

Vietnam: Rounding up the usual suspects

As Vietnam prepared to turn over the chairmanship of the Association of Southeast Asian Nations (ASEAN) to Indonesia at the end of 2010, Prime Minister Nguyen Tan Dung claimed that his country "has done a good job".

However, critics and bloggers, many of whom were arrested and convicted in Vietnam in 2010, mostly on trumped-up charges, would disagree with him.

It was also under Vietnam's watch in ASEAN that the ASEAN Inter-governmental Commission on Human Rights (AICHR) was officially launched, despite differences between ASEAN and civil society groups on what should be the proper role of the regional rights body. Non-government organizations and human rights advocates claim it is only a toothless tiger as its powers lean more toward promotion rather than protection of human rights.

ASEAN officials however describe the body as a work in progress. According to Termsak Chalermpanupap, the director for political and security cooperation at the ASEAN Secretariat, "Like all other ASEAN organs or bodies, [the commission] shall operate through consultation and consensus, with firm respect for sovereign equality of all member states".

Aside from this regional development, Vietnam's stance on free expression was heavily influenced by the upcoming 11th Party Congress of the Communist Party. To be held starting 12 January 2011, the major event had Vietnamese authorities scrambling to sweep the country of any dissenting voices.

This is especially true with Vietnam's new media. Despite the mere 30percent penetration rate of the Internet in the country, bloggers have made their presence and opinions felt in the past years, filling in the void left by the silent assent of mainstream media to the one-party rule of Hanoi. One requirement for promotion for editor or news director in a state-controlled newspaper or broadcast station is membership to the Communist Party, hence assuring the authorities' editorial control of the mainstream media. It is with online media, therefore, that the government tries hard to rein in, especially when it comes to discussing political issues.

As in past years, the hottest issues in cyberspace, the discussion of which poses tremendous risks for Netizens, are Vietnam's territorial disputes with China and the Vietnamese government's granting of business concessions to Chinese companies. Most notable of the latter is the controversial bauxite mining concession granted under the term of PM Nguyen Tan Dung to a Chinese company in questionable circumstances.

Authorities usually made use of two articles in the penal code to still critical voices, namely Art. 79 concerning "activities to overthrow the government", and Art. 88 concerning spreading of propaganda.

With Vietnam's chairmanship of ASEAN in 2010 and the communist party congress slated for January 2011, the authorities lost no time in cleaning the house by tightening its controls on the Internet, from Internet cafes to Facebook. Also high in

the agenda is the rounding up of the usual suspects, namely bloggers who keep on writing about Chinese and Vietnamese relations and the bauxite concession, pro-democracy print journalists and publications, and the lawyers and activists who support them.

Arrested bloggers

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Writer, blogger and activist Tran Khan Thanh Thuy was convicted of assault on 5 February 2010. She was given a three-and-a-half year prison term. Observers claimed that these were only trumped-up charges. On 8 October 2009, Thuy was on her way to Hai Phong to attend the trial of six pro-democracy activists when police intercepted her. Later, two thugs believed to have been sent by authorities entered her house and beat her up along with her husband. She was later charged with assault. The 50-year-old blogger was a founder of the association of victims of land grabbing, and a board member of the pro-democracy publication To Quoc ("Fatherland").

Blogger Le Thi Cong Nhan was detained for three hours on 9 March 2010 just three days after she had been released from prison where she had spent three years. Her latest detention was allegedly due to violation of her house arrest term. Civil society groups claim, however, that it was done to prevent her from meeting journalists.

On 1 May, police detained two bloggers, Vu Quoc Tu (also known as Uyen Vu) and Ho Diep (also known as Trang Dem), at Tan Son Nhat airport in Ho Chi Minh City as the couple was about to board a plane to Bangkok for their honeymoon. The police held and interrogated them for hours and forbade them from traveling abroad, claiming that the restriction was based on reasons of national security.

On the morning of 28 April, Lu Thi Thu Trang, an Internet activist associated with the pro-democracy group Block 8406, was beaten by police officers in front of her five-year-old son. The police then took her to the police station and detained her for seven hours, interrogating and physically assaulting her.

Another blogger, Ta Phong Tan, has been detained at least three times from April to May. On 20 April, police raided her home in Ho Chi Minh City, took her to the police station for interrogation, and later released her. Ta Phong Tan is a former policewoman who blogs about corruption and injustice in the Vietnamese legal system.

On 17 April, police detained and interrogated Phan Thanh Hai – a blogger known as AnhBaSG who frequently reports on illegal land seizures - and was released after several hours of interrogation.

Blogger Pham Minh Hoang (who uses the pseudonym Phan Kien Quoc) was arrested on 13 August 2010 for violation of Art. 79 (plotting the overthrow of the government) and membership in a terrorist organization (in this case, outlawed opposition political party Viet Tan). The 55-year-old Hoang holds French citizenship, having spent nearly 20 years in France and went back to Vietnam 10 years ago. He was a math teacher at the HCM Polytechnic School. The articles on his blog are mostly about the environment and Vietnam's sovereignty. He supported the petition against the bauxite mining concession issue.

Phan Than Hai also known as Anh Ba Saigon was arrested on 18 October allegedly for spreading propaganda against the state. Just like the other cyber dissidents, Anh Ba wrote on the Vietnam-China relations and the controversial bauxite mining issue. Three of his computers were confiscated and he faces a four-month jail term if ever he gets convicted.

Le Nguyen Huong Tra, who goes by the alias Co Gai Do Long in her blogs, was arrested on 23 October 2010 in Ho Chi Minh City for allegedly defaming a senior party official. In a blog entry on 14 October, Tra wrote that deputy public security minister Nguyen Khanh Toan gave favors to a beauty queen and several performers who were said to be mistresses of his son, Nguyen Trong Khanh. Tra in earlier posts wrote that the son is a drug addict and was given a political job through the help of his father. If convicted, Tra faces a seven-year prison term.

Harassment

On 8 May 2010, provincial authorities terminated the telephone and Internet service at the home of Ha Si Phu, one of Vietnam's best known dissident bloggers. Ha Si Phu's telephone service was disconnected at the written instructions of the Bureau of Information and Media, based on a police investigation alleging that he had used his telephone lines to transmit "anti-government" information. Since the beginning of 2010, Ha Si Phu's blog and website have been plagued by periodic cyber attacks.

Lawyers

Media lawyer Le Cong Dinh was sentenced to five years' imprisonment after being convicted of plotting to overthrow the government. After completing this sentence, he is to serve three more years of house arrest.

The judge convicted Dinh and three activists of "endangering national security" and "organising campaigns in collusion with reactionary organisations based abroad" that were "designed to overthrow the people's government...with the help of the Internet."

Another media lawyer, Cu Huy Ha Vu, was arrested on 5 November 2010 for violation of Art. 88 or "anti-government propaganda". Vu became famous for filing the legal complaint against PM Nguyen Tan Dung for granting the bauxite mining concession to a Chinese company.

Another lawyer, Trinh Hoi, now based in the US, has been banned from entering Vietnam.

Writer

A freelance writer and activist, Pham Thanh Nghien, was sentenced to four years' imprisonment and three years' house arrest on 29 January 2010 for anti-state propaganda. Nghien was arrested in September 2008 for protesting against maritime issues between Vietnam and China. The court changed the initial charges filed against her to anti-state propaganda before handing out the verdict and sentence.

Blogs blocked

Two blogs among others were attacked. One, 'Bauxite Vietnam' has been subjected to constant 'distributed denial of service attacks' (DDoS) from December 2009 to

February 2010. The blog's administrators had to transfer it to Blogspot and Wordpres platforms.

Another one, 'Blogosia' ("Housekeeper") was hacked in February. As a result, its owner, Truong Huy San, announced that he was closing down the blog.

Released

Father Nguyen Van Ly, editor of the dissident publication "Tu do Ngon luan", was released after being paroled one year before his prison term ended. His prison term was cut short for humanitarian reasons as Ly had been half-paralyzed after suffering from stroke while in jail. He was arrested in 2007 and was sentenced to eight years' imprisonment after the government convicted him for publishing articles critical of the authorities.

Publication

The staff of the publication "To Quoc" ("Fatherland") suffered from harassment. Its deputy editor Nguyen Thuong Long and writer Nguyen Phuong Anh were interrogated by police in February 2010.

The founder of "To Quoc", geologist Nguyen Thanh Giang, was summoned in the early part of the year and interrogated several times in a police station. He was also threatened with reprisals if he did not shut down his "illegal" publication.

Intruders threatened to splash urine and excrement inside physician Pham Hong Son's home on 23 March if he did not stop writing articles for "To Quoc".

Extended detention

Blogger Nguyen Hoang Hai (also known as Dieu Cay) remained detained even if his two-and-a-half-year prison should have ended on 20 October 2010. He was arrested for and convicted of tax fraud, which human rights advocates claim as trumped-up. He had written on his blog a criticism of the Olympic torch relay in 2008. He also participated in the protests concerning territorial disputes between Vietnam and China.

Outlook

Vietnam faced economic challenges as international credit standings plummeted with the near-bankruptcy of state shipping conglomerate Vinashin in 2010, and double digit inflation continued to plague the country. Amid this situation comes the communist party congress held ostensibly to choose not only a new set of leaders but to chart the country's path in the next five years. Observers noted that Tan Dung might get a second term as prime minister. Though described as a reformist, it was also under his watch that the controversial bauxite mining concession was awarded to a Chinese company, one of the hottest issues in cyberspace that resulted in the crackdown on bloggers. Going by the authorities' actions in the past year, it is expected that more crackdown on the media, especially among bloggers, would be in order in 2011 if only to contain any challenges pro-democracy elements will pose on the authorities' attempts to deal with the current economic woes.
