



Committee on Foreign Affairs

**Subcommittee on Africa, Global Health,
Global Human Rights, and International Organizations**

Hearing of June 4, 2013: Continuing Repression by the Vietnamese Government

**Testimony of John Sifton
Asia Advocacy Director
Human Rights Watch**

Thank you for inviting me to testify in today's hearing. Today's date, June 4, is of course a day of infamy among human rights groups. Early in the morning on this day in 1989, the Chinese army, a vanguard of tanks, batons, and bullets, pushed through the streets of Beijing to end a massive protest in Tiananmen Square. Countless people were killed on that day 24 years ago, calling for democracy and freedom.

But that quest, the quest for human rights, is of course not limited to China and it did not die at Tiananmen. In Vietnam today, people from across the spectrum of society regularly engage in protests and other forms of free speech—students, workers, teachers, journalists, farmers, musicians, bloggers, lawyers, former police and former soldiers—Vietnamese citizens criticizing their government, reporting on corruption and poor governance, or mocking the Communist Party's stridency. There was a protest just two days ago, in Hanoi, criticizing the government in relation to its China policy.

Protests in Vietnam, however, do not go unmolested. Acts of dissent in Vietnam are met with repression, and over the last year, more and more Vietnamese dissidents have been convicted and sent to jail. Acts of dissent are violations of Vietnam's authoritarian penal code, which prohibits public criticism of the government and the communist party. As Human Rights Watch has reported previously, in 2012, at least 40 people are known to have been convicted and sentenced to prison for peaceful dissent, an increase from 2011, which itself was an increase from 2010. And in the first five months of this year alone, more than 50 people have been convicted in political trials, more than matching the total for 2012. To repeat: in the first few months of 2013, more people have been convicted in political trials as in the whole of the last year. In addition, as I noted in testimony earlier this year, thuggish harassment of dissenters also seems to be on the rise.

Since I last testified, a few months ago, there have been almost no improvements, just more prison sentences. On May 16, two women bloggers, Nguyen Phuong Uyen and Dinh Nguyen Kha, were [sentenced](#) to 6 years and 8 years in prison respectively. On May 26, 2013, just a few days ago, police arrested blogger Truong Duy Nhat and charged him with "abusing democracy [and] infringing upon the interests of the state," under article 258 of the penal code. On May 28 the authorities also held a trial of eight ethnic Montagnards who had been arrested in June 2012. The eight were convicted for violating article 87 of the penal code, undermining national unity, and most of them received sentences from 7 to 11 years in prison. And on May 5, 2013, authorities in four cities broke up peaceful "human rights picnics" at which young bloggers and activists planned to disseminate and discuss the Universal Declaration of Human Rights and other human rights documents. The anti-China protests just this last Sunday ended with arrests and more beatings by police.

So the trend-lines show a worsening situation. But it should still be noted that none of this is new. Vietnam has unjustly imprisoned political prisoners for decades. Several of its current political prisoners have been in detention for decades. And in some instances these prisoners have been denied proper medical care for deteriorating health conditions.

One update is necessary with respect to media freedom. As Human Rights Watch and other groups have reported previously, the government continues to engage in blocking and filtering of internet websites. Recently, Vietnamese authorities also tightened rules on television, promulgating a new restriction, known as "Decision 20," requiring that outside broadcast companies licensed to be

carried by cable or local broadcast in Vietnam—for instance CNN and BBC—pay for translation and editing, and thus censorship, for their content, to be performed by a Vietnamese agency licensed by the government. The regulation also allows only content which is “appropriate to the people’s healthy needs and does not violate Vietnamese press law.” And all commercials running on foreign channels must be made in Vietnam.

There are, of course, many other human rights issues to discuss with respect to Vietnam. Religious persecution. Land evictions without process. A ban on all unauthorized unions and other labor organizations. Show trials, with courts that lack independence and trials that do not meet fair trial standards. And in addition to all this, the routine brutality: police regularly engage in mistreatment of those in their custody, and sometimes torture and beat detainees, even producing fatalities.

Administrative detention and forced labor for alleged drug users is another major problem. Vietnamese laws and regulations continue to authorize mass detention of drug users and alleged drug users, more than 40,000 in 2012. Over 120 centers across the country hold people, including children, pursuant to this administrative regime, run by Vietnam’s Ministry of Labor and not subject to any form of due process or judicial oversight. Detainees in the system, as Human Rights Watch has reported in the past, are subjected to forced labor—or “labor therapy” at the government euphemistically calls it. The labor includes cultivation and processing of agricultural and other products—some of which have entered the US trade stream.

So this is Vietnam today: a nation’s governance characterized by brutality and systematic suppression of freedom of expression, association, and peaceful assembly, with frequent persecution of those who question the government’s actions or call for democratic alternatives.

What can the United States do about it?

It is time for the United States government to see things for what they are. There was a hope, a few years ago, that attempting a military strategic dialogue with Vietnam, and opening trade negotiations in the context of the Trans-Pacific Partnership, might serve as an incentive for Vietnam to make changes, and perhaps soften its authoritarian edge. It now appears that this hope was misplaced. Vietnamese authorities have not unclenched their fists.

Human Rights Watch would urge this subcommittee, and the full committee, to ask the Obama administration tough questions about its continuing dialogue with Vietnam. At what point, one might ask, should the U.S. government take action in relation to Vietnam’s continued intransigence? At what point, for example, might the U.S. government consider bypassing Vietnam in TPP and other bilateral trade negotiations, and begin reviewing its military engagements?

From the perspective of Human Rights Watch, we believe that time is now.

Thank you for allowing me to testify today.