of being disowned." **[2a] (Section 6)** A report by the Canadian Immigration and Refugee Board (IRB), dated 8 January 2010, stated, "…sources report that overt hostility towards homosexuals [in Vietnam] is not common... the majority of Vietnamese are largely unaware of homosexuality." **[6j]**

19.05 On 18 December 2009 Radio Free Asia reported, "Communist-ruled Vietnam is home to an increasingly vibrant gay community, but homosexual men who 'come out' and acknowledge their orientation are still subject to social stigma and workplace discrimination… Most gay support groups operate independently and receive financial assistance from NGOs." **[41]**

LESBIANS

19.06 A report by the Canadian IRB, dated 8 January 2010, referred to "a gay man who opinions that lesbians 'have it even worse than gay men' due to greater social and family pressure on women". The report went on to record that "Online gay magazine Gay Times also notes that 'life has become much easier for gays and lesbians' in the last ten years." **[6j]** The same source continued, "…there are 'little pockets of LGTB [lesbian, gay, transgendered and bisexual] expression in the smaller cities like Hoi An and Hue'." **[6j]**

TRANSGENDER PERSONS

19.07 In addition to the above reference to transgender persons, the USSD Report 2010 stated, "In contradiction of the penal code, the chief judge of the Quang Binh Provincial People's Court in August refused to prosecute the gang rape of a transsexual, claiming the code did not address rape of transgendered individuals." **[2a] (Section 6)**

The GlobalGayz website has additional news and reports on LGBT issues in Vietnam: http://www.globalgayz.com/country/Vietnam/view/VNM/gay-vietnam-news-and-reports-2010. **[18]** See also: http://www.lookatvietnam.com/2010/12/im-gay.html.

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20. DISABILITY

20.01 See the following sources:

US State Department, *2010 Country Report on Human Rights Practices* (USSD Report 2010), 8 April 2011 (Section 6: Persons with Disabilities)
http://www.state.gov/g/drl/rls/hrrpt/2010/eap/154408.htm **[2a]**

USAID (United States Agency for International Development), *Vietnam Disability Situation Assessment and Program Review*, May 2005
http://pdf.usaid.gov/pdf_docs/Pdacf476.pdf **[38b]**

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21. WOMEN

LEGAL RIGHTS

21.01 Article 63 of the Vietnamese Constitution states, "Male and female citizens have equal rights… All acts of discrimination against women and all acts damaging women's dignity are strictly banned." **[17a]** Vietnam is a signatory to the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). In a report dated 2 February 2007, the UN Committee on the Elimination of Discrimination against Women stated:

"While welcoming the adoption of the new Law on Gender Equality as an improvement of the legal regime and the implementation of the Convention as well as other legal and policy measures that have been put in place in different areas in recent years to eliminate discrimination against women and girls and to promote gender equality, the Committee regrets that the State party did not provide sufficient information or data on the actual impact of these laws and measures and the extent to which they have resulted in accelerating the advancement of women and girls and their enjoyment of their human rights in all areas covered by the Convention." **[32] (p2)**

21.02 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted, "Despite the large body of legislation and regulations devoted to the protection of women's rights in marriage and in the workplace, as well as labor code provisions that call for preferential treatment of women, women did not always receive equal treatment." **[2a] (Section 6)**

POLITICAL RIGHTS

21.03 The USSD Report 2010 stated, "The law provides the opportunity for equal participation in politics by women and minority groups. There were 127 women in the National Assembly, or 26 percent, a slightly lower percentage than in the previous assembly." **[2a] (Section 3)**

21.04 The same report also noted:

"The CPV-affiliated Women's Union and the government's National Committee for the Advancement of Women (NCFAW) continued to promote women's rights, including political, economic, and legal equality, and protection from spousal abuse. The Women's Union also operated microcredit consumer finance programs and other

programs to promote the advancement of women. The NCFAW continued implementing the government's national strategy on the advancement of women. Key areas of this strategy focused on placing more women in senior ministry positions and in the National Assembly. The strategy also focused on increasing literacy rates, access to education, and health care." **[2a] (Section 6)**

SOCIAL AND ECONOMIC RIGHTS

21.05 As recorded by Freedom House in its report, *Freedom in the World 2010*, published on 3 May 2010, "Although economic opportunities have grown for women, they continue to face discrimination in wages and promotion." **[29]** The USSD Report 2010 noted, "Women continued to face societal discrimination." **[2a] (Section 6)**

21.06 As recorded by the website of the US State Department's Bureau of Consular Affairs, accessed on 1 March 2010, "Vietnamese law does not recognize common-law marriages. Authorities do issue certificates verifying cohabitation but these do not constitute legal marriages. Vietnamese law prohibits marriage between blood siblings, half siblings, first cousins or any two persons related closer than three degrees of separation. The legal age for marriage is 20 for men, 18 for women… Divorce records are maintained by the courts where they were issued." **[2d]**

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VIOLENCE AGAINST WOMEN

21.07 In its report, *Freedom in the World 2010*, published on 3 May 2010, Freedom House noted, "Many [women] are victims of domestic violence, and thousands of women each year are trafficked internally and externally and forced into prostitution." **[29]** In *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report,* published on 31 March 2011, the FCO stated, "The first-ever national study on domestic violence in Vietnam was completed in 2010. It reported that almost 35% of women who took part in the survey had experienced physical or sexual violence by their husbands and more than 50% reported emotional abuse. Although a Law on Prevention and Control of Domestic Violence was passed in 2007, implementation remained patchy." **[8e]**

21.08 The USSD Report 2010 stated:

"Domestic violence against women was considered common. A landmark survey conducted jointly by the UN and the General Statistics Office in November found that 58 percent of married women had been victims of physical, sexual, or emotional domestic violence. Officials increasingly acknowledged it as a significant social concern, and it was discussed more openly in the media. The law prescribes punishment ranging from warnings to a maximum of two years' imprisonment for 'those who cruelly treat persons dependent on them.' The Law on Domestic Violence Prevention and Control specifies acts constituting domestic violence, assigns specific portfolio responsibilities to different government agencies and ministries, and stipulates punishments for perpetrators of domestic violence; however, NGO and victim advocates considered many of the provisions to be weak. While the police and legal system generally remained unequipped to deal with cases of domestic violence, the government, with the help of international and domestic NGOs, continued to train police, lawyers, and legal system officials in the law." **[2a] (Section 6)**

21.09 The report also noted:

"The act of sexual harassment and its punishment is clearly defined in the law; however, in reality there was no legal requirement to prevent it. Publications and training on ethical regulations for government and other public servants do not mention the problem, although it existed. Victims of sexual harassment may contact social associations such as the Women's Union to request their involvement. If the victim has access to a labor union representative, complaints can also be lodged with the labor officers. In serious cases victims may sue offenders under article 121 of the penal code, which deals with 'humiliating other persons' and specifies punishments that include a warning, noncustodial reform for up to two years, or a prison term ranging from three months to two years. However, in reality sexual harassment lawsuits were unheard of, and most victims were unwilling to denounce the offenders publicly." **[2a] (Section 6)**

21.10 The same source stated:

"The law prohibits using or threatening violence, taking advantage of a person who cannot act in self-defense, or resorting to trickery to have sexual intercourse with a person against that person's will. This criminalizes rape, spousal rape, and in some instances sexual harassment. In 2009 a man from the Phan Thiet Province was jailed for 18 months for raping his wife. Other rape cases were traditionally prosecuted to the full extent of the law. No reliable data were available on the extent of the problem." **[2a] (Section 6)**

21.11 A report by the Canadian Immigration and Refugee Board (IRB), dated 8 January 2010, noted:

"Domestic violence directed at women in Viet Nam is 'a serious problem'… Domestic violence is reportedly present in all areas of the country and across the social spectrum… According to human rights observers, some within Vietnamese society believe that husbands can discipline their wives, including through physical punishment, because it is a husband's responsibility to educate his wife… Sources report that victims are often reluctant to report cases of domestic violence… Many Vietnamese believe domestic violence to be a private, family-related matter… On 21 November 2007, the government of Viet Nam passed the Law on Domestic Violence Prevention and Control, which came into force on 1 July 2008… The law legislates the duties of the state, individuals, families, organizations and institutions in regards to preventing and controlling domestic violence and supporting of its victims… The law also defines what constitutes domestic violence… and states that those who perpetrate domestic violence 'shall either be fined as a civil violation, disciplined or charged for criminal penalty and have to compensate for any damages caused'… The law also prescribes 're-education' measures for repeat offenders… punishment ranging from warnings to two years' imprisonment can be imposed by the law… Concerns have been raised over the law's effectiveness… The Ho Chi Minh City-based newspaper Than Nien reports that according to government and non-governmental officials at a conference on domestic violence in September 2008, 'it takes six to nine months to prepare documents required by the law before sending a person committing domestic violence to education centers' during which time the victim 'would continue to suffer'… According to the article, many of the officials also 'expressed the opinion that domestic violence should be considered a crime under the Vietnam Criminal Codes,' indicating that domestic violence is not criminalized… According to a 3 December 2009 article from the Hanoi-based newspaper Viet Nam News (VNS), a report from the Viet Nam Domestic Violence Prevention Network detailing the implementation of the law in the provinces of Yen Bai,

Hoa Binh, Dien Bien, Lai Chau and Hung Yen reports that the legislation against domestic violence is being implemented 'at a snail's pace'… The report also indicates that many Vietnamese, including government officials, are not aware of the law or choose to ignore it." **[6d]**

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Assistance available

21.12 The USSD Report 2010 stated:

"Several domestic and international NGOs worked to address domestic violence. Hotlines for victims operated by domestic NGOs existed in major cities. The Center for Women and Development, supported by the Vietnam Women's Union, also operated a nationwide hotline, although it was not widely advertised in rural areas. Another NGO, Hagar Vietnam, established a training program to reintegrate into society women who suffered domestic abuse. In September [2010] the first 13 girls graduated from the program. While rural areas often lacked the financial resources to provide crisis centers and hotlines, a 2007 law establishes 'reliable residences' allowing women to turn to another family while local authorities and community leaders attempt to confront the abuser and resolve complaints. Government statistics reported that approximately half of all divorces were due in part to domestic violence. The divorce rate continued to rise partly due to domestic violence and also to growing societal acceptance of divorce, but many women remained in abusive marriages rather than confront social and family stigma as well as economic uncertainty. The government, with the help of international NGOs, supported workshops and seminars aimed at educating women and men about domestic violence and women's rights in general and also highlighted the problem through public awareness campaigns. Domestic NGOs were increasingly engaged in women's issues, particularly violence against women and trafficking of women and children." **[2a] (Section 6)**

21.13 A report by the Canadian IRB, dated 8 January 2010, stated:

"In 2008, the government put in place an 'anti-violence pilot model' at the grassroots level throughout the country involving local authorities, law enforcement and health professionals in dealing with domestic violence… As well, a 'National Program of Action' against domestic violence will begin in 2010 and continue until 2020… Vietnamese authorities, foreign governments, domestic and international non-governmental organizations (NGOs) and several UN agencies have collaborated on domestic violence awareness campaigns in recent years… Those involved in law enforcement and the justice system have also reportedly begun to receive training in dealing with domestic violence issues… Several domestic and international NGOs offering support to victims of domestic violence operate in Viet Nam… They include the National Committee for the Advancement of Women (NCFAW), which provides policy advice to the Prime Minister and relevant government agencies on issues relating to women… As well, the Vietnam Women's Union, founded in 1930, works to protect women's rights and promote gender equality... The Center for Women and Development (CWD), established in 2002 by the Vietnam Women's Union, offers counselling and raises awareness on domestic violence related issues… It also operates at least one shelter for victims of domestic violence… other shelters for domestic violence survivors are also being been built by the CWD… According to a media report, Hanoi has a shelter for victims of domestic violence called

the Peaceful House which reportedly assisted more than 1,200 people during the first ten months of 2009, an increase of 130 percent from 2008." **[6d]**

See also Section 22: Children

See also Section 23: Trafficking

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22. CHILDREN

OVERVIEW

22.01 A report by the United Nations Children's Fund (UNICEF), accessed on 21 March 2011, stated:

"The impressive increase in social and economic development over the past 20 years has put new pressures on the Vietnamese family. Not all changes that come with rapid economic development are positive and with an ever-widening gap between rich and poor, more people are moving to cities and migrating all over the country to find work. The resulting increases in economic disparity and unemployment, rapid urbanisation, migration, family break-ups, and the erosion of traditional values, have contributed to an increased number of abandoned, neglected, abused and exploited children.

"Children are often on the frontline of vast change. In 2007 the Ministry of Labour, Invalids and Social Affairs (MOLISA) estimated that over 2.5 million children were living in 'special circumstances,' which is nearly 10 per cent of all Vietnamese boys and girls and includes: 1.2 million children with disabilities; 300,000 children affected by HIV and AIDS, of which 4,720 children are living with HIV; 168,000 orphans and children without care of their biological parents; 27,000 working children; over 13,000 street children; 20,000 children living in institutions; 3,800 children using drugs; and at least 850 sexually abused children. Issues such as the commercial sexual exploitation of children and trafficking are also significant, but the numbers are not known, as reliable data is not available." **[10a]**

22.02 The report continued:

"These problems are intensified by the absence of a strong and effective social protection system, including the lack of professional social work and protection services to support all vulnerable children - from the prevention of abuse, neglect and exploitation all the way to care and treatment services. Where specialised services exist, they are often fragmented or unregulated. Volunteers do their best to fill the role of social worker in their communities, but without adequate training or skills." **[10a]**

(See also Childcare and protection)

22.03 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted:

"The law restricts the number of children per couple to two. The government primarily implemented the policy through media campaigns that strongly encouraged individuals to practice family planning. The government also enforced the policy by denying promotions and salary increases to public-sector employees with more than two

children, albeit in an inconsistent manner… . Not all births were registered immediately, but this was sometimes the result of an uneducated populace. A birth certificate is required for public services, such as education and health care, and the choice by some parents, especially ethnic minorities, to not register their children affected the ability to enroll them in school and receive government-sponsored care." **[2a] (Section 6)**

22.04 The USSD Report 2010 also noted:

"The law prohibits most child labor but allows exceptions for certain types of work. However, child labor remained a problem, particularly in rural areas, where two-thirds of the population resided. The law sets the minimum age for employment at 18, but enterprises may hire children between 15 and 18 if the firm obtains permission from parents and MOLISA [Ministry of Labor, Invalids, and Social Affairs]. A 2006 ILO [International Labor Organization] analysis of the country's household surveys showed that 6.7 percent, or 930,000, of children between the ages of six and 17 participated in some economic activity, usually on family farms or in family businesses not within the scope of the law." **(Section 7d)**

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Basic legal information

22.05 In a letter dated 12 May 2008, the British Embassy in Hanoi stated:

"According to article 18 of the Civil Code **[17g]**, persons who are full eighteen years old or older are adults. Persons who are not yet full eighteen years old are minors. Also according to the Civil Code (article 20 about the civil act capacity of minors who are between full six years old and under full eighteen years old): 1. Persons who are between full six years old and under full eighteen years old must have the consents of their representatives at law when establishing and performing civil transactions, except those transactions to meet their daily life needs suitable to their age group or otherwise provided for by law. 2. In cases where a person who is between full fifteen years old and under full eighteen years old has his/her own property to ensure the performance of obligations, such person may establish and perform civil transactions by him/herself without the consent of his/her representative at law, unless otherwise provided for by law." **[8d]**

LEGAL RIGHTS

22.06 In its Concluding Observations on Vietnam dated 17 October 2006, the UN Committee on the Rights of the Child (CRC) expressed concern that "some provisions in the Penal Code (including articles 254 to 256 related to child prostitution) refer to children as to those below the age of 16 only." **[13] (p3)** A report by Human Rights Watch, dated November 2006, stated, "Vietnam's Penal Code establishes the age of criminal responsibility at 14 for criminal offenses and 12 for administrative offenses. It provides for certain exemptions for juvenile offenders under the age of 16, and allows early release of juvenile offenders who have shown progress and served half their sentence." **[5c] (p15)**

22.07 The report stated further:

"The Penal Code calls on courts to consider sanctions that are 'educative and preventive' when dealing with juvenile cases. Locally-based 'education measures' aim

to 'create conditions for such persons to labor and study in the community and prove their repentance right in the normal social environment under the supervision and with the assistance of the [local] People's Committees, social organizations, and families.' Vietnam's Law on Child Protection, Care and Education (Law on Child Protection), promulgated in January 2005, calls for law enforcement institutions to work with families, schools, and society to educate children who have violated laws: 'The handling of children committing acts of law violation is aimed mainly to educate and help those children to realize their wrong-doings, redress such wrong-doings and make progress.'" **[5c] (p15-16)**

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VIOLENCE AGAINST CHILDREN

22.08 The USSD Report 2010 noted:

"Anecdotal evidence suggested that child abuse and corporal punishment in schools was widespread. A study conducted by the UN and the General Statistics Office found that 25 percent of children were victims of child abuse as reported by their mothers during a study on domestic violence. Child prostitution, particularly of girls but also of boys, existed in major cities. Many prostitutes in Ho Chi Minh City were under 18 years of age. Some minors entered into prostitution for economic reasons. The penal code, issued in 1999 and updated in 2009, criminalizes all acts of sale, fraudulent exchange, or control of children as well as all acts related to child prostitution and forced child labor. The 2009 penal code carries sentences ranging from three years' to life imprisonment and fines from VND five million to VND 50 million ($256 to $2,564). Articles 254, 255, and 256 describe acts related to child prostitution, including harboring prostitution (12 to 20 years' imprisonment), brokering prostitution (seven to 15 years' imprisonment), and buying sex with minors (three to 15 years' imprisonment). Similarly, the 1991 Law on Protection, Care, and Education of Children prohibits all acts of cruel treatment, humiliation, abduction, sale, and coercion of children into any activities harmful to their healthy development. The 2004 revised version has an additional chapter on protection and care of disadvantaged children.

"The minimum age of consensual sex is 18. Statutory rape is illegal under article 111 of the criminal code. Statutory rape can result in life imprisonment or capital punishment. Penalties for sex with minors between the ages of 16 and 18, dependent upon the circumstances, vary from five to 10 years in prison. The production, distribution, dissemination, or selling of child pornography is illegal under article 253 of the criminal code and carries a sentence of three to 10 years' imprisonment… According to the Ministry of Labor, Invalids, and Social Affairs (MOLISA), there were an estimated 23,000 street children, who were sometimes abused or harassed by police. MOLISA managed two centers to provide support for children in needy situations. Youth unions also launched awareness campaigns." **[2a] (Section 6)**

22.09 The report also stated:

"The government's National Program of Action for Children for 2001-10 aimed to create the best conditions to meet demands and rights of every child, prevent and eliminate child abuse, and implement programs to prevent child trafficking, child prostitution, and child pornography. The government also promulgated the Program on Prevention and Resolution of the Problems of Street Children, Sex-abused Children, and Children

Being Overworked and Working in Poisonous and Dangerous Conditions for 2004-10. The program had separate projects for prevention of sexual child abuse; communication, advocacy, and capacity enhancement for program management; prevention of and support for street children; and prevention of hazardous and dangerous working conditions for children. Initial assessments indicated that these measures provided an important legal basis for children's matters and that most local governments, departments, and unions supported these efforts. A lack of funding and a clear understanding of responsibilities, along with unclear implementation guidance, hindered implementation in certain localities." **[2a] (Section 6)**

See also Section 23: Trafficking

22.10 In its Concluding Observations on Vietnam dated 17 October 2006, the UN Committee on the Rights of the Child (CRC) noted:

"The Committee expresses concern at the information that child prostitution and sex tourism are an increasing problem in the country and that at least 10 per cent of sex workers in Viet Nam are believed to be children… While the Committee notes that the official institutions, including the Ministry of Labour, Invalids and Social Affairs (MOLISA), the Women's Union, the Youth Union and the Committee for the Population, Family and Children, have active programmes aimed at victims' protection, it is concerned that many of these efforts lack adequate financial resources… the Committee is concerned that: (a) Recovery and reintegration services are limited in coverage and there is a lack of adequately trained professionals; (b) Measures to assist families in the process of reunification with child victims are insufficient; (c) With regard to articles 254 to 256 of the Penal Code, victims of prostitution aged between 16-18 may not always be treated as victims under the law and can be administratively sanctioned; and (d) There is a lack of specialized teams of police, prosecutors or judges to deal with criminal activities… " **[13] (p4-5)**

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CHILDCARE AND PROTECTION

(See also Children: Overview)

22.11 A report by Human Rights Watch, dated November 2006, stated:

"The Committee for Population, Family and Children (CPFC) is the ministerial-level state agency with national responsibility for child protection, care, and education of children in need of special protection, including those who have been separated from or unable to live with their parents or guardians. It is also responsible for monitoring the operation of all 'child support establishments,' which presumably include Social Protection Centers, to ensure that their operation is consistent with their purposes and legal requirements. Together with the Ministry of Public Security, the CPFC is responsible for overseeing the protection of children's rights… Human Rights Watch's research indicates that none of these systems or governmental bodies is fully meeting its obligations to protect and care for street children and to ensure their rights are protected… Vietnam's social protection system, put in place after de-collectivization in 1988, is responsible for the care of vulnerable people, including homeless children, orphans, children with disabilities, and street children. Social relief policies are developed centrally but implemented at the local level… People's Committees manage

'social relief beneficiaries,' who are sent to local Social Protection Centers (as already noted, these are also called Social Charity Establishments or Social Relief Centers), when they face exceptional difficulties or are unable to support or house themselves. The 'regular social relief regime' covers the needs of orphans, 'lonely elderly,' seriously disabled persons, and chronically-ill mental patients. The 'irregular social relief regimes' covers people who fall into hardship because of natural calamities or death of a family member, as well as 'wandering beggars' – which includes street children." **[5c] (p13-15)**

22.12 Regarding 'social protection centres', the same report stated:

"A Vietnamese researcher explained how Social Protection Centers work in reality: '[They] are places for the temporary custody of those who have been picked up by the district authorities during their campaigns. These centers are for people who have not committed any serious crimes, but whose behavior and lifestyle may pose a threat to social order and security. They are, therefore, gathered or arrested without any order from the court or from any judiciary bodies.'… According to the Implementation Decree of the Law on Child Protection, 'child support establishments,' which include Social Protection Centers, are required to provide: 'Distinct … education for [disabled] children; education and re-education for children in conflict with the law; detoxification for drug-addicted children; management, nurturing and education for children of social sponsor groups [i.e. children who are social relief beneficiaries]; provision of accommodation, meals and other services for … children in special circumstances.' According to Decree 25, which regulates Social Protection Centers, the government is responsible for examining and inspecting the institutions' adherence to the law, handling violations, and settling 'complaints and denunciations about violations of policies and regimes related to operations' of the centers. Organizations and individuals found to have violated laws regulating Social Protection Centers are to be disciplined, administratively sanctioned, or examined for penal liability, depending on the nature and seriousness of their violations." **[5c] (p17-18)**

22.13 The report stated further:

"Despite the establishment of CPFC drop-in counseling centers, it is clear that the government never fully abandoned the approach of involuntary institutionalization or detention of street children. In theory, police who pick up street children who have not committed any crime are supposed to take them to drop-in centers, where staff is supposed to try to find out where the children are from and if possible, reunite them with their families. In practice, this rarely happens. (Footnote: Social workers in Hanoi say the drop-in centers are not able to fully investigate the family's situation and whether it is in the child's best interest to return home.) Police often bypass the drop-in centers and send street children directly to a Social Protection Center, especially during official round-up campaigns. 'The CPFC is supposed to manage the problem, but in fact police often send street children to Social Protection Centers,' said a staff person from an international organization in Hanoi. 'There's no coordination, and no support or supervision once they're in the [centers]… A Vietnamese researcher based in Hanoi told Human Rights Watch in August 2006: 'It's still a huge problem [homeless children]. There are millions of poor farmers in Vietnam who can't afford to feed their children. Those children go to Hanoi. The government has campaigns to clear the cities of street children and beggars. After 2003, some returned to their families, but after a while, many ended up back in the city again. The government was supposed to give the families some incentive to keep those children at home, but the incentive is not enough. So the children return to the city, but to other areas, where they can avoid the police.'" **[5c] (p28-29 and 33)**

22.14 In conclusion, the report stated:

"On paper, many Vietnamese laws, decrees, and directives are consistent with the Convention on the Rights of the Child and demonstrate the government's stated commitment to care, protect, and educate children. Policies regarding street children largely call for a humanitarian approach that prohibits abuse and promotes rehabilitation and family reunification. In practice, however, the government regularly authorizes campaigns in which street children are arbitrarily rounded up and institutionalized. Government officials turn a blind eye towards the abysmal conditions in the Social Protection Centers, particularly at Dong Dau, and the physical and emotional abuse street children suffer there. Social Protection Centers in their current form are inappropriate institutions for children and run contrary to policy objectives of protecting and rehabilitating street children and helping to reunite them with their families." **[5c] (p66)**

22.15 As recorded on 25 April 2008 by the website of the US Embassy in Hanoi:

"The definition of an adoptable orphan is provided in Decree 68/2002 Article 44, which states that a child cannot be released for adoption without 'the written voluntary agreement of the father and/or mother of that child.' The decree lists only three exceptions to this rule. The first is if both parents are deceased; the second is if the child 'has been abandoned or left at a medical establishment;' and the third is if 'the child's parents have lost their civil act capacity' [sic]. Decree 69/2006 clarifies that the orphanage or People's Committee must prove that a child is covered by one of these exceptions. Otherwise, a child is still considered to be under his parents' custody, whose consent is required prior to any adoption being authorized. Decree 68/2002 and Decree 69/2006 also establish that in the case of a child who has been abandoned or left at a medical facility, a 30 day search must be made for the birth parents, and in all cases a separate 30 day search must be made for domestic adoptive parents. These searches are conducted by the orphanage or local People's Committee." **[2e] (Adoption Legislation and Administrative Structure)**

22.16 The orphan population of Vietnam was estimated at 1.4 million out of a total population of 28.1 million children. (UNICEF, 2009) **[10b]** In a letter dated 12 May 2008, the British Embassy in Hanoi replied to questions submitted by the COI Service:

1. Claims have been made in the past that some children's homes in Vietnam are essentially recruiting centres for trafficking, mainly for prostitution. Is there any evidence that this is the case?

"There were informal rumours about this in Vietnam. UNICEF and several Embassies have raised this issue. However, people in Vietnam are now worried that some orphanages do not have the right protection in place (or worse, decide not to put the protection in place) to ensure that all adoptions are legitimate (eg that the baby has not been bought). Child adoption from orphanages is not always a tool of trafficking of children. However, recently the Vietnamese TV has raised the issue of adoption system being abused by traffickers (esp in a far-reaching/ remote localities). The police has [sic] just detected some cases. The latest news about this is a trafficking case detected by the police of Quang Ninh (a province borders with China). The news was highlighted on 'Cong an Nhan dan' (the People's Police) Newspaper on 12 May 2008." **[8d]**

2. What is the general standard of care and conditions in Vietnam's orphanages/children's homes?

"According to UNICEF, the standard of care and conditions in Vietnam orphanages are very basic. Actually, children do not stay in a separate area but they have to stay with other group of people, eg elderly people. Almost all of the institutional care programmes in Vietnam provide the children with basic accommodation including food, clothing and education. It is indicated that in almost all of the centres, the focus is exclusively on the education; other aspects of the child's holistic development are largely neglected. About the life of the children in Vietnam's child care centres, it is said that there are very limited leisure time and/or few cultural activities for the children. Although many centres arrange between 2-3 excursions a year, and although in some centres the children have access to a library, TV and some sport facilities, the quality and quantity of leisure time and cultural activities are very poor. Often it is a staff of the centre who switch on and off the TV-set and decide which programmes the children may watch. In many cases, they choose programmes that are more suitable for very young children although the audience consists of teenagers as well. Additionally, very few toys are available for the younger children. Staffs are recruited without any security checks to ensure they have never had a record of child abuse (sexual, physical, and emotional) before. Staffs are selected mainly basing on their education certificates. A deputy head of a childcare centre in Ha Tay province said that they rely on the education background of a person to employ her/him to work in the centre. He also said the recruitment procedures did not involve any of the local police. [sic]" **[8d]**

3. Are there any other institutions that care for children without families? If so, what are these and what is the general standard of care and conditions?

"According to official statistics, there are 373 social institutions in the country. 138 (40%) are run by the government and the rest are run by NGOs/INGOs, religious organisations and private entities. However, a study by UNICEF shows that there are a total of 372 centres providing care for children; 76 of these centres accommodate both children and elderly people, abandoned persons or persons with disabilities. Of the 372 institutions out of the 61 provinces, 252 are governmental (both national and local) or joint governmental and non-governmental programmes. Conditions of these centres are about the same. [sic]" **[8d]**

4. Are Vietnam's Social Protection Centres one and the same as government orphanages? If not, please explain the differences, including in conditions.

"Vietnam's Social Protection Centres are government orphanages. This type of centre is a mixed social protection centre where children and elderly people (aged 60 and above) live together. UNICEF studied the condition of one centre. There were about 80 elderly persons and 34 children living in the centre. The centre has 36 staffs. They are poorly paid and are not provided with proper training before they started their jobs. Of 61 provinces, 21 (34.4%) have minimum standards for the selection and employment of staff. In most cases, the standards concern the degree of enthusiasm, love of children, high moral standards and education/training. Around 53% of the centres had offered their staff in-service training [sic]…" **[8d]**

7. Is it a crime for parents to abandon their children? What are the likely consequences or punishments where a parent/family is known to have abandoned their child?

"In theory, it is a crime for parents/guardians to abandon their children. Decree No 114 of the Government issued on 03/10/2006 stipulated:

An administrative fine of VND 5,000,000 to VND 10,000,000 will be imposed on parents/guardians who:
1. Abandon their children right after their children were born;
2. Leave their children with other people without contributing any care/financial support to bring them up even though they are capable of doing this for their children, except adoption cases as stipulated by laws;
3. Force their children to live on themselves without giving them any care/support which make them then become disadvantaged children as defined in Article 40 of the 'Law on Child Protection, Care and Education' **[17h]**

> (Article 40.- Disadvantaged children include orphans having no one to rely on, abandoned children; defective and disabled children; children being victims of toxic chemicals; children infected with HIV/AIDS; children doing hard or hazardous jobs or contacting noxious substances; children working far from their families; street children; sexually-abused children; children addicted to narcotics and juvenile offenders).

So, it is against the law for parent/guardians to abandon their children. In theory those people would be imposed with administrative fine for their behaviour. However, there are some cases in which parents/guardians are not punished for this. For example, there are cases where a HIV/AIDS parent, a young and unmarried mother abandon their children. [sic]" **[8d]**

8. Is there a legal duty for the family to care for a child? If so, how does this work if the family are simply unable to care for their child (for example, in the case of a single parent with a severe illness and no other relatives).

"Yes it is. [sic] Article 24 of the 'Law on Child Protection, Care and Education' says: 'Parents and guardians are the first persons responsible for the care and nurture of children, giving them the best conditions for development; when meeting with difficulties which cannot be overcome by themselves, they may ask for help from concerned agencies and/or organisations in order to fulfil their child-care and -nurture responsibility.' Article 25 of the same law also says:
'1. Parents have the responsibility to ensure conditions for their children to live with them.
3. In cases where children whose mothers and/or fathers are serving imprisonment sentences and who have no one to rely on, the People's Committees at all levels shall organise the care and nurture of those children at surrogate families or child-support establishments.'" **[8d]**

9. Is there a legal guardianship/custody system in place? For example, if it is not safe to return a child to the parents (eg back to an abusive situation), is there any legal framework in place for the child to reside with other family members?

"There is guardianship system in Vietnam. There are both natural guardians and appointed ones. The natural guardians are determined as follows:
1. In cases where there is no agreement to the contrary amongst the biological siblings, the eldest brother or sister who has attained adulthood and who meets all the requirements must be the guardian for his/her younger siblings who are minors; if the eldest brother or sister does not meet all the requirements to be a guardian, the next eldest sibling who has attained adulthood and who meets all the requirements must be the guardian.
2. In cases where there are no biological siblings or where the biological siblings do not meet all the requirements to be a guardian, the paternal grandparents or the maternal

grandparents who meet all the requirements must be the guardians (the Civil Code, Article 70)
3. If the child does not have a natural guardian, then the next closest relatives must appoint one person amongst themselves, or the People's Committee of the commune/ward or township together with the local social organisations, shall have the responsibility to appoint a guardian or propose a charitable to assume the guardianship. [sic]
4. The appointment of a guardian must have the consent of the appointed person and be recognised by the relevant People's Committee in accordance with the requirements for guardianship: being fully eighteen years of age; having full capacity for civil acts; and having necessary conditions to ensure the performance of the guardianship." **[8d]**

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EDUCATION

22.17 As noted by Europa World, accessed on 9 February 2011:

"Primary education, which is compulsory, begins at six years of age and lasts for five years. Secondary education, beginning at the age of 11, lasts for up to seven years, comprising a first cycle of four years and a second cycle of three years. In 2004/05 enrolment in primary schools included 87.7% of children in the relevant age-group, while enrolment in secondary schools included 69.3% of children in the relevant age-group. In 2008/09, according to preliminary official figures, a total of 2.8m. pupils attended pre-primary institutions, at which 138,100 teachers were employed; 6.7m. pupils attended primary schools, at which 349,700 teachers were employed; and 8.4m. students were enrolled in secondary level institutions, at which 457,200 teachers were employed… In 2008/09 1.5m. students were enrolled within a total of some 393 universities and colleges, at which 60,500 teachers were employed." **[1]**

22.18 The USSD Report 2010 recorded, "Education is compulsory, free, and universal through the age of 14; however, authorities did not always enforce the requirement, especially in rural areas, where government and family budgets for education were strained and children's contribution as agricultural laborers was valued." **[2a] (Section 6)**

22.19 The Economist Intelligence Unit's (EIU) *Country Profile* for Vietnam in 2008 stated, "Vietnam has high literacy rates. Although access to higher levels of education has historically been limited, the introduction of near-universal primary education has produced high literacy rates. The Viet Nam Living Standards Survey 2002 found that 92% of the population aged ten years and older were literate - 89% of females and 95% of males." **[15] (p9)**

22.20 The same report stated further, "Vietnam's school enrolment rates have risen to record levels, with particularly rapid growth at the tertiary level. The number of university students rose from 974,000 in 2001 to 1.9m in 2007; the share of students in private institutions rose from 12% to 17% over this period, reaching 265,000 by 2007." **[15] (p9)**

HEALTH AND WELFARE

22.21 The website of One World, accessed on 27 April 2010, stated:

"To fulfil its commitment to child protection, the government introduced a new regulation in 2005 under which children up to six years old should receive primary healthcare, medical check-ups and treatment free of charge. However there are signs that the necessary funding has not yet materialised at the level of individual health centres. In 2005 27% of young children were underweight for their age and a more concerted effort will be needed to address malnutrition and child health problems – a contributory factor is the slow progress in improving access to adequate sanitation, in part a failure of donor coordination." **[27]**

22.22 The World Health Organisation's (WHO) Country Cooperation Strategy for Vietnam, 2007-2011, recorded:

"Despite the steep decline in the under-five and infant mortality rates, neonatal mortality has hardly changed, and Viet Nam remains one of the 42 countries in the world estimated to account for 90% of all under-five deaths. Every fourth child (25.2%) is undernourished and anaemia persists in women of child-bearing age and young children. There are also considerable variations throughout the country, depending on geographical area, ethnicity and overall socioeconomic status." **[11a] (p35)**

See also Section 21: Women

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23. TRAFFICKING

23.01 The website of the United Nations Inter-Agency Project on Human Trafficking (UNIAP), accessed on 23 March 2011, stated, "Human trafficking affects women, men and children in Vietnam. Trafficked persons experience various difficulties ranging from physical and mental health issues, to economic and social reintegration issues." **[30]**

23.02 As noted by the US State Department's *Trafficking in Persons Report 2010*, published on 14 June 2010:

"Vietnam is a source and destination country for men, women, and children subjected to trafficking in persons, specifically conditions of forced prostitution and forced labor… There are (also) reports of some Vietnamese children trafficked internally and also abroad for forced labor. Vietnamese women and children are transported to locations throughout Asia for forced prostitution, often misled by fraudulent labor opportunities and sold to brothels on the borders of Cambodia and China, with some eventually sent to third countries, including Thailand and Malaysia. In both sex trafficking and labor trafficking, debt bondage, confiscation of identity and travel documents, and threats of deportation are utilized to intimidate victims. Some Vietnamese women migrating to China, Taiwan, Hong Kong, Macau, and increasingly to South Korea as part of internationally brokered marriages are subsequently subjected to conditions of forced labor or forced prostitution or both. Cambodian children and Vietnamese children from rural areas are subjected to commercial sexual exploitation, forced street hawking, and forced begging in the major urban centers of Vietnam, often as a part of organized crime rings, and some Vietnamese children are victims of forced and bonded labor in urban family-run house factories. Vietnam is a destination for child sex tourism with perpetrators reportedly coming from Japan, South Korea, China, Taiwan, the United Kingdom, Australia, Europe, and the United States, though the problem is not believed to be widespread.

"The Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. While the government continued efforts to combat cross-border sex trafficking and made efforts to protect some victims of trafficking, it did not show evidence of progress in criminally prosecuting and criminally punishing labor trafficking offenders and protecting victims of all forms of trafficking, particularly victims of labor trafficking and internal trafficking… The government has never reported prosecuting a case of labor trafficking. The government has promoted increased labor exports as a way to address unemployment and alleviate poverty, and as a source of remittances, but it has not put into place adequate measures to protect the rights of Vietnamese migrant workers or taken adequate measures to prevent new incidents of labor trafficking, such as the implementation of adequate laws to regulate labor recruitment companies. Additionally, the government has not made efforts to address the problem of internal trafficking in Vietnam." **[2c]**

23.03 Regarding law enforcement efforts to combat trafficking in persons, the report stated further:

"The Vietnamese government demonstrated some law enforcement efforts to combat trafficking in persons for transnational sex trafficking, although government statistics include some non-trafficking crimes, such as abduction and selling of children for adoption. The government did not, however, report any investigations or prosecutions of cases of internal trafficking or the labor trafficking of Vietnamese citizens. While statutes in Penal Code Article 119 can be used to prosecute some forms of trafficking and were expanded this year to include male victims of trafficking, existing laws do not adequately cover all forms of trafficking, including labor trafficking and the recruitment and harboring of trafficking victims. The majority of traffickers are prosecuted under Articles 119 and 120 of the Penal Code, which can be used to prosecute a variety of related crimes. Vietnamese law does not include provisions for attempts to commit a trafficking offense, participating as an accomplice, and organizing or directing other persons to commit an offense. During the year, the government acknowledged that the problem of labor trafficking exists, as does the trafficking of men, and the National Assembly voted to expand trafficking-related laws to include men. However, it did not take action to identify labor trafficking cases. Vietnamese labor laws do not provide criminal penalties for labor trafficking… The government did not report any prosecutions or convictions of internal trafficking in Vietnam. Trafficking-related corruption occurred at the local level, where officials at border crossings and checkpoints take bribes to look the other way, though the government has never reported any investigations or prosecutions of officials for trafficking-related complicity." **[2c]**

23.04 Regarding efforts to protect and assist trafficking victims, the same report recorded:

"The Vietnamese government continued some efforts to protect cross-border sex trafficking victims, but authorities need to improve efforts to identify or protect victims of labor trafficking or internal trafficking. The government did not employ systematic procedures nationwide to proactively and effectively identify victims of trafficking among vulnerable populations, such as women arrested for prostitution and migrant workers returning from abroad, and victim identification efforts remained poor across all identified migration and trafficking streams. Border guards and police at the district and provincial levels received limited training about identification of trafficking victims and handling of cases, which in some cases improved some officers' ability to monitor and

investigate trafficking cases, but the lack of adequate training reportedly led to poor investigations and techniques that were harmful to some victims…

"Vietnamese Women's Union (VWU), in partnership with NGOs, ran eight shelters in three provinces that provided counseling and vocational training to female sex trafficking victims. However, the government lacks the resources and technical expertise to adequately support shelter systems, and as a result, in many areas shelter systems are rudimentary, underfunded, and lack appropriately trained personnel. There are no shelters or services specifically equipped to assist male victims of trafficking or victims of labor trafficking… The Vietnamese government continued some efforts to prevent trafficking in persons with assistance and cooperation from international organizations, NGOs, and foreign donors. However, as the government advanced goals of increasing labor exports, including to some countries where abuses of migrant workers are rife, it failed to make adequate efforts to prevent labor trafficking by requiring destination governments to provide adequate safeguards against forced labor of its migrant workers… Government regulations regarding labor trafficking were weak. Vietnam is not a party to the 2000 UN TIP Protocol." **[2c]**

See also: http://www.economist.com/node/13278577?Story_ID=E1_TPNSRVSS

See also Section 21: Women

See also Section 22: Children

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24. MEDICAL ISSUES

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

24.01 The World Health Organisation's (WHO) Country Cooperation Strategy for Vietnam, 2007-2011, recorded:

"Until the end of the 1980s, the Government of Viet Nam financed and provided free health care services to the population. The economic crisis of 1986 caused the launch the doi moi (reforms) in an attempt to transform the country from a state-controlled to a market economy. In the health sector, wide-ranging reforms were introduced in 1989. A number of market-oriented measures, including user charges, private sector provision and liberalization of the production and sale of pharmaceuticals, were implemented. The impacts of these reforms are still affecting the health system today. The doi moi renewal process is generally recognized as having helped to improve the well-being of Viet Nam's population by substantially reducing poverty and increasing per capita GDP growth to an average of more than 7% per annum in the past decade. Nonetheless, Viet Nam remains among Asia's low-income countries, with many inequalities, including growing health disparities between urban and rural, rich and poor, and different geographical areas… Viet Nam's health indices have improved substantially in recent years, although it has had to face a host of relatively new health problems, such as avian influenza, which remains a serious public health threat to the country. Other new challenges to the health sector include: rising incidences of noncommunicable and lifestyle-related diseases, such as tobacco-related diseases and road accidents; the escalating HIV/AIDS epidemic, coupled with the simultaneous rise in tuberculosis; and the emergence of diseases such as dengue and lymphatic filariasis. These new

challenges require a less fragmented health system with better strategies and more resources that can be mobilized to cope effectively and efficiently with current demands." **[11a] (p6 and 7)**

24.02 The same source noted:

"Viet Nam's health system retains its socialist basis, with the state health system playing a key role in health service provision. Services are delivered by both private providers and an extensive public network of village health workers, commune health stations, intercommunal polyclinics, district hospitals, district preventive health centres, provincial hospitals, and regional, central and specialist hospitals. Planning and management of the public network involves the national Ministry of Health, provincial departments of health and district health offices, which are responsible for village health workers and commune health stations. The 1056 public hospitals provide 17.24 beds per 10 000 residents and deliver most inpatient care; the 49 private hospitals provide only 0.48 beds per 10 000 residents. Central-level public hospitals are overcrowded, with an occupancy rate of 116% in 2002, compared with 98% for provincial hospitals and 85% for district hospitals. This is largely due to patients bypassing lower levels of care (when they have the resources to do so) as there is a degree of distrust in the quality of services, particularly at district level. Evidence on quality standards is limited, but widely acknowledged to need improvement. In 2004, only 75% of cases referred to central hospitals by district and provincial clinics and only 59% of patients referred to clinics at the provincial level were diagnosed correctly.10 Inequities are evident in the inpatient admission rate and the average length of hospital stay, both of which are nearly twice as high for the highest quintile compared with the lowest… A significant volume of outpatient services are provided by private hospitals and the 30 000 private general practitioner clinics. There is a serious imbalance in the distribution of private practitioners, with a higher concentration in areas with higher living standards." **[11a] (p14)**

24.03 According to the website of the Vietnamese Embassy in the United States, accessed on 22 March 2011, "In the face of economic difficulties, the Vietnamese Government has decided to increase the number of the beneficiaries of free medical charges for poor households and those in mountainous areas, to enhance malaria control, to extend the aid to purchase medical insurance for poor families, war invalids and soldiers. The State has attached great importance to primary health care for the community." **[17b]**

24.04 The website of One World, accessed on 27 April 2010, stated:

"Despite a dramatic fall in cases of malaria since 1995 and control over polio and tuberculosis, healthcare at local level - especially in remote areas - is still very poor in terms of quantity and quality. Health insurance for the poor was adopted several years ago but access to free healthcare for those groups has remained modest. UNDP [United Nations Development Programme] is recommending that the government increases the relatively small share of national income devoted to health." **[27]**

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HIV/AIDS – ANTI-RETROVIRAL TREATMENT

24.05 The World Health Organisation's (WHO) Country Cooperation Strategy for Vietnam, 2007-2011, recorded:

"In 2005, an estimated 260 000 people were living with HIV, a 12-fold increase since 1995, although the annual incidence of HIV notifications in 2005 was 13 731, somewhat less than the peak of 16 980 in 2003. The estimated HIV prevalence among injecting drug users and female sex workers is 33% and 3.5%, respectively. The average prevalence among pregnant women increased twelve-fold from 0.03% in 1994 to 0.37% in 2005, exceeding 1% in a number of provinces. The need for care and treatment of HIV/AIDS patients has already become a challenge and is set to increase in the coming years. Approximately 42 000 people living with HIV in 2006 were in need of antiretroviral treatment, but only 8500 had access to it, and it is projected that the number in need of the treatment will increase rapidly in the next few years. Widespread stigma and discrimination against people living with HIV, including from the health care setting, prevent (potential) patients from accessing prevention and treatment, but the government has demonstrated an increasing interest in confronting this problem." **[11a] (p11)**

24.06 In an article dated 11 May 2009, UNAIDS stated:

"Although the country faces challenges to meet its universal access targets, Viet Nam has made significant progress in some areas. Expansion of coverage and access to quality HIV treatment and care have been considerably improved in those areas with high HIV prevalence since the targets were set in 2006. There has been a 50% increase in the number of eligible pregnant women receiving antiretroviral treatment, and a six-fold increase in access to antiretroviral treatment. Methadone pilot sites started operation in two provinces in 2008." **[33]**

24.07 The website of the US President's Emergency Plan for AIDS Relief (PEPFAR), accessed on 23 March 2011, listed the progress achieved in Vietnam, through direct PEPFAR support during 2010, as follows:

- 31,000 individuals receiving antiretroviral treatment
- 100,200 HIV-positive individuals who received care and support (including TB/HIV)
- 17,300 orphans and vulnerable children (OVCs) receiving support
- 403,500 pregnant women with known HIV status receiving services
- 1,200 HIV-positive pregnant women receiving antiretroviral prophylaxis for PMTCT
- 624,600 individuals receiving counseling and testing
- 228 estimated infant HIV infections averted **[25]**

24.08 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted:

"There was no evidence of official discrimination against persons with HIV/AIDS, but societal discrimination against such persons existed. Individuals who tested positive for HIV reported latent social stigma and discrimination, although not in receiving medical treatment for their condition. The law states that employers cannot fire individuals for having HIV/AIDS and doctors cannot refuse to treat persons with HIV/AIDS. However,

there were credible reports that persons with HIV/AIDS lost jobs or suffered from discrimination in the workplace or in finding housing, although such reports decreased. The government reported approximately 5,100 school age children with HIV/AIDS. In several cases HIV/AIDS-infected children or HIV/AIDS orphans were barred from schools due to pressure from other parents. With the assistance of foreign donors, the national government and provincial authorities took steps to treat, assist, and accommodate persons with HIV/AIDS and thereby decrease societal stigma and discrimination, but these measures were not consistently applied. Faith-based charities were sometimes permitted to provide HIV prevention and home-based care services to persons with or affected by HIV/AIDS." **[2a] (Section 6)**

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TUBERCULOSIS (TB)

24.09 The Stop TB Partnership's *Global Report 2009* included Vietnam among 22 countries accounting for 80 per cent of TB cases in the world. It noted, "The preliminary results of the 2007 national survey of the prevalence of TB disease indicate that prevalence is higher than previously estimated. Although estimating TB incidence from the prevalence of TB disease is not straightforward, the survey also suggests that TB incidence may be higher, and the case detection rate lower, than previously estimated." **[12] (p161)**

24.10 The World Health Organisation's (WHO) Country Cooperation Strategy for Vietnam, 2007-2011, recorded:

"Tuberculosis remains a major public health problem; Viet Nam ranks 13th out of the 22 countries with the highest Tuberculosis (TB) burden. Although TB has been a national priority for more than 10 years and targets for 100% DOTS coverage and for case detection and cure have been met for the last few years, an average of more than 55 000 new respiratory TB patients and at least 14 000 new non-respiratory cases have been reported each year for the last five years. The impact of the National TB Programme has been mitigated by the rapid spread of HIV since the early 1990s; HIV/AIDS sentinel data show that 4.3% of TB patients were HIV-positive in 2004." **[11a] (p11)**

KIDNEY DIALYSIS

24.11 A report, dated July 2007, on the website of Peritoneal Dialysis International, noted, "According to a preliminary study, the prevalence of treated end-stage renal disease (ESRD) in Vietnam is about 120 per million population; the most common causes of ESRD are glomerulonephritis, hypertension, and diabetes mellitus. Hemodialysis (HD), peritoneal dialysis (PD), and transplantation are now all available in Vietnam." **[43]**

MENTAL HEALTH

24.12 The World Health Organisation's (WHO) Country Cooperation Strategy for Vietnam, 2007-2011, recorded that "there are still services, such as mental health, that are poorly resourced and have a serious shortage of trained personnel." **[11a] (p14)** The WHO's *Mental Health Atlas 2005* Country Profile for Vietnam noted that a mental health programme was one of the ten objectives listed in the National Health Programme of 1999, but there is no mental health legislation. As recorded by the same source, "Medications approved by the Ministry of Health for people with schizophrenia and

epilepsy are routinely available and are free. Medications for other conditions may or may not be available and would not be free." **[11b]**

24.13 The same source stated further:

"The country has disability benefits for persons with mental disorders… Primary care is provided for maintenance and rehabilitation. Traditional medicines are routinely used for treatment… Community based mental health care is integrated in the primary care system. Effective psychosocial rehabilitation is still to develop. Proper integration of different facilities is lacking… Out of the 64 provinces and cities in the country, 47 have a psychiatric department in a general hospital and 29 have a psychiatric hospital. However, the level of services and access fall as one moves from province to district to community." **[11b]**

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25. FREEDOM OF MOVEMENT

25.01 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted, "The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government imposed some limits on freedom of movement for certain individuals." The report stated further:

"The 2007 Law on Residence was not broadly implemented, and migration from rural areas to cities continued unabated. However, moving without permission hampered persons seeking legal residence permits, public education, and health-care benefits. Foreign passport holders must register to stay in private homes, although there were no known cases of local authorities refusing to allow foreign visitors to stay with friends and family. Citizens also were required to register with local police when staying overnight in any location outside of their own homes; the government appeared to enforce these requirements more strictly in some districts of the Central and Northern Highlands." **[2a] (Section 2d)**

25.02 As recorded by the website of the US State Department's Bureau of Consular Affairs, accessed on 1 March 2010, "Every person residing in Vietnam must be listed on a household registry (Ho Khau), maintained by the Public Security Bureau." **[2d]** The USSD Report 2010 noted, "Household registration and block warden systems existed for the surveillance of all citizens, although these systems were less intrusive than in the past. Authorities focused particular attention on persons suspected of being involved in unauthorized political or religious activities." **[2a] (Section 1f)** On 16 October 2001 the Canadian Immigration and Refugee Board (IRB) recorded that a household registration document (ho khau) is one of the documents required for a Vietnamese citizen to secure a passport within Vietnam (the other documents being a birth certificate, a government-issued ID card and a letter of introduction for a passport, if applicable). **[6e]**

See also Section 27: Passports

25.03 A report by the Canadian IRB, dated 27 February 2009, noted:

"In 18 February 2009 correspondence, an international human rights lawyer specializing in Southeast Asia stated the following:

The Household Registry [ho khau] is the major form of proof that a person has an established address and is officially associated by blood or marital relationship to the other family members listed on the Registry. In demonstrating identity and residence for the purpose of obtaining any benefits or official documents (i.e. passports or exit documents) the Registry functions as the primary proof without which local officials will more likely than not deny benefits to anyone not part of the Registry.
According to a 2006 Human Rights Watch (HRW) report, household registration documentation in Vietnam is essential for legally obtaining a job, collecting food rations, attending government schools, receiving health care, travelling, voting and contesting administrative abuses... The report also indicates that children who do not have household registration documentation are more likely to be arrested or harassed by the police and may not be eligible to receive basic social services... In an April 2006 Viet Nam News article, the Chairman of Vietnam's National Assembly Committee on External Affairs is quoted as saying that the household registration book is an important document to have in order to obtain a birth certificate, to access education and to vote… Additionally, the Vice Chairman of the National Assembly's Legal Committee stated that household registration is linked to the government's 'preferential policies and [is] essential for people living in disadvantaged, mountainous and remote regions'… A June 2006 Viet Nam News article quotes Deputy Ma Dien Cu from Binh Thuan province [southeast Vietnam] as saying that 'there's nothing wrong with the [household registration] books,' but that 'it's those who manage them who cause trouble for people and infringe on the rights of many citizens'… According to the same article, Deputy Tran Van Nam from Binh Duong province [southern Vietnam] commented on the 'overuse' of the household registration books in order to deliver services… Deputy Le Thi Nga from Thanh Hoa province [northern Vietnam] cited a Ministry of Public Security report when stating that there are 380 regulations governing household registration that 'limit citizen rights'... Further information on these regulations could not be found among the sources consulted by the Research Directorate… According to an October 2008 Viet Nam News article, the Deputy Head of the Hanoi Police Office for Administrative Management and Social Order indicated that the Hanoi police expected to spend 20 days checking household registration books searching for 'suspected people' and 'unusual relationship[s]'... The article reported that those not registered with local police or who haven't informed the police of an address change 'would be punished'." **[6m]**

25.04 On 24 February 2009 the Canadian IRB recorded:

"In 18 February 2009 correspondence, an official at the Consulate General of Canada in Ho Chi Minh City, Vietnam stated that individual's names are removed from the household registration (ho khau) under the following circumstances:
1) ... [B]eing declared disappeared or dead by the Court;
2) Being recruited by the Army, Police and living in barracks;
3) Having immigrated abroad;
4) Being registered at a new residence; in this case, the local authority that processes the new permanent residence of the citizen has the responsibility of informing the delegated authority for issuing the certificate of household move to remove the permanent residence of that individual at the previous residence.
The Official also indicated that
Persons who have been absent from their permanent place of residence for more than 6 months without registering their temporary absence and without plausible reasons shall have their names crossed out from the household registration book. When they return, they must re-apply for registration of their permanent residence as stipulated.

With regard to those persons who have registered their permanent residence but who in fact do not live in their permanent residence address without any plausible reasons, or cannot live there, the household management agency must cross out their names in the household registration book...
The Official stated that household registration procedures and paperwork may vary slightly from province to province… The information provided by the Official is based on government Decree/Circular, government websites and local knowledge... When asked about whether individuals are removed from their household registration as a form of punishment, an international human rights lawyer specializing in Southeast Asia stated the following: 'I know of no situation where a person is removed from their own [household] Registry, but cannot state that it is not done in cases where some doubts exist as to a family relationship'... No further information relating to the removal of individuals from their household registration as a form of punishment could be found among the sources consulted by the Research Directorate." **[6l]**

25.05 The Canadian IRB recorded on 16 October 2001 that people who had been removed from the household registry (ho khau) could apply to have their registration restored if they were closely related to the head of the households concerned (sibling, son or daughter, spouse or parent). **[6c]**

25.06 The same source stated further, "For people who emigrate from Vietnam, the government considers them no longer part of their original household and they would lose their registration." An individual could apply for restoration of his name to the household registry only after returning to Vietnam, but those considered undesirable by the government would not be eligible. **[6c]** On 26 February 2009 the Canadian IRB provided details of the process and requirements for reinstatement onto a household registration. **[6k]**

Return to contents
Go to sources

26. FOREIGN REFUGEES

26.01 See the following sources:

US State Department, *2010 Country Report on Human Rights Practices* (USSD Report 2010), 8 April 2011 (Section 2d: Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)
http://www.state.gov/g/drl/rls/hrrpt/2010/eap/154408.htm **[2a]**

US Committee for Refugees and Immigrants, *World Refugee Survey 2008*: Country Report: Vietnam
http://www.refugees.org/resources/refugee-warehousing/archived-world-refugee-surveys/2008-world-refugee-survey.html **[21]**

See also Section 18: Chinese (Hoa)

27. CITIZENSHIP AND NATIONALITY

27.01 See the following sources:

US State Department, *2010 Country Report on Human Rights Practices* (USSD Report 2010), 8 April 2011 (Section 2d: Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)
http://www.state.gov/g/drl/rls/hrrpt/2010/eap/154408.htm **[2a]**

Constitution of the Socialist Republic of Vietnam 1992 (Article 49, Chapter 5)
http://www.vietnamembassy-usa.org/learn_about_vietnam/politics/constitution/ **[17a]**

Law on Vietnamese Nationality, 13 November 2008
http://www.unhcr.org/refworld/pdfid/4ac49b132.pdf **[17i]**

Decree No. 78/2009/ND-CP of September 22, 2009, detailing and guiding a number of articles of the Law on Vietnamese Nationality
http://www.unhcr.org/refworld/pdfid/4b470b2d2.pdf **[17j]**

US Committee for Refugees and Immigrants, *World Refugee Survey 2008*: Country Report: Vietnam
http://www.refugees.org/resources/refugee-warehousing/archived-world-refugee-surveys/2008-world-refugee-survey.html **[21]**

PASSPORTS

27.02 See the following sources:

US State Department, *2010 Country Report on Human Rights Practices* (USSD Report 2010), 8 April 2011 (Section 2d: Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)
http://www.state.gov/g/drl/rls/hrrpt/2010/eap/154408.htm **[2a]**

US State Department, Bureau of Consular Affairs, *Vietnam Reciprocity Schedule* (Passport and Other Travel Documents)
http://travel.state.gov/visa/fees/fees_4881.html?cid=3705 **[2d]**

Canadian IRB, VNM101947.E, 22 February 2007, *Exit and entry laws; whether someone who has fallen out of favour with the government can obtain a passport; corruption and the passport application process; whether or not clearance by police is required; reasons why a citizen's passport application would be rejected*
http://www.unhcr.org/refworld/publisher,IRBC,,VNM,469cd6c21e,0.html **[6i]**

28. FORGED AND FRAUDULENTLY OBTAINED OFFICIAL DOCUMENTS

28.01 See the following sources:

US State Department, Bureau of Consular Affairs, *Vietnam Reciprocity Schedule* (Documents)
http://travel.state.gov/visa/fees/fees_4881.html?cid=3705 **[2d]**

US Embassy Hanoi, *Summary of Irregularities in Adoptions in Vietnam* (Country Fraud Profile), 25 April 2008
http://vietnam.usembassy.gov/irreg_adoptions042508.html **[2e]**

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Go to sources

29. EXIT AND RETURN

29.01 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, recorded:

"Officials occasionally delayed citizens' access to passports in order to extort bribes, and prospective emigrants occasionally encountered difficulties obtaining a passport… The government generally permitted citizens who had emigrated to return to visit. However, the government refused to allow certain activists living abroad to return. Known overseas Vietnamese political activists were denied entrance visas or were detained and deported after entering the country." **[2a] (Section 2d)**

See also Section 14: Opposition groups and political activists

See also Section 27: Passports

29.02 The report stated further:

"Emigrants who acquire another country's citizenship are generally considered Vietnamese citizens unless they formally renounce their Vietnamese citizenship. However, in practice the government treated overseas Vietnamese as citizens of their adopted country. Legislation passed in 2008 sought to clarify this apparent discrepancy by allowing for dual citizenship. The government generally encouraged visits and investment by such persons but sometimes monitored them carefully. The government continued to liberalize travel restrictions for overseas Vietnamese, including permitting visa-free travel and permitting individuals to petition to receive Vietnamese passports." **[2a] (Section 2d)**

See also Section 27: Citizenship and nationality

29.03 On 22 February 2007 the Canadian Immigration and Refugee Board (IRB) noted, "People born in Vietnam travelling with foreign passports must obtain a visa in order to exit or enter Vietnam... Those who have contributed 'much to national liberation,' however, are an exception; they do not require visas even if they hold foreign passports." **[6i]** On the other hand, as noted by the same source in an earlier report dated 2 August 2000, dissidents living abroad may experience problems if applying for a visa to re-enter Vietnam. There have been cases where people openly opposed to the regime have been allowed to return to Vietnam, although they were kept under surveillance and harassed repeatedly by the police during their visit. **[6b] [6a] (Regulations translated and reproduced in full)**

29.04 On 10 February 2004 the Canadian IRB recorded:

"Regarding whether a person who left Vietnam would be able to bring her non-citizen spouse to Vietnam to live, the Ordinance on Entry, Exit and Residence of Foreigners in Vietnam stipulates that a person who is living temporarily in Vietnam may apply for permanent residency if they are a 'spouse, child or parent of a Vietnamese citizen permanently residing in Vietnam' (…Art. 13). The Ordinance also states that applications for permanent residency in Vietnam should be filed at an office responsible for entry and exit under the Ministry of Police." **[6g]**

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30. EMPLOYMENT RIGHTS

30.01 The US State Department's *2010 Country Report on Human Rights Practices* (USSD Report 2010), published on 8 April 2011, noted:

"The law does not allow workers to organize and join independent unions of their choice. While workers may chose whether or not to join a union and the level (local, provincial, or national) at which they wish to participate, every union must be affiliated with the country's only trade union, the Vietnam General Confederation of Labor (VGCL). The VGCL, a union umbrella organization controlled by the CPV, approves and manages a range of subsidiary labor unions organized according to location and industry. By law the provincial or metropolitan branch of the VGCL is responsible for organizing a union within six months of the establishment of any new enterprise, and management is required to cooperate with the union." **[2a]**

30.02 In its *World Report 2011* (Events of 2010), dated 24 January 2011, Human Rights Watch recorded, "The government bans independent trade unions and human rights organizations, as well as opposition political parties. Current labor law makes it almost impossible to declare a legal strike, and while illegal 'wild-cat' strikes do occur, workers found to be leading such work stoppages face retaliation from the authorities and their employers. Activists who promote workers' rights and independent unions are frequently harassed, arrested, or jailed." **[5a]**

30.03 On 4 May 2009 Human Rights Watch published a report entitled *Not Yet a Workers' Paradise: Vietnam's Suppression of the Independent Workers' Movement*, in which it documented the Vietnamese government's suppression of activists who have been prominent in trying to form independent labour unions and promote workers' rights. **[5h]** In a further report, dated 16 March 2011, Human Rights Watch called for a reversal of the convictions of three young labour activists, sentenced to long prison terms for distributing leaflets and helping to organise a strike of 10,000 workers. **[5l]**

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Annex A

CHRONOLOGY OF MAJOR EVENTS

1945

The Viet Minh seizes power. Ho Chi Minh announces Vietnam's independence.

1946

French forces attack Viet Minh in Haiphong in November, sparking the war of resistance against the colonial power.

1950

Democratic Republic of Vietnam is recognised by China and USSR.

1954

Viet Minh forces attack an isolated French military outpost in the town of Dien Bien. The attempt to take the outpost lasts two months, during which time the French government agrees to peace talks in Geneva. At the Geneva conference, Vietnam is split into North and South at the 17th Parallel.

1956

South Vietnamese President Ngo Dinh Diem begins campaign against political dissidents.

1957

Beginning of communist insurgency in the South.

1959

Weapons and men from North Vietnam begin infiltrating the South.

1960

American aid to Diem increased.

1962

Number of US military advisors in South Vietnam rises to 12,000.

1963

Viet Cong, the communist guerrillas operating in South Vietnam, defeat units of the ARVN, the South Vietnamese Army. President Diem is overthrown.

1964

US destroyer allegedly attacked by North Vietnamese patrol boats. This triggers start of pre-planned American bombing raids on North Vietnam.

1965

200,000 American combat troops arrive in South Vietnam.

1966

US troop numbers in Vietnam rise to 400,000, then to 500,000 the following year.

1968

Tet Offensive – a combined assault by Viet Cong and the North Vietnamese army on US positions – begins. More than 500 civilians die in the massacre at My Lai.

1969

Ho Chi Minh dies. President Nixon begins to reduce US ground troops in Vietnam as domestic public opposition to the war grows.

1970

Nixon's national security advisor, Henry Kissinger, and Le Duc Tho, for the Hanoi government, start talks in Paris.

1973

Ceasefire agreement in Paris, US troop pull-out completed by March.

1975

North Vietnamese troops invade South Vietnam and take control of the whole country after South Vietnamese President Duong Van Minh surrenders.

1976

Socialist Republic of Vietnam proclaimed. Saigon is re-named Ho Chi Minh City. Hundreds of thousands flee abroad, including many "boat people".

1979

Vietnam invades Cambodia and ousts the Khmer Rouge regime of Pol Pot. In response, Chinese troops cross Vietnam's northern border. They are pushed back by Vietnamese forces. The number of "boat people" trying to leave Vietnam causes international concern.

1986

Nguyen Van Linh becomes party leader. He introduces a more liberal economic policy.

1989

Vietnamese troops withdraw from Cambodia.

1992

New constitution adopted allowing certain economic freedoms. The Communist Party remains the leading force in Vietnamese society.

1994

US lifts its 30-year trade embargo.

1995

Vietnam and US restore full diplomatic relations. Vietnam becomes full member of Association of Southeast Asian Nations (Asean).

1997

Le Kha Phieu becomes party leader. Tran Duc Luong chosen as president, Phan Van Khai becomes prime minister.

1998

A senior party member, Pham The Duyet, faces charges of corruption. Economic growth slumps in the wake of the Asian financial crisis.

1999

A former high-ranking party member, Tran Do, is expelled after calling for more democracy and freedom of expression.

2000

US President Bill Clinton pays a three-day official visit. The US pledges more help to clear landmines left over from the Vietnam war. The Vietnamese government estimates nearly 40,000 people have been killed by unexploded munitions.

2001

April — The Communist Party chooses Nong Duc Manh as its new leader.

December — US, Vietnam implement a trade agreement which normalises the trade status between them.

2002

January — First sets of remains of Vietnamese soldiers killed in Cambodia are repatriated. More than 10,000 are estimated to have been killed in the wars against the French, the Americans and during Vietnam's 10-year occupation of the country.

May — Russia hands back the Cam Ranh Bay naval base, once the largest Soviet base outside the Warsaw Pact. National Assembly elections return a victory for the ruling Communist Party. No opposition parties contest the poll.

July — President Tran Duc Luong reappointed for second term by National Assembly, which also reappoints Prime Minister Phan Van Khai for second five-year term.

2003

June — Showcase trial of Ho Chi Minh City gangster Nam Cam and 154 others hands down six death sentences.

November — First US warship to visit since the Vietnam War sails into port near Ho Chi Minh City.

2004

January — Vietnam confirms the first human deaths from bird flu. Over the course of the year the virus claims more than 30 lives.

June	Nam Cam, Ho Chi Minh City gangster, is executed.
December	First US commercial flight since the end of the Vietnam War touches down in Ho Chi Minh City.

2005

June	Prime Minister Phan Van Khai makes the first visit to the US by a Vietnamese leader since the end of the Vietnam War.

2006

January	Senior officials are investigated over the alleged embezzlement of millions of dollars of state money in the transport ministry.
June	As part of an anticipated political shake-up, the prime minister, president and National Assembly chairman are replaced by younger leaders.

2007

January	After 12 years of talks Vietnam becomes the 150th member of the World Trade Organization.
February	Government approves a $33bn plan to build a high-speed rail link between Hanoi and Ho Chi Minh City in the south. US agrees for the first time to help fund a study into the removal of Agent Orange, the highly toxic defoliant used by US forces, from a former US base in Da Nang.
June	President Nguyen Minh Triet makes first visit to the US by a Vietnamese head of state since the Vietnam War ended in 1975.
July	Prime Minister Nguyen Tan Dung reappointed, promises to push through economic reforms.

2008

January	Vietnam takes up a two-year, non-permanent seat on the UN Security Council.
July	Monthly inflation rate of 27.04% marks largest on-year increase since 1991.
October	US and international media campaigners condemn guilty verdicts on two Vietnamese journalists Nguyen Viet Chien and Nguyen Van Hai, who had helped to expose a major corruption scandal. Latter not imprisoned after pleading guilty.
November	Vietnam says it plans to enforce a two-child policy in an attempt to control population growth.
December	China and Vietnam resolve border dispute 30 years after 1979 war which left tens of thousands dead. Government bans bloggers from raising "inappropriate" subjects.

2009

January	Nguyen Viet Chien is among more than 15,000 prisoners released before the end of their prison terms in Lunar New Year amnesty - one of Vietnam's largest. Government dismisses Nguyen Cong Khe and Le Hoang, the editors of the two largest pro-reform newspapers, over their coverage of the October corruption scandal trial.
June	Vietnam calls on China to stop preventing Vietnamese fishermen from working in what Hanoi says are its territorial waters amid growing tensions between the two countries over fishing waters.
September	Vietnam's only independent think tank, the Institute of Development Studies, disbands after a government decree restricts the right to conduct research on the ruling Communist Party.
October	Six democracy activists sentenced to up to six years in prison for "spreading propaganda" against the government by hanging pro-democracy banners on a road bridge. They were accused of being part of the banned pro-democracy Bloc 8406.
December	Pro-democracy activist Tran Anh Kim received a five-and-a-half-year jail sentence for subversion after allegedly publishing pro-democracy articles on the internet. The former army officer was a member of the Democratic Party of Vietnam and the pro-democracy Bloc 8406, both of which are banned.

2010

January	Four activists including prominent human rights lawyer Le Cong Dinh jailed on charges of trying to overthrow the government. Internet entrepreneur Tran Huynh Duy Thuc received the longest sentence of 16 years. Rights groups abroad see it as a sign of an increasing clampdown on freedom of expression.
May	Human Rights Watch accused Vietnam government of intensifying its suppression of online dissent.
July/August	The government arrested the chairman of shipbuilding corporation Vinashin, one of the country's largest state-owned companies, for allegedly nearly bankrupting the enterprise.
November	PM Nguyen Tan Dung said he accepts responsibility for poor oversight that led to the near-bankruptcy of state shipbuilding company Vinashin.
January	Five-yearly congress of the Communist Party reappointed Prime Minister Nguyen Tan Dung and elected the head of the national assembly, Nguyen Phu Trong, as party secretary-general.

(BBC Timeline, 7 February 2011) **[14b]**

See also Section 3: History

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Annex B

PROMINENT PEOPLE

President: Nguyen Minh Triet
Vice-President: Nguyen Thi Doan

Council of Ministers
Prime Minister: Nguyen Tan Dung
Deputy Prime Minister: Nguyen Sinh Hung
Deputy Prime Minister: Nguyen Thien Nhan
Deputy Prime Minister: Truong Vinh Trong
Deputy Prime Minister: Pham Gia Khiem
Deputy Prime Minister: Hoang Trung Hai
Deputy Prime Minister and Minister for Foreign Affairs: Pham Gia Khiem
Minister of Agriculture and Rural Development: Cao Duc Phat
Minister of Construction: Nguyen Hong Quan
Minister of Culture, Sport and Tourism: Hoang Tuan Anh
Minister of Education and Training: Pham Vu Luan
Minister of Finance: Vu Van Ninh
Minister of Internal Affairs: Tran Van Tuan
Minister of Industry and Trade: Vu Huy Hoang
Minister of Information and Communications: Le Doan Hop
Minister of Justice: Ha Hung Cuong
Minister of Labour, War Invalids, and Social Welfare: Nguyen Thi Kim Ngan
Minister of National Defence: Phung Quang Thanh
Minister of Natural Resources and Environment: Pham Khoi Nguyen
Minister and Chairman of the Office of the Government: Nguyen Xuan Phuc
Minister of Planning and Investment: Vo Hong Phuc
Minister of Public Health: Nguyen Quoc Trieu
Minister of Public Security: Le Hong Anh
Minister of Science and Technology: Hoang Van Phong
Minister of Transport: Ho Nghia Dung
Minister and Chairman, State Committee for Ethnic Minorities: Giang Seo Phu
Inspector General: Tran Van Truyen
Governor, State Bank: Nguyen Van Giau **[23]**

Tenth CPV Congress Political Bureau (appointed 18 April 2006) in order of rank
Position Name
General Secretary of CPV Central Committee: Nguyen Phu Trong **[14a]**
Deputy General Secretary of CPV Central Committee: Nguyen Sinh Hung
Deputy Prime Ministers: Pham Gia Khiem
Truong Vinh Trong
Minister-Chairman of the Government Office: Doan Manh Giao
Minister of Public Security: Le Hong Anh
Minister of National Defence: Phung Quang Thanh **[23]**

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Annex C

LIST OF ABBREVIATIONS

AI	Amnesty International
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CPV	Communist Party of Vietnam
CRA	Committee for Religious Affairs
FCO	Foreign and Commonwealth Office (UK)
FH	Freedom House
GDP	Gross Domestic Product
HHCBC	Hoa Hao Central Buddhist Church (Vietnam)
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
MPS	Ministry of Public Security (Vietnam)
NGO	Non Governmental Organization
TB	Tuberculosis
TI	Transparency International
UBCV	Unified Buddhist Church of Vietnam
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USSD	United States State Department
VFF	Vietnam Fatherland Front
VGCL	Vietnam General Confederation of Labour
WHO	World Health Organisation

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Annex D

REFERENCES TO SOURCE MATERIAL

The Home Office is not responsible for the content of external websites.

1 Europa World
http://www.europaworld.com (subscription only)
Country Profile: Vietnam
http://www.europaworld.com/entry/cn (accessed 9 February 2011)

2 US State Department (USSD)
http://www.state.gov/g/drl
a 2010 Country Report on Human Rights Practices: Vietnam, 8 April 2011
http://www.state.gov/g/drl/rls/hrrpt/2010/eap/154408.htm (accessed 11 April 2011)
b International Religious Freedom Report 2010: Vietnam, 17 November 2011
http://www.state.gov/g/drl/rls/irf/2010/148903.htm (accessed 15 February 2011)
c Trafficking in Persons Report 2010: Vietnam, 14 June 2010
http://www.state.gov/g/tip/rls/tiprpt/2010/142761.htm (accessed 1 March 2011)
d Bureau of Consular Affairs, Vietnam Reciprocity Schedule
http://travel.state.gov/visa/fees/fees_4881.html?cid=3705 (accessed 1 March 2011)
e US Embassy Hanoi, Summary of Irregularities in Adoptions in Vietnam, 25 April 2008
http://vietnam.usembassy.gov/irreg_adoptions042508.html (accessed 1 March 2011)

3 Amnesty International (AI)
http://www.amnesty.org/
a Report 2010 (covering events from January to December 2009), 28 May 2010
http://www.unhcr.org/refworld/country,COI,AMNESTY,,VNM,,4c03a7f05a,0.html (accessed 14 March 2011)
b Socialist Republic of Viet Nam: Submission to the UN Universal Periodic Review: Fifth session of the UPR Working Group of the Human Rights Council, May 2009, 3 November 2008
http://www.amnesty.org/en/library/asset/ASA41/007/2008/en/fd699efd-ab4a-11dd-a4cd-bfa0fdea9647/asa410072008en.html (accessed 23 March 2011)
c Socialist Republic of Viet Nam: After the crackdown: attacks and intimidation, 1 October 2008
http://www.amnesty.org/en/library/asset/ASA41/004/2008/en/dea5d792-99df-11dd-bf88-f59215f3db50/asa410042008en.html (accessed 23 March 2011)

4 Central Intelligence Agency (CIA)
https://www.cia.gov/
World Factbook: Vietnam, updated 8 March 2011
https://www.cia.gov/library/publications/the-world-factbook/geos/vm.html (accessed 15 March 2011)

5 Human Rights Watch (HRW)
http://www.hrw.org/asia/vietnam
a World Report 2011 (Events of 2010), 24 January 2011
http://www.hrw.org/en/world-report-2011/world-report-2011-vietnam (accessed 14 March 2011)

b Vietnam: End Crackdown on Catholics: Peaceful Protesters Beaten, Arrested, and Harassed , 6 October 2008
http://www.hrw.org/en/news/2008/10/06/vietnam-end-crackdown-catholics (accessed 23 March 2011)
c "Children of the Dust": Abuse of Hanoi Street Children in Detention, November 2006
http://hrw.org/reports/2006/vietnam1106/vietnam1106web.pdf (accessed 23 March 2011)
d Vietnam: End Attacks on Year-Old Democracy Movement, 6 April 2007
http://hrw.org/english/docs/2007/04/06/vietna15664.htm (accessed 23 March 2011)
e Vietnam: Stop Muzzling the Messengers: Journalists and Bloggers Jailed, Fired, and Harassed, 8 January 2009
http://www.hrw.org/en/news/2009/01/08/vietnam-stop-muzzling-messengers (accessed 23 March 2011)
f Vietnam: Halt Abuses of Ethnic Khmer in Mekong Delta: Government Suppresses Peaceful Protests for Religious, Cultural, and Land Rights, 21 January 2009
http://www.hrw.org/en/news/2009/01/21/vietnam-halt-abuses-ethnic-khmer-mekong-delta (accessed 23 March 2011)
g On the Margins: Rights Abuses of Ethnic Khmer in Vietnam's Mekong Delta, 21 January 2009
http://www.hrw.org/sites/default/files/reports/vietnam0109web.pdf (accessed 23 March 2011)
h Not Yet a Workers' Paradise: Vietnam's Suppression of the Independent Workers' Movement, 4 May 2009
http://www.hrw.org/sites/default/files/reports/vietnam0509webwcover.pdf (accessed 23 March 2011)
i Stop Cyber Attacks Against Online Critics: Government Crackdown on Bloggers and Websites, 26 May 2010
http://www.hrw.org/en/news/2010/05/26/vietnam-stop-cyber-attacks-against-online-critics (accessed 29 March 2011)
j End Crackdown on Lawyers, Rights Defenders, 10 November 2010
http://www.hrw.org/en/news/2010/11/09/vietnam-end-crackdown-lawyers-rights-defenders (accessed 14 April 2011)
k Montagnard Christians in Vietnam: A Case Study in Religious Repression, 30 March 2011
http://www.hrw.org/node/97632 (accessed 15 April 2011)
l Overturn Labor Activists' Harsh Prison Sentences: Peaceful Advocates Punished for Asserting Workers' Rights, 16 March 2011
http://www.hrw.org/en/news/2011/03/16/vietnam-overturn-labor-activists-harsh-prison-sentences (accessed 15 April 2011)

6 Canadian Immigration and Refugee Board (IRB)
http://www.irb-cisr.gc.ca/Eng/Pages/index.aspx
a VNM35083.E, 27 July 2000, Exit and re-entry laws; whether one can get a passport if he/she has "fallen out of favour" with the government [regulations translated and reproduced in full]
b VNM35244.E, 2 August 2000, Exit and re-entry laws; whether one can get a passport if he/she has "fallen out of favour" with the government (follow-up)
c VNM37802.E, 16 October 2001, Whether Vietnamese citizens or residents are required to cancel their household registration (ho khau) when leaving Vietnam to live abroad; whether the registration can be restored upon returning to Vietnam after two or more years of absence; grounds for refusal to issue a household registration to a returnee

http://www.unhcr.org/refworld/publisher,IRBC,,VNM,3df4bec60,0.html (accessed 23 March 2011)

d VNM103322.E, 8 January 2010, Domestic violence http://www.unhcr.org/refworld/publisher,IRBC,,VNM,4b7cee8ec,0.html (accessed 23 March 2011)

e VNM37730.E, 16 October 2001, Documents required by Vietnamese authorities in order to issue a passport to a Vietnamese citizen from within Vietnam; whether local police clearance is required http://www.unhcr.org/refworld/publisher,IRBC,,VNM,3df4bec524,0.html (accessed 23 March 2011)

f VNM101944.E, 13 December 2006, The nature and extent of police corruption, particularly the extent to which the police accept bribes (November 2002 - October 2006) http://www.unhcr.org/refworld/publisher,IRBC,,VNM,45f147c716,0.html (accessed 23 March 2011)

g VNM41977.E, 10 February 2004, Whether a person who was born in Vietnam to Chinese parents, and who left the country as an adult and remained outside of Vietnam for over 30 years, is entitled to Vietnamese nationality; whether this person would be able to bring his or her spouse, who does not have Vietnamese nationality, to Vietnam http://www.unhcr.org/refworld/publisher,IRBC,,VNM,41501c760,0.html (accessed 23 March 2011)

h VNM101948.E, 22 February 2007, Arrest warrants, including procedures followed when the person sought is out of the country http://www.unhcr.org/refworld/publisher,IRBC,,VNM,469cd6c3c,0.html (accessed 23 March 2011)

i VNM101947.E, 22 February 2007, Exit and entry laws; whether someone who has fallen out of favour with the government can obtain a passport; corruption and the passport application process; whether or not clearance by police is required; reasons why a citizen's passport application would be rejected http://www.unhcr.org/refworld/publisher,IRBC,,VNM,469cd6c21e,0.html (accessed 17 March 2011)

j VNM103323.E, 8 January 2010, Treatment of homosexuals, including legislation, availability of state protection and support services http://www.unhcr.org/refworld/country,COI,,,VNM,,4b7cee8e37,0.html (accessed 23 March 2011)

k VNM103088.E, 26 February 2009, Vietnam: Process for being reinstated onto a household registration http://www.unhcr.org/refworld/publisher,IRBC,,VNM,4b7cee8d23,0.html (accessed 23 March 2011)

l VNM103087.E, 24 February 2009, Vietnam: Circumstances under which an individual's name may be removed from a household registration; whether an individual's household registration is affected if he or she travels outside of Vietnam or is outside of Vietnam for an extended period of time; if so, timeframe for which the registration would be affected; reports of the authorities removing individuals from a household registry as a form of punishment http://www.unhcr.org/refworld/publisher,IRBC,,VNM,4b7cee8dc,0.html (accessed 23 March 2011)

m VNM103086.E, 27 February 2009, Vietnam: Whether an individual's rights to obtaining a passport, employment, education and other civil rights are affected if he or she does not have household registration documentation http://www.unhcr.org/refworld/publisher,IRBC,,VNM,4b7cee8c38,0.html (accessed 23 March 2011)

7 Reporters Without Borders
http://www.rsf.org/
a Government adopts new decree "regulating" journalists and bloggers, 14 January 2011
http://www.unhcr.org/refworld/country,COI,,,VNM,,4d392bb0c,0.html (accessed 15 March 2011)
b Press Freedom Index 2010
http://en.rsf.org/press-freedom-index-2010,1034.html (accessed 15 March 2011)

8 Foreign & Commonwealth Office (FCO)
http://www.fco.gov.uk/en/
a Country Profile: Vietnam, 23 July 2010
http://www.fco.gov.uk/en/about-the-fco/country-profiles/asia-oceania/vietnam (accessed 21 March 2011)
b Annual Report on Human Rights 2009, 17 March 2010
http://centralcontent.fco.gov.uk/resources/en/pdf/human-rights-reports/human-rights-report-2009 (accessed 21 March 2011)
c Email from British Embassy, Hanoi, 19 March 2004
d Letter from British Embassy, Hanoi, 12 May 2008
e Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report, 31 March 2011
http://centralcontent.fco.gov.uk/resources/en/pdf/human-rights-reports/accessible-hrd-report-2010 (accessed 31 March 2011)

9 Asia Foundation
http://www.asiafoundation.org/
Overview of The Asia Foundation's Vietnam program
http://www.asiafoundation.org/publications/pdf/236 (accessed 21 March 2011)

10 United Nations Children's Fund (UNICEF)
http://www.unicef.org/index.php
a Vietnam: Child protection
http://www.unicef.org/vietnam/protection.html (accessed 21 March 2011)
b At a glance: Vietnam: Statistics, 2 March 2010
http://www.unicef.org/infobycountry/vietnam_statistics.html (accessed 21 March 2011)

11 World Health Organisation (WHO)
http://www.who.int/en/
a Country Cooperation Strategy: Viet Nam 2007-2011
http://www.wpro.who.int/NR/rdonlyres/D3DCF855-DF91-441B-9EFE-BF286364D02A/0/CCS20072011.pdf (accessed 21 March 2011)
b Mental Health Atlas 2005: Country Profile: Vietnam
http://www.who.int/mental_health/evidence/atlas/ (accessed 21 March 2011)

12 Stop TB Partnership
http://www.stoptb.org/
Global Report 2009: Country Profile: Vietnam
http://www.stoptb.org/countries/tbdata.asp (accessed 21 March 2011)

13 UN Committee on the Rights of the Child (CRC)
http://www2.ohchr.org/english/bodies/CRC/
Concluding Observations: Viet Nam (Forty-third session), 17 October 2006

http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain/opendocpdf.pdf?docid=45c30bc48 (accessed 21 March 2011)

14 BBC News
http://news.bbc.co.uk/1/hi/world/asia-pacific/default.stm
a Country Profile: Vietnam, 7 February 2011
http://news.bbc.co.uk/1/hi/world/asia-pacific/country_profiles/1243338.stm (accessed 22 March 2011)
b Timeline: Vietnam, 7 February 2011
http://news.bbc.co.uk/1/hi/world/asia-pacific/1243686.stm (accessed 22 March 2011)

15 Economist Intelligence Unit (EIU)
http://www.eiu.com (subscription only)
Country Profile 2008: Vietnam, 3 October 2008 (accessed 22 March 2011)

16 Asia Times
http://www.atimes.com/
Heed the call of Vietnam's Bloc 8406, 14 September 2006
http://www.atimes.com/atimes/Southeast_Asia/HI14Ae01.html (accessed 22 March 2011)

17 Vietnamese Government
a Embassy of the Socialist Republic of Vietnam in the United States of America, Constitution of the Socialist Republic of Vietnam 1992
http://www.vietnamembassy-usa.org/learn_about_vietnam/politics/constitution/ (accessed 22 March 2011)
b Embassy of the Socialist Republic of Vietnam in the United States of America, Public services – Health
http://www.vietnamembassy-usa.org/learn_about_vietnam/public_services/health/ (accessed 22 March 2011)
c Ordinance of the Standing Committee of the National Assembly (HRW unofficial translation), Regarding Religious Belief and Religious Organisations, 18 June 2004
http://hrw.org/english/docs/2004/10/21/vietna9551.htm (accessed 22 March 2011)
d Vietnam National Administration of Tourism, Vietnam: Country and People
http://www.vietnamtourism.com/e_pages/country/overview.asp (accessed 22 March 2011)
e Penal Code (Chapter XXIII: Crimes of Infringing upon the Duties and Responsibilities of Army Personnel), 21 December 1999
http://www.worldlii.org/vn/legis/pc66.txt (accessed 22 March 2011)
f Law Amending and Supplementing a Number of Articles of the Law on Military Service Duty, 22 June 1994
http://www.unhcr.org/refworld/country,LEGAL,,LEGISLATION,VNM,,3ae6b5374,0.html (accessed 22 March 2011)
g Civil Code, 14 June 2005 (unofficial translation)
http://www.wipo.int/clea/docs_new/pdf/en/vn/vn001en.pdf (accessed 22 March 2011)
h Law on Child Protection, Care and Education, 15 June 2004 (unofficial translation, provided by British Embassy, Hanoi)
i Law on Vietnamese Nationality, 13 November 2008
http://www.unhcr.org/refworld/pdfid/4ac49b132.pdf (accessed 15 March 2011)
j Decree No. 78/2009/ND-CP of September 22, 2009, detailing and guiding a number of articles of the Law on Vietnamese Nationality

http://www.unhcr.org/refworld/pdfid/4b470b2d2.pdf (accessed 22 March 2011)

18 **GlobalGayz**
http://www.globalgayz.com/
Gay Vietnam News & Reports, 2010
http://www.globalgayz.com/country/Vietnam/view/VNM/gay-vietnam-news-and-reports-2010 (accessed 22 March 2011)

19 **War Resisters International (WRI)**
http://www.wri-irg.org/
Refusing to Bear Arms: A worldwide survey of conscription and conscientious objection to military service: Vietnam, 19 March 1998
http://www.wri-irg.org/co/rtba/vietnam.htm (accessed 22 March 2011)

20 **Christian Solidarity Worldwide (CSW)**
http://www.csw.org.uk
a Briefing: Vietnam: Analysis: White Paper on 'Religion and Policies Regarding Religion in Vietnam', March 2007
http://dynamic.csw.org.uk/article.asp?t=report&id=60 (accessed 22 March 2011)
b Briefing: Vietnam: Analysis: 2008 Internal 'Training Manual for the Task Concerning the Protestant Religion', June 2009
http://dynamic.csw.org.uk/article.asp?t=report&id=110 (accessed 22 March 2011)
c Vietnam - Priest beaten and thrown from hospital window, as Catholics protest police violence, 30 July 2009
http://dynamic.csw.org.uk/article.asp?t=press&id=890 (accessed 22 March 2011)

21 **US Committee for Refugees and Immigrants**
http://www.refugees.org/
World Refugee Survey 2008: Country Report: Vietnam
http://www.refugees.org/resources/refugee-warehousing/archived-world-refugee-surveys/2008-world-refugee-survey.html (accessed 23 March 2011)

22 **Committee to Protect Journalists (CPJ)**
http://www.cpj.org/
Attacks on the Press 2010: Vietnam, 15 February 2011
http://cpj.org/2011/02/attacks-on-the-press-2010-vietnam.php (accessed 14 March 2011)

23 **Jane's: Defence & Security Intelligence & Analysis**
http://www2.janes.com/public/login.html (subscription only)
Sentinel Country Risk Assessments: Vietnam, 10 January 2011 (accessed 19 April 2011)

24 **Ethnologue.com**
http://www.ethnologue.com/
Languages of Viet Nam
http://www.ethnologue.com/show_country.asp?name=VN (accessed 23 March 2011)

25 **US President's Emergency Plan for AIDS Relief (PEPFAR)**
http://www.pepfar.gov/
Partnership to Fight HIV/AIDS in Vietnam
http://www.pepfar.gov/press/countries/profiles/116324.htm (accessed 23 March 2011)

26 **Transparency International (TI)**
http://www.transparency.org/
Corruption Perceptions Index 2010
http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results
(accessed 23 March 2011)

27 **One World**
http://uk.oneworld.net/
Country Guides: Vietnam
http://uk.oneworld.net/guides/vietnam/development (accessed 27 April 2010)

28 **Minorities at Risk Project**
http://www.cidcm.umd.edu/mar/
Assessment for Chinese in Vietnam, 31 December 2006
http://www.cidcm.umd.edu/mar/assessment.asp?groupId=81602 (accessed 23 March 2011)

29 **Freedom House**
http://www.freedomhouse.org/
Freedom in the World 2010, 3 May 2010
http://www.unhcr.org/refworld/country,COI,,,VNM,,4c0ceacb28,0.html (accessed 15 March 2011)

30 **United Nations Inter-Agency Project on Human Trafficking (UNIAP)**
http://www.no-trafficking.org/
UNIAP Vietnam: Who is being trafficked in Vietnam?
http://www.no-trafficking.org/vietnam_who.html (accessed 23 March 2011)

31 **Gay Times**
http://www.gaytimes.co.uk/
Gay Guide: Vietnam
http://www.gaytimes.co.uk/Hotspots/GayGuide-action-Country-countryid-1016.html
(accessed 23 March 2011)

32 **UN Committee on the Elimination of Discrimination against Women**
http://www.un.org/womenwatch/daw/cedaw/committee.htm
Concluding comments of the Committee on the Elimination of Discrimination against Women: Viet Nam, 2 February 2007
http://www.bayefsky.com/./pdf/vietnam_t4_cedaw_37.pdf (accessed 23 March 2011)

33 **UNAIDS**
http://www.unaids.org/en/CountryResponses/Countries/viet_nam.asp
UNAIDS praises Viet Nam's efforts to reach universal access, 11 May 2009
http://www.unaids.org/en/KnowledgeCentre/Resources/FeatureStories/archive/2009/20090511_VietNam.asp (accessed 23 March 2011)

34 **US Commission on International Religious Freedom (USCIRF)**
http://www.uscirf.gov/
Annual Report 2010, May 2010
http://www.uscirf.gov/images/annual%20report%202010.pdf (accessed 21 March 2011)

35 Asian Development Bank
http://www.adb.org/
Combating Corruption in Southeast Asia, Clay Wescott, 2005
http://www.adb.org/governance/combatting_corruption.pdf (accessed 15 February 2011)

36 US Library of Congress
http://memory.loc.gov/ammem/index.html
Country Profile: Vietnam, December 2005
http://lcweb2.loc.gov/frd/cs/profiles/Vietnam.pdf (accessed 1 March 2011)

37 Rallying For Democracy
http://www.rallyingfordemocracy.org/index.php
Declaration marking 4th anniversary of the founding of Block 8406, 30 April 2010
http://www.rallyingfordemocracy.org/news_177_Declaration-marking-4th-anniversary-of-the-founding-of-Block-8406.html (accessed 29 March 2011)

38 USAID (United States Agency for International Development)
http://www.usaid.gov/
a Vietnam: Central Highlands Needs Assessment: Final Report, 29 December 2008
http://pdf.usaid.gov/pdf_docs/PNADN887.pdf (accessed 30 March 2011)
b Vietnam Disability Situation Assessment and Program Review, May 2005
http://pdf.usaid.gov/pdf_docs/Pdacf476.pdf (accessed 15 April 2011)

39 Wordtravels.com
http://www.wordtravels.com/
Public holidays in Vietnam
http://www.wordtravels.com/Travelguide/Countries/Vietnam/Holidays (accessed 14 April 2011)

40 Xe.com
http://www.xe.com/
Universal Currency Converter: (GBP/VND) British Pound to Vietnamese Dong Rate, 14 April 2011
http://www.xe.com/ucc/convert/?Amount=1&From=GBP&To=VND (accessed 14 April 2011)

41 Radio Free Asia
http://www.rfa.org/english/
Vietnamese 'still in closet', 18 December 2009
http://www.rfa.org/english/news/vietnam/gayvietnam-12182009112123.html (accessed 15 April 2011)

42 King's College, London
http://www.kcl.ac.uk/index.aspx
World Prison Brief: Vietnam, 17 June 2010
http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=117 (accessed 14 April 2011)

43 Peritoneal Dialysis International
http://www.pdiconnect.com/
Dialysis in Vietnam, Pham Van Bui, July 2007

http://www.pdiconnect.com/cgi/reprint/27/4/400 (accessed 18 April 2011)

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