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ĐÀ ĐÀO  
TRUNG QUỐC XÂM LƯỢC  
TRẢ LẠI  
HOÀNG SA - TRƯỜNG SA

**VIETNAM**  
**PROGRAMMED**  
**DEATH OF FREEDOM**  
**OF INFORMATION**

SEPTEMBER 2013

## INTRODUCTION

### VIETNAM'S ICE AGE

In January 2011, the Arab Spring transformed Tunisia. Egypt followed suit. Then Burma had its own spring. But no spring ever came to Vietnam. On the contrary, the political chill deepened. When National Assembly speaker Nguyen Phu Trong took over as Vietnamese Communist Party general secretary, he was ready to do anything to maintain order and, above all, stay in power. He inaugurated a new era marked by a growing crackdown on journalists and bloggers. Since his promotion, those who refuse to submit to the single party's censorship have been subjected to waves of arrests, trials, physical attacks and harassment.

The Trong era's statistics are impressive, if not glorious. In 2012 alone, the Vietnamese authorities prosecuted no fewer than 48 bloggers and human rights activists, imposing a total of 166 years in jail sentences and 63 years of probation. Vietnam is now the world's second biggest prison for blogger and netizens, after China. Relative to population size, the situation is much worse in Vietnam than China. A total of 35 bloggers and netizens are currently detained just for exercising their right to information and expression, of whom 26 were arrested since Trong took over.

The new Vietnamese strongman's achievements including reinforcing the human and technological resources assigned to Internet surveillance, and the constant adoption of new repressive laws and directives. The latest, called Decree 72, makes it illegal to use blogs and online social networks to share information about news developments. It marks a new low in the regime's campaign against use of the modern Internet as a tool of independent information and troublesome counterweight to Vietnam's traditional media, which are kept under tight party control.

The persecution of outspoken journalists and independent bloggers – including cyber-dissidents, lawyers, political dissidents and citizen-journalists – obviously did not start yesterday. More than a decade ago, Prime Minister Phan Van Khai issued draconian decrees banning Vietnamese citizens from using satellite dishes to watch foreign TV programmes that were deemed by the propaganda department to be “harmful.” The authorities launched national campaigns to inspect and monitor Internet cafés. Just five years after the Internet was introduced into Vietnam in 1997, three cyber-dissidents were already in prison for using the Internet to circulate pro-democracy articles or criticize the government.

The state's grip on the print and broadcast media has never let up. They are subject to an undeclared system of prior censorship that is very effective. When arrests, trials and torture do not suffice to dissuade freedom of information's defenders, the authorities have no qualms about using gangster-like methods, including beatings, abduction and even violence against the close relatives of bloggers and dissidents.

Despite the growing violence, independent news providers are clearly more determined than ever to reaffirm their fundamental freedoms. As the Communist Party seems hell-bent on achieving complete control of news and information, the international community's role is crucial. The danger of inaction by both institutional and non-governmental human rights defenders could have a bigger impact than ever before on the future of freedom of information in Vietnam.

# NHÂN DÂN



*Nhan Dan (The People), voice official of the Communist Party Vietnam*

## VIETNAM

**Area**  
331 698 km<sup>2</sup>  
**Population**  
90 000 000  
(2012)  
**Language**  
Vietnamese  
**President**  
Truong Tan Sang



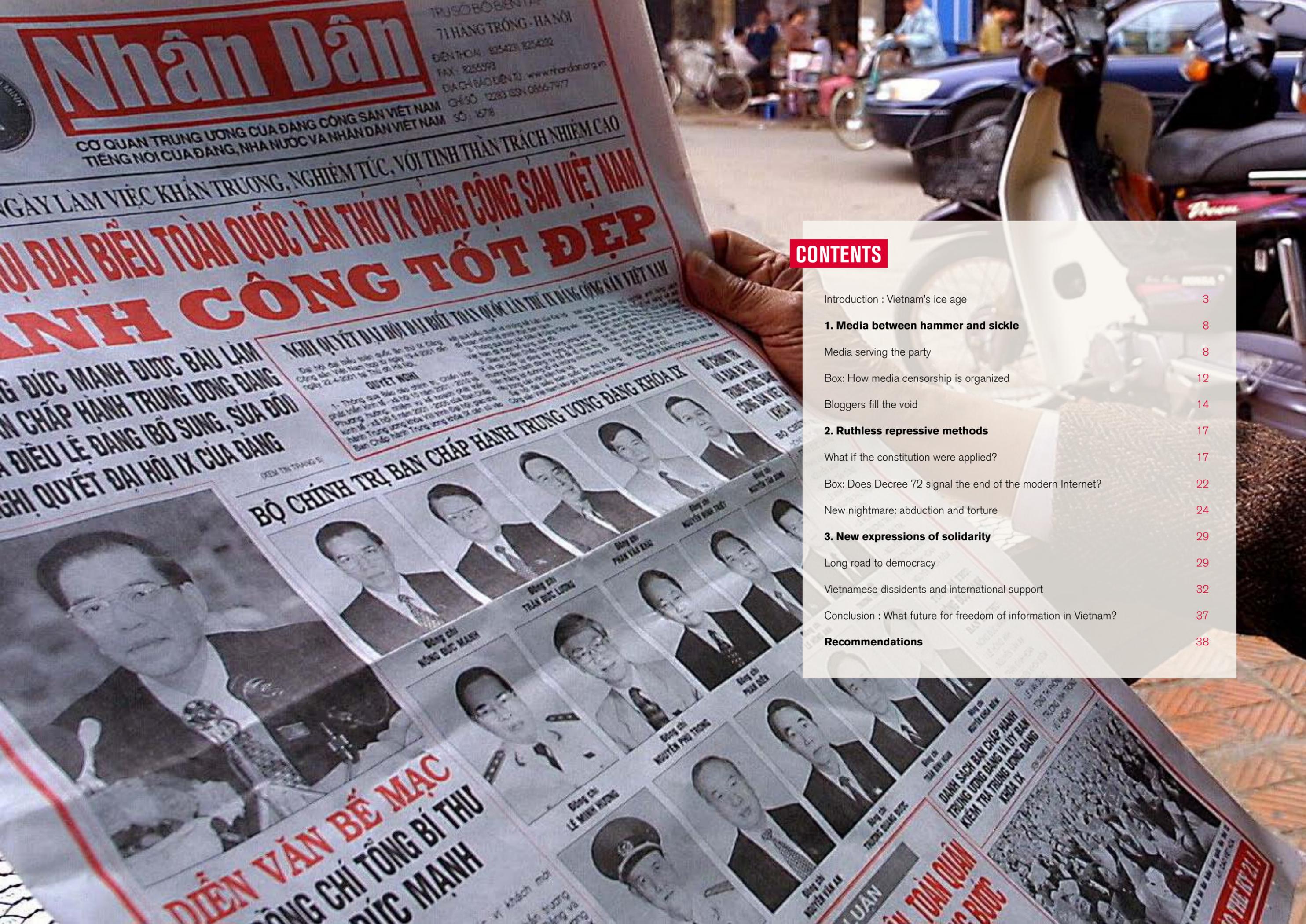
## FOCUS

- A** Hanoi is the headquarters of the Central Department for Propaganda and Education, the Communist Party organ in charge of media censorship.
- B** Order reigns in the country's former capital, Ho Chi Minh City. Many bloggers have been jailed by its people's tribunal. They include the founders of the Free Journalists Club – Nguyen Van Hai (whose blog name is Dieu Cay), Ta Phong Tan and Phan Thanh Hai (whose blog name is Anhbasaignon). They were given sentences ranging from three to 12 years in prison in December 2012.
- C** The Tay Nguyen (Central Highlands) is famous for its bauxite mining. In 2009, three intellectuals opposed to bauxite mining in the region launched a website, Bauxite Vietnam (<http://www.boxitvn.net/>). It is now one of Vietnam's leading independent news sites, providing information about the many prohibitions imposed by the government.
- D** Van Giang is a Hanoi district that has recently seen clashes between the police and residents oppose to expropriations. Bloggers have covered the police violence in the absence of any reporting on this story in the traditional media.

## PRESS FREEDOM

**September 2013**  
Journalists imprisoned **2**  
Netizens imprisoned **35**

**172 OUT OF 179**  
countries in the 2013  
Reporters Without Borders  
press freedom index.



# Nhân Dân

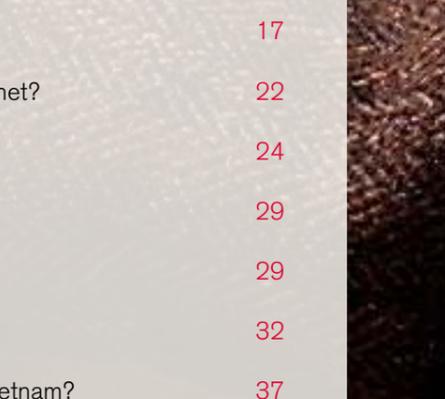
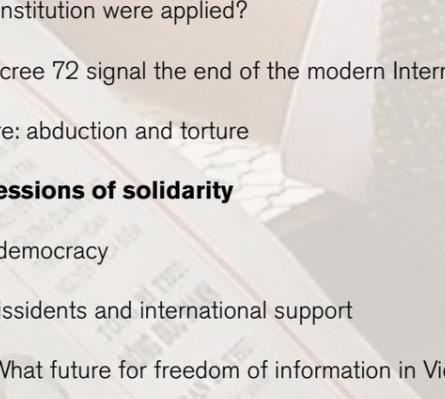
CƠ QUAN TRUNG ƯƠNG CỦA ĐẢNG CÔNG SẢN VIỆT NAM  
TIẾNG NÓI CỦA ĐẢNG, NHÀ NƯỚC VÀ NHÂN DÂN VIỆT NAM

## ĐẠI HỘI ĐẠI BIỂU TOÀN QUỐC LẦN THỨ IX ĐẢNG CÔNG SẢN VIỆT NAM KHINH CÔNG TỐT ĐẸP

ĐỨC MẠNH ĐƯỢC BẦU LÂM  
CHẤP HÀNH TRUNG ƯƠNG ĐẢNG  
ĐIỀU LỆ ĐẢNG (BỔ SUNG, SỬA ĐỔI)  
QUYẾT ĐẠI HỘI IX CỦA ĐẢNG

NGHỊ QUYẾT ĐẠI HỘI ĐẠI BIỂU TOÀN QUỐC LẦN THỨ IX ĐẢNG CÔNG SẢN VIỆT NAM  
Đảng bộ các tỉnh, thành phố, đơn vị, cơ quan, tổ chức và các đảng viên phải nghiêm túc nghiên cứu, quán triệt và thực hiện nghiêm túc Nghị quyết Đại hội Đại biểu Toàn quốc lần thứ IX của Đảng. Mọi cấp ủy đảng, tổ chức đảng và đảng viên phải nêu gương, đi đầu trong việc thực hiện Nghị quyết Đại hội Đại biểu Toàn quốc lần thứ IX của Đảng. Mọi cấp ủy đảng, tổ chức đảng và đảng viên phải kiên quyết đấu tranh chống lại các biểu hiện suy thoái về tư tưởng chính trị, đạo đức, lối sống, trong đó nổi bật là suy thoái về tư tưởng chính trị, đạo đức, lối sống, chống lại các biểu hiện suy thoái về tư tưởng chính trị, đạo đức, lối sống, chống lại các biểu hiện suy thoái về tư tưởng chính trị, đạo đức, lối sống.

### BỘ CHÍNH TRỊ BAN CHẤP HÀNH TRUNG ƯƠNG ĐẢNG KHÓA IX



### DIỄN VĂN BẾ MẠC TỔNG CHỈ TƯỚNG BÍ THƯ ĐỨC MẠNH

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# 1 MEDIA BETWEEN THE HAMMER AND SICKLE

## MEDIA SERVING THE PARTY

A Vietnamese fishing vessel with the registration number of QNg 96382 came under fire from a Chinese naval patrol boat near Ly Son Island, off the central province of Quang Ngai, on 22 March 2013. Tien Phong Online, the website of Vietnam's third largest daily, reported the incident the next day. The report set off a wave of protests on social networks, especially Facebook. The website's editor withdrew the article a few hours later without offering any explanation. On the evening of 25 March, the TV news channel VTV1 reported that the foreign ministry had condemned the attack. Tien Phong Online was allowed to report the incident again and other newspapers, TV channels and radio stations followed suit. There was nothing unusual about this case of censorship, which serves as classic illustration of how the Communist Party regards the media. Their role is to be the mouthpiece of the party, which alone decides whether and how news is covered.

On paper, the Vietnamese media look very diverse. There are more than 700 news agencies, more than 850 newspapers and magazines, 66 TV and radio stations, 80 online newspapers and thousands of news websites. But all these media are subject to absolute control by the party, the armed forces or the various governmental institutions. Every media is registered with a branch of the party (municipal, provincial or central). All are affiliated to party "organs" such as the union of students, the union of workers and young communist organizations, which are the only entities allowed to operate news outlets. Big state-owned companies such as the power company Petro Vietnam, owner of Petrotimes, are also allowed to have their own publications. But no Vietnamese citizens can launch a news outlet on their own initiative.

All news media are run by the Communist Party cell or committee that exists within each news organization. All newspaper editors, TV channel CEOs and radio station managers belong to this party unit. All key positions, from the board of governors, the editor in chief and the section chiefs to the editorial board, are occupied by party functionaries. The heads of the leading media such as Nhan Dan (People's Daily), VTV (Vietnam Television) and VOV (Voice of Vietnam) have the same status as government ministers or deputy ministers and are directly involved in the activities of the party and government. This status means that any editorial independence can be ruled out. Media bosses are in the service of the state. Their job is to promote and defend the government. Ordinary

journalists and media employees do not have to be party members or officials, but they will need to join the party if they want to be promoted.

### *Central Propaganda Department*

Vietnam has no single official body in charge of censorship, but the media are subject to meticulous control by the party's various organs. Rather than create a central surveillance office, the party has preferred to insert a committee into each news media and that one of the committee's main tasks should be preventing the publication of any information that might harm the state apparatus. Each radio and TV programme and each newspaper article is carefully vetted by the individual news media's party members.

Every Tuesday, the editors of the media that answer directly to the party's central organs – including VTV, VOV, Nhan Dan, Quan Doi Nhan Dan (People's Army), Cong An Dan Nhan (People's Public Security), Lao Dong, Tien Phong, Thanh Nien and Phu Nu – and the heads of the provincial departments of propaganda and education have to attend a briefing in Hanoi chaired by the heads of the party's Central Department of Propaganda and Education.

During these meetings, the Department of Propaganda and Education tells the media what can and cannot be reported and the way each story should be handled. On Wednesdays, the heads of the provincial departments of propaganda and education go back to their provinces and organize similar meetings with the editors of the local media. The local branches of the Department of Propaganda and Education also give their own instructions to the local media and obviously monitor them. Prevention and guidance are the lifeblood of propaganda.

### *Indoctrination*

Editors are required by the Department of Propaganda and Education to brief their journalists well about the "advice" issued at these meetings. But journalists are forbidden to discuss this advice. Any reference to

« media are subject  
to absolute control  
by the party »

In 2008, Nguyen Van Hai and Nguyen Viet Chien were condemned by the Vietnam's Hanoi People's Court for "abusing democratic freedoms to infringe upon the interests of the State", pursuant to Article 258 of the Criminal Code ↓

the party's instructions to the media is strictly prohibited. A dissident who asked not to be identified for security reasons told Reporters Without Borders: "These briefings are real indoctrination sessions in which journalists are not only 'instructed' by the Central Department of Propaganda and Education's representatives but also threatened."

The media are often told off, not for getting their facts wrong but for reporting "factual truths" that are inconvenient. Journalists can get into trouble even when they report the facts objectively. Nguyen The Ky, the deputy chief of the party central committee's Propaganda and Education Commission, scolded the media severely in December 2012 when they "wrongly" reported that the Chinese navy had severed the seismic prospection cable of the Binh Minh 02, a ship owned by the Vietnamese oil company PVN. Ky insisted that the Chinese navy "accidentally caused the cables to break" without any intent to sabotage. Internal memos mentioning Ky's reprimand were posted shortly thereafter on Anh Ba Sam, a collaborative news website created in 2008.

Depending on the gravity of a news outlet's "mistake," the disciplinary sanction received by the person responsible may range from a reprimand to dismissal. Many editors in chief, including Nguyen Cong Khe (*Thanh*

*Nien*), Le Hoang (*Tuoi Tre*), Ly Tien Dung (*Dai Doan Ket*) and Le Thanh (*Phu Nu Tp HCM*), have been dismissed for grave errors. Vu Kim Hanh, the editor of the newspaper *Tuoi Tre*, was fired in 1992 for authorising the publication of information about Ho Chi Minh's personal life and the reality of life in North Korea.

The entire editorial committee of *Dai Doan Ket* (Great Consolidation), including editor Ly Tien Dung and deputy editor Dang Ngoc, was fired in 2008 for publishing articles by former government officials and military officers calling for a political opening. Nguyen Cong Khe, the editor in chief of *Thanh Nien* (Young People), and Le Hoang, editor of *Tuoi Tre* (The Youth), were fired in January 2009 after being found responsible for reports in their newspapers accusing dozens of officials of using development funds to place sports bets. A few months earlier, in October 2008, two journalists, Nguyen Van Hai and Nguyen Viet Chien, received prison sentences for covering this story.

For the sake of speed, the Central Department of Propaganda and Education may use party officials, phone calls or even text messages to transmit orders to editors whenever sensitive information or a major development is likely to be covered by the media. A special police unit, called PA25 or sometimes PA83, has been created to guarantee the party's ideological stability. This "thought police" unit's main targets are cyber-dissidents and intellectuals but it also monitors, harasses and arrests journalists.

#### Government marionettes

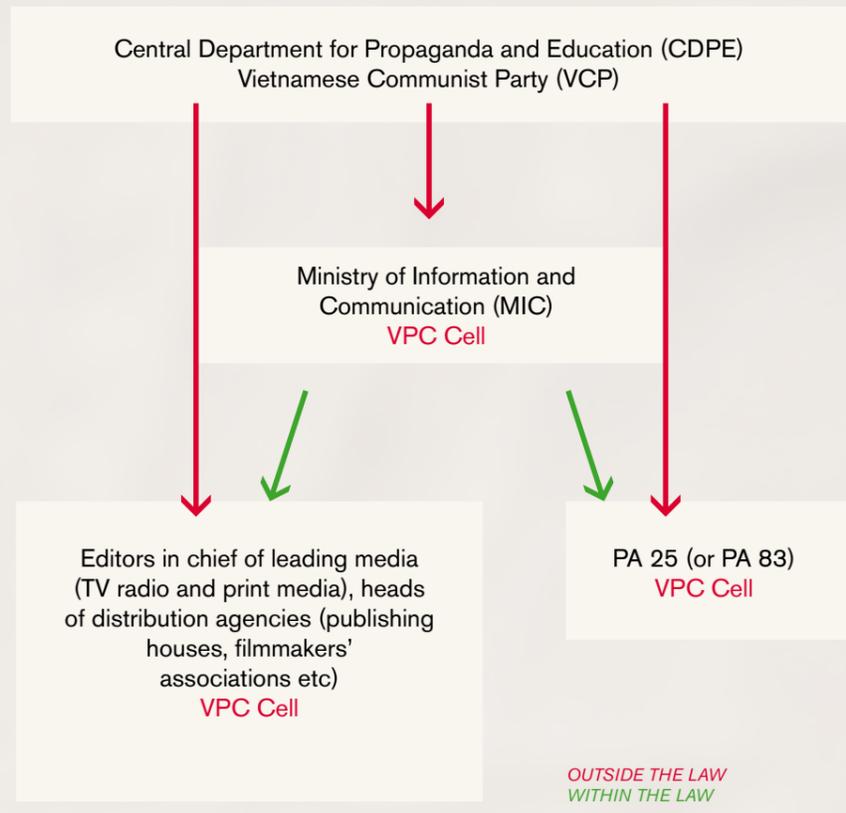
The regime's suppression of freedom of information – a policy that has been in place for decades – has a dissuasive effect on journalists and pushes them to censor themselves. After 11 years working as a journalist for the official media, Truong Duy Nhat retired in 2010 and began a political news blog which is now one of the most influential in Vietnam. Referring to his time as a government hack, he has written: "For years, as a salaried journalist, I had to write what I had no desire to write. As with my fellow journalists, my articles were not the result of any discussion or reflexion. I just had to meet my monthly quota. My articles were so trivial that I felt ashamed to hide behind a pseudonym."

The party does not content itself with having docile, inoffensive media; it often uses them to attack dissident bloggers and their defenders in Vietnam and abroad. *Dai Doan Ket* (Great Unity), the newspaper of a patriotic organization called the "Vietnam Fatherland Front," published an article in January 2013 inveighing against a petition launched by the dissident website Bauxite Vietnam. At the same time, the security forces tried to identify the signatories and threatened those who posted the petition elsewhere online. When a well-known dissident pleads guilty, his confession is carried by scores of state-owned media across the country. When he pleads not guilty, his conviction and sentence get just a few lines in the leading newspapers and radio stations, which call it the "right verdict for the right person" and conclude that "the people's wishes have been heard."





## HOW MEDIA CENSORSHIP IS ORGANIZED



**CDPE:** Summons media bosses each Tuesday to look at their work and give instructions. This control is exercised outside of any legal framework. The CDPE also controls the political police.

**MIC:** When the CDPE decides to reward or punish a news media, this is carried out by

the MIC, which has the legal authority to act.

\* **VPC Cell:** Reports to the CDPE and ensures that the CDPE's directives are implemented.

\* **PA 25** (PA stands for Phong An Ninh, which means "Security Bureau"): This is a domes-

tic political security agency that defends the party's cultural ideology. Every province has a PA 25 unit. Its job is to advise the municipal or provincial police chiefs, the Global Security Bureau (Tong Cuc An Ninh) and agencies responsible for culture and ideology. Sometimes called PA 83 instead of PA 25.

## BLOGGERS FILL THE VOID

Created in 2009, Bauxite Vietnam is website where some of Vietnam's most prestigious intellectuals post articles. It had its origins in a petition calling for the end of bauxite mining in the central highlands but it ended up diversifying and began to cover a broad range of subjects. Its editorial committee does not seek systematic confrontation with the regime. Its leaders say: "Bauxite Vietnam is not a political opposition website. It is a site where intellectuals can express their constructive opinions about the country."

One of its founders, Nguyen Hue Chi, is a renowned academic. He is a former chairman of the Scientific Council of the Institute of Literature of the Vietnamese Academy of Social Sciences, and has been a member of the Association of Vietnamese Writers since 1984. He says the site "is not the result of the collaboration of a team grouped in an organization" but, as required by the law, "the site of a single person who takes responsibility for all the posts, to which a group of collaborators contribute." Less than a year after its launch, the site had already accumulated more than 17 million page views.

Because the press cannot fulfil its role as a watchdog or open its pages to real public debate, independent news websites have come to be seen as the most attractive alternative for Vietnamese readers tired of

the communist ideology that the party wants to drum into them. These sites are often the targets of censorship or blocking. Their owners are harassed or arrested if their message strays too far from the Communist Party orthodoxy. But many intellectuals, activists and dissidents provide these sites with content that is sensitive or banned in the controlled media. The sites are very diverse in terms of both format (personal blogs or collective platforms, well-known contributors or man in the street, use of pseudonyms or real names) and content (type of stories covered, editorial policies, level of criticism of the government and target readership).

Nguyen Hue  
Chi, co-founder  
of *Bauxite  
Vietnam*  
↓



← Home page of *Bauxite Vietnam* created on 2009

Started in 2007, Anh Ba Sam (or Sidewalk News Agency, in allusion to the official Vietnam News Agency) is one of the best-known websites for political news coverage. What marks it out is the wide range of governmental, police, diplomatic and dissident sources it uses, which have allowed it to get exclusives on political scandals and cases of wrongdoing by government officials. Its creator, the blogger **Nguyen Huu Vinh**, is a former police officer turned private investigator. Since becoming the site's editor, he has been under a lot of pressure from the authorities, who have tried to close Anh Ba Sam down. The site has been the target of several waves of cyber-attacks, including Distributed Denial of Service (DDoS) attacks, in which a site is flooded with access requests that crash the host server.

To understand something new, you often have to go back into the past. The Redemptorist Catholic community in Vietnam had several magazines and radio stations from 1930 to 1970 but the authorities suppressed them when they gradually started covering social rather than religious subjects. In 2005, the community launched Vietnam Redemptorists' News in Ho Chi Minh City but its contributors soon found themselves being attacked and harassed by the authorities. When Vietnam Redemptorists' News covered a series of incidents at Thai Ha church in September 2010, including clashes between the police and public, the site — which was now getting around 28,000 visitors and 150,000 page views a day — was the victim of a cyber-attack that paralyzed it for nearly a week.

The site was paralyzed by cyber-attacks again on 4 April 2011, when it was providing direct coverage of human rights lawyer and blogger Cu Huy Ha Vu's trial using reporters who were filming and taking photos outside the Hanoi municipal court. Several of the site's contributors, including **Maria Ta Phong Tan**, **Paulus Le Van Son** and **Phaolo Tran Minh Nhat**, have been attacked or jailed. Le Ngoc Thanh, a priest who has himself been attacked, said: "We pursue our goal, which is press freedom. We have chosen to represent the voice of the oppressed, those without a voice, those who oppose the misdeeds of the authorities." Vietnam Redemptorists' News is targeted by the authorities because it is one of the few sites openly operating beyond the reach of the party's censorship. But the authorities have not so far carried out their threat to close it because they are aware of the wave of protests that would trigger.

The bimonthly Tu Do Ngon Luan (Freedom of Expression) was founded in 2006 by the late Catholic priest Chan Tin and by Nguyen Van Ly, another Catholic priest who is now a political prisoner. It is currently run by a third priest, Phan Van Loi. It is unusual in that it is also published in print format, on A4 paper, with its contributors

taking risks to circulate it clandestinely. Many of them have been arrested for helping to distribute it.

In addition to collaborative websites started by influential citizen-journalism pioneers, many personal blogs are attracting a growing number of readers seeking the pluralism they cannot find in the party-run traditional media. The blogs of Huynh Ngoc Chanh, Nguyen Tuong Thuy, JB Nguyen Huu Vinh and Nguoi Buon Gio (Wind Trader), to name just a few, reflect a civic consciousness to be found in people from all of Vietnam's social classes. By focusing on very specific subjects, often linked with the author's personal experiences, these blogs offer alternative viewpoints that are much appreciated by their readers.

Defying the state's censorship and propaganda, the news websites and blogs proliferating on the Internet provide an alternative source of information for a public that is tired of the party's ideological brainwashing. They represent the only outlets for the voices of the people.

Nguyen Huu Vinh,  
also known as «Anh  
Ba Sam», founder  
of «*Sidewalk News  
Agency*»  
↓

# 2 RUTHLESS REPRESSIVE METHODS

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## WHAT IF THE CONSTITUTION WERE APPLIED?

To indulge its weakness for repressive measures, the Communist Party has a legal arsenal that it reinforces with new decrees whenever its interests are threatened. And when necessary, the authorities shamelessly flout legal provisions that are supposed to guarantee freedom of information, starting with the 1992 constitution. Article 69 of the constitution says: "Citizens are entitled to freedom of speech and freedom of the press; they have the right to receive information and the right of assembly, association and demonstration in accordance with the law." The 1989 media law declares that its aim is to "protect the freedom of the media and the right of freedom of speech of citizens through the media." Article 2 of this law (amended by Law No. 12 -1999 QH10 of 12 June 1999) says:

*The State shall create favourable conditions for the media to develop its proper role and for citizens to exercise their rights in relation to freedom of the media and freedom of speech through the media. The media and journalists shall operate within the legal framework and be protected by the State; no organization or individual is permitted to limit or obstruct the operation of the media or journalists. No one shall be permitted to abuse the rights of freedom of the media or freedom of speech of citizens through the media, where to do so would violate the interests of the State, collectives or citizens. The media shall not be subjected to censorship prior to printing or broadcasting.*

Article 4 spells out the rights to freedom of the media and freedom of speech of citizens through the media:

*Citizens shall have the following rights:*

- 1. To be informed through the media of all aspects of domestic and world current affairs;*
- 2. To contact and provide information to media organizations and journalists; to send news, articles, photographs, and other work to the media without being subjected to censorship by any organization or individual, and to be responsible before the law for the content of information provided;*
- 3. To express opinions on domestic and world current affairs;*
- 4. To express constructive opinions on how the aims, objectives and policies of the Party and the laws of the State should be*





*5. To contribute ideas and comments, submit petitions and complaints and make allegations through the media in respect of Party organizations, State organizations and social organizations and their members.*

These provisions are fine in theory. Unfortunately, the actions outlawed by the five points of article 4 of the media law are precisely what the party does every day in order to satisfy its obsession with control of news and information. In January 2011, just as Trong was being elected as the party's new general secretary, Vietnam adopted a new draconian law, Decree No. 2/2011/ND-CP on "administrative penalties in press and publication activities." It increased fines for journalists, undermined the confidentiality of their sources and made it illegal for bloggers to use pseudonyms. The violations penalized by these new sanctions were defined very broadly although the government claimed that the decree aimed to "improve media professionalism, create an environment based on the primacy of the law, and clarify articles in the 1989 media law that were too vague."

In practice, the party rarely invokes the media and information laws when it wants to prosecute journalists or bloggers for what they have written. In order to prosecute them more effectively and impose more severe penalties, the authorities usually use the criminal code, in which crimes are defined in such a deliberately vague way that it is easy to apply them to the journalists and bloggers who stray too far from the party line.

Articles 79 and 88, the ones most used against bloggers, are to be found in Chapter 11 of the criminal code on "crimes of infringing upon national security." Article 88 on "propaganda against the Socialist Republic of Vietnam" says:

- 1. Those who commit one of the following acts against the Socialist Republic of Vietnam shall be sentenced to between three and twelve years of imprisonment:*
  - a) Propagating against, distorting and/or defaming the people's administration;*
  - b) Propagating psychological warfare and spreading fabricated news in order to foment confusion among people;*
  - c) Making, storing and/or circulating documents and/or cultural products with contents against the Socialist Republic of Vietnam.*
- 2. In the case of committing less serious crimes, the offenders shall be sentenced to between ten and twenty years of imprisonment.*

Article 79 on "activities aimed at overthrowing the people's administration" says:

- Those who carry out activities, establish or join organizations with intent to overthrow the people's administration shall be subject to the following penalties:*
- 1. Organizers, instigators and active participants or those who cause serious consequences shall be sentenced to between twelve and twenty years of imprisonment, life imprisonment or capital punishment;*
  - 2. Other accomplices shall be subject to between five and fifteen years of imprisonment.*



↑ Cu Huy Ha Vu



↑ Ta Phong Tan

The following eight bloggers have all been convicted under articles 88 and 79: **Cu Huy Ha Vu, Nguyen Van Hai (Dieu Cay), Le Cong Dinh, Tran Huynh Duy Thuc, Ta Phong Tan, Nguyen Tien Trung, Pham Min Hoang and Phan Thanh Hai** (Anh Ba Saigon).

Article 258 on "abusing democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations and/or citizens" says:

1. *Those who abuse the rights to freedom of speech, freedom of press, freedom of belief, religion, assembly, association and other democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations and/or citizens, shall be subject to warning, non-custodial reform for up to three years or a prison term of between six months and three years.*
2. *Committing the offense in serious circumstances, the offenders shall be sentenced to between two and seven years of imprisonment.*



↑ Nguyen Van Hai (Dieu Cay)



↑ Le Cong Dinh

**Truong Minh Duc**, an independent journalist who had written many articles under pseudonyms about corruption and abuse of authority, was charged under article 258 in 2007 and was sentenced to five years in prison at the end of a summary trial before a court in the southern district of Vinh Thuan in 2008. Article 258 was also used against **Pham Viet Dao**, a writer and blogger arrested by the Hanoi police on 13 June 2013. And **Truong Duy Nhat**, a blogger and former journalist, was arrested at his home in the central city of Da Nang on 26 May 2013 for "abusing" these fundamental freedoms.

« The Communist Party regards these laws as instruments of repression rather than guarantees of citizen rights »



↑ Nguyen Tien Trung



↑ Truong Duy Nhat

The many trials of the past two years show that the Communist Party regards these laws as instruments of repression rather than guarantees of citizen rights. Faced by judges who just follow orders, bloggers are unable to invoke their constitutional right to freedom of information.



## DOES DECREE 72 SIGNAL THE END OF THE MODERN INTERNET?

*On the pretext of combatting online intellectual property violations, the government published a decree in July 2013 (Decree 72) making it illegal to use blogs and social networks to share news-related information from 1 September 2013. In response to criticism by foreign diplomats and human rights organizations, Nguyen Thanh Huyen, the head of the information ministry's online information section, told Reuters: "We never ban people from sharing information or linking news from websites. It was totally misunderstood (...) This is a normal decree which doesn't go against any human right commitments."*

*Such a statement by the representative of a country that is so opposed to online free speech cannot be taken at face value. The decree reiterates existing provisions, such as a ban on bloggers posting content that threatens national security or the interests of the state. Under one of its articles, foreign Internet*

*companies offering hosting services to Vietnamese citizens are required to locate at least one server in Vietnam so that they can comply with any government requests for information about Internet users who commit "cyber-crimes." This article reflects a long-standing government frustration about the fact that most outspoken blogs and websites choose to be hosted abroad in order to avoid closure or protect themselves from surveillance.*

*While most of Decree 72's provisions are no different in nature from others already in the criminal code, its promulgation reflects the government's desire to bring more specific charges against independent news providers than the standard one of anti-government "propaganda."*

*Decree 72 opens the way to more restrictions on Internet users and therefore more control over online news and information. In order to implement some of its provisions, the government could decide to create new regulatory bodies or a*

*surveillance committee with the job of verifying that Internet users respect "intellectual property rights." The government could even copy some of the Chinese government's censorship methods and wage campaigns against the spread of "false rumours" or introduce an identification system for all the social network platforms that can be accessed in Vietnam.*

*Some question the government's real need for a new legal tool for cracking down on bloggers and cyber-dissidents, or indeed its ability to implement such extensive surveillance and control policies. But the potential danger posed by this multi-faceted decree is real. Its provisions allow the government to censor dissident views more discreetly, without having to resort to articles in the criminal code that cite "interests of the state" or "national security." Decree 72 is already having an impact on many Internet users and its deterrent effect is taking the already widespread self-censorship to new heights.*

## NEW NIGHTMARE: ABDUCTION AND TORTURE

Independent journalists and bloggers pay an incredible price for their commitment to freedom of information. They are kidnapped by the police, trumped-up charges are brought against them, they are held incommunicado, mistreatment is used to extract confessions, they are subjected to summary trials, they are confined in psychiatric hospitals, and they are confined to their homes when released from prison. At each stage in the judicial process, they are subjected to countless violations of their rights.

### *Trumped-up charges*

The authorities have no qualms about fabricating charges in order to silence recalcitrant bloggers. The case against Nguyen Van Hai, a blogger also known as **Dieu Cay**, is a classic example of a judicial system that follows orders. He was arrested for “tax evasion” and jailed on 19 April 2008. “By misrepresenting what I and my mother said, the judicial police made it possible for my father to be arrested on the pretext of tax evasion,” Dieu Cay’s son, Nguyen Tri Dung, told Reporters Without Borders. It was the same with human rights lawyer and blogger **Le Quoc Quan** and the writer **Tran Khai Thanh Thuy**. Thuy was arrested in October 2009 in connection with an incident in which she and her husband were attacked by police officers, and was sentenced to three and a half years in prison for “trying to inflict bodily injuries on another person.”

### *Arbitrary arrest*

It is not unusual for detained bloggers to disappear without trace, without their families or loved-ones being told what happened to them until much later. In the case of the blogger **Pham Nguyen Thanh Binh**, a year appears to have gone by before his family learned of his fate. The media finally reported on 17 April 2013 that he had been sentenced to three years in prison followed by three years of probation for writing eight articles critical of the situation in Vietnam for a website based in Australia. Some of the bloggers consulted by Reporters Without Borders suspected that the authorities had pressured the family to say nothing about his arrest.

The police held the student and blogger **Nguyen Phuong Uyen** incommunicado for nearly three weeks in 2012. A petition circulated by around 100 renowned writers and intellectuals finally forced the authorities to admit they had arrested her. Initially sentenced in May 2013 to six years in prison on a charge of anti-government propaganda, she was released on 16 August 2013 after the sentence was reduced to a three-year suspended one.

### *Unfair trials*

“The trials of bloggers and human rights defenders are a sham staged by the party in an attempt to show the international community that the rule of law prevails in Vietnam,” a dissident told Reporters Without Borders. The families and supporters of detained bloggers – such as the wife and son of Dieu Cay and the sisters of Ta Phong Tan – are systematically denied access to the courtroom when they go on trial. Most of the “public” seen in the courtroom in press photos are plainclothes policemen. The right of defence is usually denied at these trials and the judges are free to decide how long they let the defendant speak. When the priest **Nguyen Van Ly** went on trial, he was cut short by a police officer, who put his hands over his mouth to stop him talking. The scene was caught in a photo that has become a symbol of censorship in Vietnam.

The cyber-dissident **Pham Ba Hai** was prevented from presenting his case to the court. Dieu Cay’s microphone was turned off when he was in the middle of defending himself. Ta Phong Tan was even expelled from her own trial.

### *Torture in detention*

Despite their use of such brutal methods, the authorities fail to dissuade most bloggers from pleading not guilty, at least initially. Other methods are available to pressure the most recalcitrant. According to Vietnam’s code of criminal procedure, pre-trial detention must not exceed 16 months. In practice, it is often exceeded. Two members of the Free Journalists Club, Dieu Cay and Phan Thanh Hai, were subjected to 23 months of pre-trial detention, in appalling conditions. The administrators of pre-trial detention centres are allowed to use many kinds of degrading treatment in order to force bloggers to admit their guilt.

The most stubborn detainees are placed in an isolation cell, in which a 20-square-centimetre skylight affords the only daylight. The size of a regular

When the priest  
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↓

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Tran Khai Thanh Thuy



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« A 9 or 12-square-metre cell is considered spacious »

detention cell depends of the detainee's level of "cooperation." A 9 or 12-square-metre cell is considered spacious. A small cell is often less than 4 square metres in area. The number of detainees to a cell ranges from one to four. In some cases, there is no access to drinking water. A detainee in solitary confinement is allowed into the courtyard for no more than 15 minutes once a week, but even this "privilege" can be withdrawn when the authorities are bent on crushing a detainee. When they fail to extract information or confessions, the authorities get fellow inmates to pick a fight with the recalcitrant detainee and beat him up.

Food, books, newspapers, bibles, forced labour and the length of family visits are all used to pressure detainees during the "reeducation" process. After his trial, Dieu Cay was transferred to Ho Chi Minh City's Chi Hoa prison and was deliberately assigned to the area reserved for those who have been sentenced to death, where conditions are worse than anywhere else in the prison.

A detainee's medical treatment depends on his "willingness to cooperate," in particular, his willingness to admit his guilt. The formula of "confession equals medical treatment" is the rule for political prisoners in pre-trial detention centres and reeducation camps. Those who have been subjected to this form of blackmail include Dieu Cay, the blogger Ta Phong Tan, the writer Nguyen Xuan Nghia and the priest Nguyen Van Ly. Their ailments have not been treated because they still refuse to admit their guilt.

#### *Psychiatric clinics*

To avoid lengthy judicial proceedings that may attract the attention of the media, public and international community, the authorities sometimes decide to confine bloggers in hospitals or psychiatric clinics. On 24 January 2013, **Le Anh Hung**, a blogger known for sending more than 70 letters to senior officials accusing them of corruption, was forcibly confined for the second time to Hanoi's Social Support Centre No. 2, a centre for homeless children, for the elderly who are ill and have no one to look after them, and for the mentally ill.

"Hung is definitely not ill," a work colleague, Ngo Quynh, said at the time. "He does his work well, he is a good football player and he is a very smart blogger." After finally being allowed to leave the centre on 5 February, Hung told Reporters Without Borders: "These are ploys by the authorities targeting my family. The first time, I was released after being held for eight months. My wife then signed a statement confirming that I was not a psychiatric patient. This time they intimidated my mother, but thanks to my friends and to the international organizations that expressed concern, I was released."

#### *Home confinement*

Since the start of 2011, 36 cyber-dissidents have been sentenced to jail terms followed by periods of probation. Those currently serving their prison sentences know that, when released, they will be deprived of their

civic rights and will be subject to home confinement.

Home confinement in Vietnam has three main components:

- A ban on leaving one's district or municipality without permission
- Deprivation of certain civic rights such as having a job
- A requirement to report to the local police station once a month.

Police assigned to monitoring the homes of bloggers often harass them by knocking on their doors at night to confirm they are at home or to temporarily detain those who are visiting them. In February 2013, **Pham Thanh Nghien**, a blogger currently serving a probation period that is supposed to end in September 2015, submitted several requests to the authorities for permission to go to Ho Chi Minh City for treatment to an ailment that got much worse during the four years she spent in prison. All of her requests were denied.

When arrests, prison sentences and torture do not suffice to deter free speech defenders, the police take off their uniforms and resort to methods worthy of organized crime, including intimidation, beatings, abduction and even violence against the close relatives and loved-ones of independent news providers. No method, no matter how inhuman, seems to be ruled out. But news providers are not giving up. Aware that their isolation makes them more vulnerable to the party's judicial steamroller, they are campaigning and forging solidarity ties.

#### *Gangster state*

At the start of 2013, the authorities convicted 14 young Catholic activists, including eight bloggers, of trying to overthrow the government. At the same time, as the world has looked in other directions, bloggers and cyber-dissidents have been subjected to increasingly insidious and violent forms of repression.

Many cases of violence against bloggers and their families are directly attributable to authorities acting on the party's orders with the aim of dissuading them from continuing their activities. **Nguyen Chi Duc**, who is also known by the blog name of **Dong Hai Long Vuong**, was attacked on 9 April 2013 by six individuals in civilian dress, one of whom he identified as one of the policeman assigned to keeping him under surveillance.

Tran Thi Hong, the wife of the jailed protestant pastor and netizen **Nguyen Cong Chinh**, was arrested for no apparent reason three days later, on 12 April. Hong said she was travelling in a bus with her two children, with the aim of visiting Chinh in prison, when police suddenly stopped the bus, dragged her to a nearby house and repeatedly beat her, holding her by the hair, before eventually letting her go.

Bloggers and netizens who gathered in public places in several Vietnamese cities on 5 May 2013 for "picnics to discuss human rights" were the victims of police violence. When police began making arrests at the picnic in Ho Chi Minh City, **Vo Quoc Anh**, a blogger also known as August Anh, was badly beaten for protesting. Those arrested included the blogger **Nguyen Hoang Vi**, whose mobile phone and iPad were confiscated. When Vi later went with her sister, Nguyen Thao Chi, and her mother Nguyen Thi Cuc, to recover the confiscated items, the police attacked the three women, breaking three of Chi's teeth and stubbing a cigarette out on Cuc's forehead, causing her to lose consciousness.

Bloggers who are the victims of violence sometimes seek reparation and ask for justice to be rendered. Such reactions usually generate more violence. The message from the authorities is clear: any physical attack on bloggers will go

unpunished and any attempt to report these crimes will have further repercussions.

Individuals armed with knives and led by the son of a local official attacked and injured the blogger JB Nguyen Huu Vinh in his home on 8 July 2013 but so far the only investigation has been into the blogger himself, who was told by the police to stop posting articles online. The outraged blogger said he replied: "Everything I have written is the truth. If you want me to stop writing, show me a legal document issued by the National Assembly or a regulation that says 'it is forbidden to write the truth.' Otherwise I will continue to tell the truth because citizens and parishioners have duty to do this and it is definitely not illegal."

«The list of bloggers who have been attacked by police or with the complicity of the police gets longer by the day.»

more and more determined to assert their fundamental freedoms. At the same time, online manifestations of support and solidarity are increasing in speed and frequency and are having more effect on the authorities.

**Bin Nhi**, a 28-year-old blogger and human rights activist, was the target of a knife attack by three unidentified individuals on 29 August, a few days after finding that his home had been ransacked and the floor strewn with a mix of gasoline and fish offal. Instead of looking for clues, the police who went to his home the next day searched his room and took his computer and mobile phone away. He told Reporters Without Borders he could no longer use his computer because he feared being monitored by the spyware the authorities could have placed on it after the illegal search of his home. As no one has been arrested for the knife attack, the threat continues and the blogger has had to abandon his home for a safer location.

The list of bloggers who have been attacked by police or with the complicity of the police gets longer by the day. But despite the escalating use of violence, bloggers and other independent news providers are becoming

# 3 NEW EXPRESSIONS OF SOLIDARITY

## LONG ROAD TO DEMOCRACY

A group of citizens announced the creation of a pro-democracy movement called the Vietnam Path Movement in June 2012. Two bloggers, Tran Huynh Duy Thuc and Le Thang Long, were its initiators. After graduating from the Ho Chi Minh City polytechnic school, Thuc started his own business in the ICT sector with his friend Long in 1994. During his many years running this business, Thuc had to deal with Vietnam's endemic corruption and the problems resulting from social inequalities. In 2004, Thuc, Long and Le Cong Dinh, a lawyer and blogger, formed a research group to look into issues related to democracy and human rights. Later the same year, Thuc sent recommendations to Vietnam's political leaders and voiced concern about the imminence of a social and political crisis. At the same time, he began blogging under the name of Tran Dong Chan, posting his research group's observations and recommendations.

Thuc, Long and Dinh began writing a book called The Vietnam Path and discussing the launch of a movement with the same name. Thuc was suddenly arrested at his home for his blog posts in May 2009. Charged with activities aimed at overthrowing the government under article 79 of the criminal code, he was sentenced to 16 years in prison on 20 January 2010. Long and Dinh, who had been arrested in June 2009, were sentenced to three and five years in prison respectively. It was on 10 June 2012, just a week after his release, that Long announced the launch of the Vietnam Path Movement.

The Vietnam Path Movement is apolitical and humanist. Its main goal is to promote and improve respect for human rights in Vietnam. It launched a news website in August 2012 and has representatives in the United States. Dr. Ngai X. Nguyen, its vice-president in the United States, told Reporters Without Borders: "The movement is still illegal in Vietnam, but it has taken steps to register with the authorities. So far we have had no response."

Thuc is currently serving his sentence in Xuyen Moc prison, to which he was transferred after rioting broke out at the Xuan Loc prison camp. A close associate described his prison conditions to Reporters Without Borders: "He has to stay in his cell on his own. He is not allowed out of his cell and is isolated from the other prisoners of conscience. The



Tran Huynh Duy Thuc, initiator of the Vietnam Path Movement



prison gives him very little to eat, just white rice three times a day. He cannot keep the food we take to him because the authorities always open the packets. He can buy food to eat in the canteen, but has to pay 60,000 dongs (about 2 euros) a day just for a few pieces of meat and a bowl of vegetable stock."

The source added: "The length of his visits had been reduced from 45 minutes to half an hour and foreign diplomats are no longer allowed to see him. His conversations are monitored and he is forbidden to talk to other prisoners of conscience about what goes on in the prison." When Vietnamese President Truong Tan Sang visited the United States in July 2013, Thuc's family was placed under house arrest and was questioned by the police.

As well as the Vietnam Path Movement, 2012 saw the creation of two other human rights movements: Defend the Defenders and the Vietnam Human Rights Committee. Both operate multilingual news websites that promote human rights and defend human rights activists in Vietnam. The Vietnam Human Rights Committee was originally launched in December 2006 but the authorities managed to shut it down after five months by arresting most of its members and forcing the rest into exile. Its website has had around 100,000 visits since the relaunch. The administrators and contributors of both sites work anonymously because their activities are illegal and highly sensitive.

"The authorities have tried to identify us but so far without success," a Defend the Defenders contributor told Reporters Without Borders. Its website, which describes itself as the "last line of defence" for cyber-dissidents, carries information from independent Vietnamese blogs and news websites, and from the international media and NGOs. Both sites also provide background information, including lists of detained bloggers, the texts of Vietnamese laws and international treaties, and the reports about human rights in Vietnam that have been published by UN bodies.

The Vietnam Path Movement's website, which is managed by Long, not only provides news and information but allows more interaction with its visitors, who can post their own articles or translations on the site and can participate in online discussions about democracy and human rights in Vietnam. A Facebook account linked to the site was launched in August 2012. (See the box for information about the Vietnam Path Movement.)

The emergence of these new spaces for online debate and freedom of information has been accompanied by new expressions of solidarity in response to the regime's offensives against independent news providers. Pham Hong Son, a Hanoi-based former political prisoner, began a hunger strike in June 2013 in solidarity with the jailed blogger and human rights lawyer Cu Huy Ha Vu, himself on hunger strike since 27 May in protest against his prison conditions and the mistreatment to which he has been subjected. When Nguyen Quoc Quan – a prominent US-based member of the Viet Tan opposition party who was deported

back to the United States for the second time last January – took up the hunger strike outside the White House, Vu’s plight finally got the attention of the international media and international community.

The Bauxite Vietnam website is also carrying a growing number of petitions and protest appeals. In January 2013, the site carried a petition launched by 72 intellectuals calling on the National Assembly to amend the constitution and introduce a multiparty system. Signed by more than 14,000 people, the petition has been the subject of much debate, which the authorities have tried in vain to censor. Other solidarity appeals, such as a petition for Vu’s release and a call for real respect for human rights in Vietnam, continue to receive a great deal of online attention.

## VIETNAMESE DISSIDENTS AND INTERNATIONAL SUPPORT

The recommendations that Bloc 8406, an outlawed pro-democracy group, has submitted to the Office of the United Nations High Commissioner for Human Rights ahead of Vietnam’s Universal Periodic Review by the UN Human Rights Council in January 2014 include “an end to the authorities’ use of gangsters to attack citizens.” Formed in April 2006 by 118 Vietnamese citizens including Father Nguyen Van Ly, a Catholic priest nominated for the 2013 Nobel peace prize, Bloc 8406 now has more than a thousand members. Its aims include drawing the attention of international bodies to the constant deterioration in the situation of human rights and freedom of information in Vietnam.

Vietnam’s growing integration into the world economy since the mid-1990s and the resumption of international aid after a break of more than a decade have given the international community more and more leverage that could have been used to obtain more freedom of information. Instead, despite Vietnam’s admission to the World Trade Organization in 2007, despite its presidency of the Association of Southeast Asian Nations (ASEAN) in 2010, despite bilateral loans and multilateral loans from the World Bank and other international financial institutions, and despite the reinforced cooperation accord signed with the European Union in June 2012, the international community has failed to obtain any significant improvement in freedom of information or reduction in the persecution of cyber-dissidents in Vietnam.

Vietnam has made no progress during the past four decades. None of the promises it made during its last Universal Periodic Review in 2009 has been kept. These included undertaking to respect the International Covenant on Civil and Political Rights and to guarantee freedom of expression and freedom of information offline and online, and agreeing to bring its laws on the media and right of access to state-held information into line with the covenant and other relevant international standards.

After Vietnam stepped up the persecution of bloggers in 2012, UN and intergovernmental bodies began voicing concern about the complete lack of political will to respect freedom of information. Those expressing alarm included the Office of the High Commissioner for Human Rights, which referred to the then upcoming trial of members of the Free Journalists Club and voiced doubts about its fairness. In November 2012, the UN Working Group on Arbitrary Detention said the imprisonment of Le Cong Dinh, Tran Huynh Duy Thuc, Nguyen Tien Trung and Le Thang Long was arbitrary and violated articles 9, 19 and 21 of the International Covenant on Civil and Political Rights, to which Vietnam is party, and called on the government to release the four bloggers unconditionally.

The US State Department has referred to the increase in violations of freedom of information on several occasions. In July 2012, then Secretary of State Hillary Clinton condemned “the continued detention of activists, lawyers, and bloggers, for the peaceful expression of opinions and ideas.” The State Department called for the release of the Free Journalists Club bloggers and recently condemned Decree 72. In August 2013, the US House of Representatives passed a bill conditioning non-humanitarian aid on substantive progress on respect for media freedom.

In April 2013, the European Parliament adopted an urgent resolution criticizing Vietnam’s repeated free speech violations and persecution of cyber-dissidents. The resolution voiced concern about the Free Journalists Club bloggers and called for the release of all independent news providers. Passed unanimously, the resolution hurts Vietnam’s diplomatic efforts to promote its candidacy for membership of the UN Human Rights Council for 2014-16.

While several European embassies have followed the lead set by inter-governmental agencies in voicing concern about Vietnam’s violations of freedom of information, France continues to be very low-key in its criticism. During a visit to Hanoi in August 2013, French foreign minister Laurent Fabius was very vague when Radio France Internationale asked him what he said to his Vietnamese counterpart on human rights issues: “We shared what is called in diplomatic terms ‘our concern.’ This means that we don’t have the same approach.”

Huynh Ngoc Chenh at RWB Netizen Prize award ceremony in Paris on March 12, 2013 ↓





Catholic priest and blogger  
Nguyen Van Ly  
←

This year is the 40th anniversary of the opening of diplomatic relations between France and Vietnam. To mark the occasion, the “Year of France in Vietnam” began on 9 April, with “improving ties between Vietnam and France” as its slogan. It will be followed by the “Year of Vietnam in France” next year. The French authorities should take advantage of these joint celebrations to obtain the release of Vietnam’s imprisoned bloggers.

After all the evidence of the Vietnamese Communist Party’s growing obsession with controlling news and information, the young blogger Nguyen Phuong Uyen’s sudden release on 16 August 2013 was unexpected and was seen as an attempt to defuse the international outcry resulting from international civil society’s repeated criticisms. The 21-year-old Uyen’s statements to the international media immediately after her release also surprised observers. She did not hesitate to talk about her prison conditions, criticize the judge’s decision to suspend her jail sentence rather than overturn it, and call for the release of her friend Dinh Nguyen Kha.

In reality, her comments reflect a growing awareness of the importance of being able to talk directly to the international community, via the foreign media, about the persecution of Vietnamese dissidents. The recently-published “Declaration 258” is a similar attempt to appeal to the international community to put pressure on the Vietnamese government,

Drawn up by a group of young bloggers and handed directly to the first secretary of the Swedish embassy in Hanoi in August, Declaration 258 calls on the Vietnamese government and the UN Human Rights Council to amend article 258 of the criminal code. Widely circulated online in English and Vietnamese, it seems to confirm the emergence of a new generation of militant bloggers whose strategy is to internationalize the issue of human rights in Vietnam.



## CONCLUSION

### WHAT FUTURE FOR FREEDOM OF INFORMATION IN VIETNAM?

At the end of a human rights seminar organized jointly by Vietnam and Australia in Hanoi in July 2013, deputy foreign minister Ha Kim Ngoc said Vietnam was planning “the creation of a national human rights agency as part of a global plan to further improve the legal and judicial systems, which includes reinforcing the rule of law and national institutions in order to guarantee the people’s rights.” He added that it was “Vietnam’s constant policy to respect and protect human rights.”

The Vietnamese authorities nonetheless intensified their persecution of bloggers in 2012. A total of 22 cyber-dissidents were jailed under article 88 of the criminal code. Acts of intimidation and violence against their families increased. Analysis of the how the situation has been evolving in 2013 and the figures for violations during the past 12 months will almost certainly confirm the gravity of the situation of freedom of information in Vietnam.

Faced with this stark disconnect between, on the one hand, the Vietnamese Communist Party’s constant rhetorical reiteration of its commitment to human rights, free speech and freedom of information and, on the other, the all-out persecution of cyber-dissidents, the international community must adopt a much firmer tone with the party while stepping up support for online news providers. A handful of them now constitute freedom of information’s last line of defence. Without much stronger support from the international community, their days are numbered.

The “non-interference” rhetoric that the party propaganda organ Nhan Dan constantly uses in response to “external” criticism would have to agree that the future of freedom of information in Vietnam lies ultimately with the Vietnamese. But journalists have a duty to gradually push back the limits of censorship, try to reform the media, and strive to raise Vietnamese journalism to international standards.

As the journalist turned blogger Huynh Ngoc Chanh said when he was awarded the Reporters Without Borders Netizen Prize in March of this year: “The people inevitably find other means of expression when the state-controlled media stop publishing their opinions.”

In August 2013, RWB called for the release of 35 jailed Vietnamese bloggers, on the Place Saint-Michel, in Paris



## RECOMMENDATIONS

Reporters Without Borders urges

### THE VIETNAMESE AUTHORITIES TO:

- Release, without delay and unconditionally, all the bloggers, citizen-journalists and cyber-dissidents who have been jailed for posting news and opinions online.
- End censorship
  - by ending the media control exercised by the Central Department for Propaganda and Education
  - by ending the blocking of independent news websites and blogs
  - by repealing Decree 72.
- End the surveillance of the Internet and cyber-dissidents and stop hunting down the anonymous authors of online information.
- Stop applying security laws to journalists and bloggers, above all articles 79, 80, 86, 87, 88, 91 and 258 of the criminal code, which limit public debate about multiparty democracy and result in generalized self-censorship, preventing any criticism of the government.
- Permit fair trials for journalists, bloggers and cyber-dissidents accused of breaking the above-mentioned laws. This includes allowing them to speak and defend themselves during their trials.
- Allow suspects to meet with their lawyers in full confidentiality during the police investigation period, so that they can prepare their defence, and allow all relevant evidence to be presented during trials.
- Bring Vietnam's legislation into line with international human rights standards by amending or repealing national security laws and all other laws that restrict freedom of the media and information.
- Respect the undertakings given during Vietnam's Universal Periodic Review in 2009.

### THE INTERNATIONAL COMMUNITY TO:

- Condition its financial and development aid and its loans on respect for fundamental freedoms, especially freedom of information.
- Condition Vietnam's candidacy for membership of the UN Human Rights Council on repeal of article 258 of the criminal code.
- Raise the issues of freedom of information and treatment of bloggers during both political and economic discussions with the Vietnamese government, and during any visits to Vietnam or meetings with officials.

### INTERNATIONAL NGOS TO:

- Support the development of media freedom in Vietnam and, in particular, the introduction of international journalistic standards.
- Continue detailed monitoring of violations of freedom of information and developments within the media.
- Support the most progressive journalists within each news media.
- When requested, provide journalists and bloggers with the tools they need to be able to continue their reporting and protect their data and communications.

### THE VIETNAMESE MEDIA TO:

- Adopt the basic rules of journalistic ethics and professional conduct, including reporting "the factual truth" and resisting pressure to censor themselves.
- Be objective and responsible in their news coverage and not submit to government

**REPORTERS WITHOUT BORDERS** is an international press freedom organisation. It monitors and reports violations of media freedom throughout the world. Reporters Without Borders analyses the information it obtains and uses press releases, letters, investigative reports and recommendations to alert public opinion to abuses against journalists and violations of free expression, and to put pressure on politicians and government officials.

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