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FREEDOM ON THE NET 2018

Vietnam **24**
NOT FREE /100

A. <u>Obstacles to Access</u>	12 /25
B. <u>Limits on Content</u>	7 /35
C. <u>Violations of User Rights</u>	5 /40

LAST YEAR'S SCORE & STATUS

24 /100 **Not Free**

Scores are based on a scale of 0 (least free) to 100 (most free)

Key Developments, June 1, 2017 - May 31, 2018

- There were no deliberate disruptions to internet or mobile networks compared to the previous year (see [Restrictions on Connectivity](#)).
- The authorities successfully compelled Facebook and



On
Vietnam

See all
data,
scores &
information
on this
country or
territory.

Google to remove hundreds of accounts and thousands of YouTube videos deemed critical of the state (see Content Removal).

- The government reportedly launched Force 47, a new military unit with over 10,000 staff to manipulate content online (see Media, Diversity, and Content Manipulation).
- Vietnam experienced a substantial crackdown against online speech, with several bloggers and activists handed severe prison sentences for their online activities. Blogger Hoang Duc Binh was sentenced to 14 years in prison—the harshest sentence ever delivered to an activist—for his criticism of the Formosa environmental disaster (see Prosecutions and Arrests for Online Activities).
- Pro-democracy and independent news websites were hit with DDoS attacks from April to June 2018 (see Technical Attacks).

Introduction

Internet freedom remained highly restricted in the past year, characterized by a draconian crackdown on activists and online expression.

Censorship through content removals became more systematic. As of early 2018, the Ministry of Information and Communications had worked with Facebook to remove 670 accounts it condemned as “spreading reactionary, anti-Party, anti-state information, defaming Vietnamese leaders and the state.” Google had also complied with government requests and removed over 5,000 YouTube videos, which authorities claimed “slandered and defamed” the country’s leaders.

Online content manipulation also became a higher priority

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Country Facts

Global Freedom Score

20 / 100

Not Free

Internet Freedom Score

22 / 100

Not Free

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Other Years

2020

for the authorities. At the Community Party of Vietnam's national conference on propaganda in December 2018, officials introduced Force 47, a new military unit with over 10,000 staff, "well qualified and loyal to the revolution," whose task is to fight "wrong, distorting opinions" online. Critics contend that Force 47's main objective is to spread smear campaigns aimed at opponents of the government.

Meanwhile, Vietnam experienced a substantial crackdown against online speech; more than 25 bloggers were expelled, convicted of crimes, or imprisoned in 2017 alone. Several individuals were handed heavy sentences in the past year, including the blogger known as "Mother Mushroom," who was sentenced to 10 years in June 2017, and blogger Hoang Duc Binh, who was sentenced to 14 years in February 2018—the harshest sentence ever delivered to an activist. Pro-democracy and independent news websites, *Việt Tân* and *Tiếng Dân*, were hit with DDoS attacks from April to June 2018.

Internet freedom in Vietnam is poised to worsen in the next year with the January 2019 implementation of a new cybersecurity law passed in June 2018 (after this report's coverage period). The law imposes sweeping restrictions on freedom of expression online, including prohibitions on the use of the internet to organize opposition to the state, distort Vietnam's revolutionary history and achievements, spread false information, and harm socioeconomic activities. In addition, social media companies will be required to remove content upon request from the authorities within one day. Companies that collect user data will also be subject to new data localization requirements, which may enable the authorities to infringe on the privacy rights of citizens with greater ease. The passage of the new law was met with widespread protests in June 2018.

A. Obstacles to Access

Affordable services has made it easier for users to access the internet. There were no deliberate disruptions to internet or mobile networks compared to the previous year.

Availability and Ease of Access

Internet penetration continued to grow in 2017, reaching 46.5 percent according to the latest data from International Telecommunication Union. Mobile broadband has played a significant role in increasing access to faster internet services. One source estimated smartphone penetration at nearly 30 percent in 2017. ¹ Fixed broadband remains a relatively small market segment. Fixed broadband services have been largely based on DSL technology; more recently, faster fiber-based broadband services are starting to replace it; the number of FTTH subscriptions surpassed the number of DSL subscriptions in 2015. ² The cost of service is not prohibitive for the majority; a sample monthly mobile data plan cost around US\$10 in 2017, while the average monthly income was US\$500. ³

The 3G network, which has operated since 2009, is growing rapidly. As of July 2016, Vietnam had 38 million 3G users, up from 15.7 million in 2012. ⁴ In late 2016, The Ministry of Information and Communications (MIC) provided 4G licenses for all mobile service providers. In the first quarter of 2017, VinaPhone became the first provider to roll out a 4G network in Hanoi, Ho Chi Minh City, and 11 other provinces. ⁵

Restrictions on Connectivity

There were no deliberate disruptions to internet or mobile networks during this report's coverage period.

Authorities sometimes employ periodic throttling or restrict access to the internet for political or security reasons. In April 2017, for example, 3G access and a phone signal was unavailable for several hours in Dong Tam commune, Hanoi, where villagers held 30 police officials and district government officials hostage for several days in a violent conflict over land. **6**

While several companies have licenses to build infrastructure, the state-owned Vietnam Posts and Telecommunications Group (VNPT) and the military-owned Viettel dominate the country's telecommunications sector. Three out of four providers servicing internet exchange points (IXP), which allocate bandwidth to service providers, are state- or military-owned (VNPT, Viettel, and SPT; the fourth, FPT, is private). **7**

ICT Market

The three largest internet service providers (ISPs) are VNPT, which controls 44.8 percent of the market **8** ; Viettel (35.7 percent), and the private FPT (19.2 percent). **9**

<http://xahoithongtin.com.vn/vien-thong-cntt/201703/vnpt-but-pha-ngoan-m...> Though any firm is allowed to operate an ISP, informal barriers prevent new companies without political ties or economic clout from disrupting the market.

In the mobile sector, Viettel commands 49.5 percent of mobile subscriptions; MobiFone and Vinaphone rank second and third with 25 percent and 16 percent, respectively. Smaller companies that lack the infrastructure to provide quality service and coverage, like Vietnamobile and Gmobile, struggle to compete. **10**

Regulatory Bodies

The Vietnam Internet Network Information Center (VNNIC),

an affiliate of MIC, is responsible for managing, allocating, supervising, and promoting the use of internet domain names, IP addresses, and autonomous system numbers. Three additional ministries—MIC, the Ministry of Public Security (MPS), and the Ministry of Culture, Sport, and Tourism (MCST)—manage the provision and usage of internet services. On paper, the MCST regulates sexually explicit and violent content, while the MPS oversees political censorship. In practice, however, guidelines are issued by the Communist Party of Vietnam (CPV) in a largely nontransparent manner.

B. Limits on Content

The authorities successfully compelled Facebook and Google to remove hundreds of accounts and thousands of YouTube videos deemed critical of the state. The government reportedly launched Force 47, a new military unit with over 10,000 staff to manipulate content online.

Blocking and Filtering

With fewer resources devoted to online content control than in China, the Vietnamese authorities have nevertheless established an effective content-filtering system. Social media and communications apps are periodically blocked, but were otherwise available during the coverage period.

Access to Facebook and Instagram was last interrupted in May 2016, during protests in Hanoi and Ho Chi Minh City against an environmental disaster caused by a steel plant owned by Formosa, a Taiwanese company. Demonstrators criticized Formosa for discharging toxic chemicals that led to millions of fish washing up dead along the central coast, and the government for failing to adequately respond to the crisis. The mainstream media failed to cover the rallies,

which increased Facebook’s importance as a means of sharing information and organizing public events (see “Digital Activism”). Operators of at least three tools used to circumvent blocking reported a dramatic spike in the number of their Vietnamese users on May 15, 2016, coinciding with reports that social media platforms were inaccessible; the platforms had likely been blocked. ¹¹ Some mobile users also reported that they were unable to send SMS messages about the rallies.

In general, censorship is implemented by ISPs, rather than at the backbone or international gateway level. Specific URLs are generally identified for censorship and placed on blacklists. Censorship frequently targets high-profile blogs or websites with many followers, as well as content considered threatening to the rule of the CPV, including political dissent, advocacy for human rights and democracy, and criticism of the government’s reaction to border and maritime disputes with China. Content promoting organized religions such as Buddhism, Roman Catholicism, and the Cao Dai group, which the state considers a potential threat, is blocked to a lesser but still significant degree. Websites critical of the government are generally inaccessible, whether they are hosted overseas, such as *Talawas*, *Dan Luan* and *Luat Khoa*; or domestically, like *Dan Lam Bao*, *Dien Dan Xa Hoi Dan Su*, or *Bauxite Vietnam*. Access to international sites such as Human Rights Watch, Radio Free Asia’s Vietnamese-language site, or Vietnamese BBC, has been unstable and unpredictable.

ISPs use different techniques to inform customers of their compliance with blocking orders. While some notify users when an inaccessible site has been deliberately blocked, others post an apparently benign error message.

Content Removal

The CPV's Department for Culture and Ideology, the MIC, the Propaganda Committee, and various other authorities regularly instruct online outlets to remove content they perceive as problematic, through nontransparent, often verbal orders. This has led users to employ the common practice of sharing screenshots of online articles that they think are likely to be removed later, rather than sharing their links.

In February 2017, the government tightened pressure on international companies to remove content the authorities categorized as “toxic.” Then-President Tran Dai Quang called for new measures “to prevent news sites and blogs with bad and dangerous content.” **12** Concrete action followed, with a number of YouTube videos and Facebook accounts taken down. Meanwhile, the Vietnam-based operations of several multinational companies withdrew advertising from popular social media platforms Facebook and YouTube at the request of Vietnamese government ministries. **13** Vietnamese companies also pulled advertising after government representatives said the advertising appeared next to content violating local laws, including some uploaded by dissidents that criticized the government. **14**

As of early 2018, the MIC had worked with Facebook to remove 670 accounts it condemned as “spreading reactionary, anti-Party, anti-state information, defaming Vietnamese leaders and the state,” with the ultimate goal of removing 5,000 accounts. **15** Google has been praised by the minister of information and communications as being more “collaborative.” The company complied with government requests and removed over 5,000 YouTube videos, which authorities claimed “slandered and defamed” the country's leaders. **16**

<https://e.vnexpress.net/news/news/vietnam-unhappy-with-how-facebook-han...>

Other entities with financial and political influence may exert control over online content or discourage free expression. In 2016, online reports of an animal welfare crisis at a safari park operated by Vingroup, one of the country's largest conglomerates, on Phu Quoc island in southern Vietnam, led to a Facebook campaign questioning the importation and treatment of wild animals. Shortly afterward, Facebook temporarily deactivated the accounts of users who had previously discussed the issue, and a post by a Facebook page administrator asserted that they must cease posting about the case “for security reasons,” according to the BBC Vietnamese service, leading observers to believe that users could face reprisals from Vingroup or its supporters. **17**

“Safari Phú Quốc ‘nên minh bạch’”

BBC Vietnamese February 26, 2016, <http://bbc.in/1LL7koS>.

Vingroup denied reports that thousands of animals had died at the park and that workers had quit in protest. **18** In 2017, influential Facebook posts and online radio interviews about the real estate projects of Vingroup and other conglomerates were also removed.

Content removal instructions cover social as well as political content. In 2015, for example, MIC officials ordered local media production company Monday Morning Ltd. Co. to stop producing episodes of the YouTube celebrity gossip series “Bitches in Town,” for using offensive language and causing public outrage. **19**

Intermediary liability was formalized in 2013 with Decree 72 on the Management, Provision, Use of Internet Services and Internet Content Online. It requires intermediaries—including those based overseas—to regulate third-party contributors in cooperation with the state, and to “eliminate or prevent information” prohibited under Article 5. It holds cybercafé owners responsible if their customers are caught surfing “bad” websites. This process was articulated in

Circular 09/2014/TT-BTTTT, issued in October 2014, which requires website owners to eliminate “incorrect” content “within three hours” of its detection or receipt of a request from a competent authority in the form of an email, text message, or phone call. The circular also tightened procedures for registering and licensing new social media sites. Among other requirements, the person responsible for the platform must have at least a university degree. It also requires Vietnamese companies that operate general websites and social networks, including blogging platforms, to locate a server system in Vietnam and to store posted information for 90 days, and certain metadata for up to two years. **20** It is not clear how often service providers removed content for fear of possible reprisals before the decree was introduced, so the decree’s immediate impact was not possible to gauge. Further, it did not outline clear penalties for noncompliance.

Media, Diversity, and Content Manipulation

Internet content producers face a range of pressures that affect the quality of online information. All content produced by newspapers and online news outlets must pass through in-house censorship before publication. In weekly meetings, detailed instructions handed out by a CPV committee to editors dictate areas and themes to report on or suppress, as well as the allowed depth of coverage.

Decree 174, effective since January 2014, introduced administrative fines of up to VND 100 million (US\$4,700) for anyone who “criticizes the government, the Party, or national heroes” or “spreads propaganda and reactionary ideology against the state” on social media. These fines can be applied for offenses not serious enough to merit criminal prosecution. The decree outlined additional fines for

violations related to online commerce. In 2015, the MIC reported imposing fines totalling VND 777 million (US\$38,000) in 18 cases involving violations of rules governing the provision and use of information on the internet. **21**

In July 2018, the online publication of *Tuoi Tre*, one of Vietnam's most prestigious newspapers, was forced to close down for three months, in addition to receiving a fine of VND 220 million (around US \$9,300) for a reader's comment that was seen as damaging the "great national solidarity," and for an article that the authorities claimed was false and divisive. **22** The incident sent a chilling effect through the media landscape.

These economic and social penalties, in addition to the risk of criminal prosecution, lead to a high degree of self-censorship. The unpredictable and nontransparent ways in which topics become prohibited make it difficult for users to know what might be off-limits, and bloggers and forum administrators routinely disable commenting functions to prevent controversial discussions.

The government also actively seeks to manipulate public opinion online. At the end of 2017, General Nguyen Trong Nghia, at the CPV's national conference on propaganda, introduced Force 47, a new military unit with over 10,000 staff, "well qualified and loyal to the revolution," whose task is to fight "wrong, distorting opinions" online. Critics contend that Force 47's main objective is to spread smear campaigns aimed at opponents of the government. **23** In 2013, Hanoi's head of propaganda, Ho Quang Loi, revealed that the city has a 900-person team of "internet polemicists" or "public opinion shapers" who are tasked with spreading the party line. **24**

Although government-run outlets continue to dominate,

new domestic online outlets and social media sites are expanding the traditional media landscape. Young, educated Vietnamese are increasingly turning to blogs, social media, and other online news sources over state TV and radio. **25**

<http://www.cima.ned.org/blog/media-use-vietnam/> While some important alternative blogs halted operations due to the prosecutions of their owners, like *Que Choa* in 2014, new Facebook pages and other sites continue to emerge. In 2015, independent broadcaster Conscience TV began producing YouTube videos on human rights issues in Vietnam. **26** Tools for circumventing censorship are well-known among younger, technology-savvy internet users in Vietnam, and many can be found with a simple Google search. **27**

Digital Activism

Activists continued to use social media during the reporting period. Some activists have tens of thousands of followers, even in the face of intensifying government pressure (see “Content Removal” and “Prosecutions and Detentions for Online Activities”). **28** For example, Pham Doan Trang, a leading dissident and recipient of 2018 Homo Homini Prize for democracy and human rights defenders, has 40,000 followers on her Facebook page. Her blog has close to 20,000 visitors per day. **29**

Digital mobilization in Vietnam tends to be local, rather than national, in scale, and often revolves around environmental issues, as well as concerns about the expansion of China’s influence. In late 2017, online protests flared as news spread that FLC, a large Vietnamese corporation, had been conducting a feasibility study for a cable car project in Phong Nha-Ke Bang National Park, a UNESCO World Heritage Site. **30** Previous efforts to build a cable car in 2015 were stalled by activists who created a Facebook page that

amassed over 33,000 likes, and distributed a petition that garnered over 71,000 signatures. **31**

In June 2018 (after this report’s coverage period), widespread protests spread throughout the country against two proposed laws: the cybersecurity bill (see Legal Environment) and a bill that aims to allow foreign investors to lease land in special economic zones for up to 99 years. Critics fear the law will enable further Chinese encroachment on Vietnam’s territory. **32** Social media helped protestors organize and document police abuses. **33**

In 2016, the mass die-off of fish allegedly caused by the release of toxic chemicals by Formosa, sparked a wave of protests on Facebook, which led to street rallies in Hanoi and Ho Chi Minh City to demand more transparency from the government. **34** The protests continued through October 2016, and the government struggled to develop a strategy to respond to the crisis. **35**

<https://www.nytimes.com/2016/10/04/world/asia/formosa-vietnam-fish.html>... Facebook was restricted when the protests reached their peak (see “Blocking and Filtering”).

C. Violations of User Rights

Vietnam experienced a substantial crackdown against online speech, with several bloggers and activists handed severe prison sentences for their online activities. Blogger Hoang Duc Binh was sentenced to 14 years in prison—the harshest sentence ever delivered to an activist—for his criticism of the Formosa environmental disaster. Pro-democracy and independent news websites were hit with DDoS attacks from April to June 2018.

Legal Environment

The constitution, amended in 2013, affirms the right to freedom of expression, but in practice the CPV has strict control over the media. Legislation, including internet-related decrees, the penal code, the Publishing Law, and the State Secrets Protection Ordinance, can be used to fine and imprison journalists and netizens. The judiciary is not independent, and trials related to free expression are often brief, and apparently predetermined. Police routinely flout due process, arresting bloggers and online activists without a warrant or retaining them in custody beyond the maximum period allowed by law.

A new cybersecurity law was passed in June 2018 (after this report's coverage period) that imposes sweeping restrictions on freedom of expression online. **36** When it goes into effect in January 2019, a wide range of activities conducted online will be prohibited, including:

- Organizing opposition to the CPV;
- Distorting Vietnam's revolutionary history and achievements;
- Spreading false information;
- Harming socioeconomic activities. **37**

In addition, websites and individual social media pages will be prohibited from posting content critical of the state or causes public disorder. Social media companies will be required to remove content upon request from the authorities within one day. Companies that collect user data will also be subject to new data localization requirements, which may enable the authorities to infringe on the privacy rights of citizens with greater ease (see "Surveillance, Privacy, and Anonymity").

In January 2018, amendments to the 2015 Penal Code took

effect. Under the amended law, articles 109, 117, and 330 (changed from articles 79, 88, and 330, respectively) of the penal code are commonly used to prosecute and imprison bloggers and online activists for subversion, antistate propaganda, and abusing democratic freedoms. **38** The amendments also contain vaguely-worded provisions that criminalize those preparing to commit crimes with penalties of one to five years in prison, meaning one can face up to five years prison for preparing to criticize the state. The new law further holds lawyers criminally responsible for failure to report clients to the authorities for a number of crimes, including those dealt with in articles 109, 117 and 330, which effectively requires lawyers to become state agents. **39**

<https://www.hrw.org/news/2017/06/21/vietnam-new-law-threatens-right-def...>

Since 2008, a series of regulations have extended controls on traditional media content to the online sphere. Decree 97 ordered blogs to refrain from political or social commentary and barred them from disseminating press articles, literary works, or other publications prohibited by the Press Law. In 2011, Decree 02 gave authorities power to penalize journalists and bloggers for a series of infractions, including publishing under a pseudonym. **40**

Article 19, “Comment on the Decree No. 02 of 2011 on Administrative Responsibility for Press and Publication Activities of the Prime Minister of the Socialist Republic of Vietnam,” June 2011, <http://bit.ly/1JPbb1x>; Decree 02/2011/ND-CP, [in Vietnamese] January 6, 2011, available at Committee to Protect Journalists, <http://cpj.org/Vietnam%20media%20decree.pdf> Decree 72 on the Management, Provision, Use of Internet Services and Internet Content Online replaced Decree 97 in 2013, expanding regulation from blogs to all social media networks. Article 5 prohibits broad categories of online

activity including “opposing the Socialist Republic of Vietnam,” inciting violence, revealing state secrets, and providing false information.

Prosecutions and Detentions for Online Activities

Vietnam experienced a substantial crackdown against online speech during the coverage period; more than 25 bloggers were expelled, convicted of crimes, or imprisoned in 2017 alone. **41**

Several individuals were handed heavy sentences in the past year:

- In June 2017, the blogger known as Mother Mushroom was sentenced to ten years in prison for her criticism of the government’s human rights record and treatment of suspects in police custody. **42** Mother Mushroom, or Nguyen Ngoc Nhu Quynh, was one of several bloggers and activists jailed in late 2016 under articles 70, 88, or 258 of the penal code (see “Legal Environment”). She was released in October 2018 and sent into exile to the United States during Secretary of State Jim Mattis’s visit to Vietnam. **43**
- In November 2017, a court in Ha Tinh sentenced 22-year-old blogger Nguyen Van Hoa to seven years in prison followed by three years of house arrest, in a trial lasting two-and-a-half hours, on charges of “disseminating propaganda against the state.” **44** Hoa covered the Facebook reactions to the Formosa steel plant disaster.
- At the end of January 2018, three activists and video bloggers, Vu Quang Thuan, 51, Nguyen Van Dien, 35, and Tran Hoang Phuc, 23, received prison sentences of eight years, six-and-a half years, and four years, respectively, followed by four to five years of house

arrest, for “spreading propaganda against the state.”

45

- In February 2018, in a trial held behind closed doors, without his lawyers present, blogger Ho Van Hai was sentenced to four years in prison followed by two years house arrest. **46** Like Hoa, Hai’s writing criticized Formosa and the government’s mismanagement of the crisis.
- Also in February 2018, a court in Nghe An sentenced blogger Hoang Duc Binh to 14 years in prison for “abusing his democratic freedom and opposing officials on duty.” One year earlier, the activist led hundreds of fishers on a march to the provincial court to protest Formosa’s role in the environmental crisis and to advocate for compensation for fishers whose livelihoods were affected. **47** His sentence was upheld in April 2018 and is one of the harshest ever delivered against a Vietnamese activist. **48**
- In May 2018, blogger Bui Hieu Vo was sentenced to four and half years in prison for critical Facebook posts that “distorted the political situation” and “incited public disorder.” **49**

Surveillance, Privacy, and Anonymity

Limited information is available about the surveillance technology available to Vietnamese authorities, but the legal framework enables officials to undermine privacy.

A new cybersecurity law passed in June 2018 (after this report’s coverage period) and will go into effect in January 2019. **50** In addition to imposing sweeping content restrictions (see “Legal Environment”), the law requires tech companies, including Facebook and Google, to store data on Vietnamese users, and to provide that data to the government upon request. The law also requires users to

register for accounts on various social media platforms with their real names, and for tech companies to verify the identity of their users. **51**

Decree 72 requires providers like social networks to “provide personal information of the users related to terrorism, crimes, and violations of law” to “competent authorities” on request, but lacks procedures or oversight to discourage intrusive registration or data collection. It also mandates that companies maintain at least one domestic server “serving the inspection, storage, and provision of information at the request of competent authorities,” and store certain data for specified periods (see “Content Removal”). The decree gave users themselves the ambiguous right to “have their personal information kept confidential in accordance with law.” Implementation is at the discretion of ministers, heads of ministerial agencies and governmental agencies, the provincial people’s committees, and “relevant organizations and individuals,” leaving anonymous and private communication subject to intrusion by almost any authority in Vietnam. In mid-2016, “correspondence from the Saigon Post and Telecommunications Service Corporation” was the basis of Nguyen Dinh Ngoc’s indictment for disseminating antigovernment propaganda; he was charged under article 88 of the penal code. **52**

The Law on Information Security, which introduced new cybersecurity measures, passed in November 2015 and came into effect on July 1, 2016. **53** Among its more troubling provisions, the law requires technology companies to share user data without their consent at the request of competent state agencies (Article 17.1.c), mandates that authorities be given decryption keys on request, and introduces licensing requirements for tools that offer encryption as a primary function, threatening anonymity. **54**

Cybercafé owners are required to install software to track and store information about their clients' online activities, and citizens must also provide ISPs with government-issued documents when purchasing a home internet connection.

55 In theory, prepaid mobile phone subscribers need to provide their ID details to the operator; however, the registration process is not linked to any central database and can be circumvented using a fake ID. Pay-per-use SIM cards can be easily purchased without IDs.

According to FireEye, a California-based cybersecurity company, Vietnam has developed considerable cyber espionage capabilities in recent years. Since 2014, the company tracked at least ten separate attacks from a group called OceanLotus, or APT32, with targets including overseas-based Vietnamese journalists and private- and public-sector organizations in Germany, China, the U.S., the Philippines, Great Britain, and Vietnam itself. While there is no direct link between APT32 and the Vietnamese government, FireEye contended that the accessed personnel details and data from the targeted organizations were of “very little use to any party other than the Vietnamese government.” **56**

In 2013, Citizen Lab, a research group based in Canada, identified FinFisher software on servers in 25 countries, including Vietnam. Promoted by British distributor Gamma International as a suite for lawful intrusion and surveillance, FinFisher has the power to monitor communications and extract information from other computers without permission, including contacts, text messages, and emails. Citizen Lab noted that the presence of such a server does not indicate who is running it, though it is marketed to governments.

Intimidation and Violence

Bloggers and online activists are subject to frequent physical attacks, job loss, severed internet access, travel restrictions, and other rights violations.

- In the summer of 2017, Mai Khoi, a former pop star with prodemocracy views who has criticized the government online, was evicted from her apartment by her landlord under police pressure, and has since lived in a secret location. Since 2016, when she began to express her views openly, she has been banished from the Vietnamese music industry and effectively prohibited from performing concerts. **57**
- In July 2017, blogger Nguyen Hieu sustained severe injuries from police beatings while in custody. Hieu had been detained while filming the harassment of Bui Thi Minh Hang, a former prisoner of conscience. **58**
- In March 2018, police physically blocked blogger and vice president of the Independent Journalist Association of Vietnam, Nguyen Tuong Thuy, from leaving his house to meet with representatives from the United Nations High Commissioner for Human Rights (OHCHR). **59**

Other prominent activists and bloggers, such as Pham Doan Trang and Nguyen Quang A, were placed under house arrest in 2017 to prevent them from attending events such as meetings with foreign diplomats and protests. **60** In February 2018, Pham Doan Trang's home internet access and electricity were cut off, and she was detained and interrogated for ten hours about her new e-book, *Politics for All*. **61** Around the Lunar New Year celebrations in February 2018, former prisoners of conscience Dr. Nguyen Dan Que, Le Cong Dinh, and Pham Ba Hai, were prevented from participating in a meeting organized by the Former Vietnamese Prisoners of Conscience organization at a local restaurant, which also experienced police harassment. **62**

Editors and journalists risk post-publication sanctions including imprisonment, fines, disciplinary warnings, and termination of employment. In June 2016, the press credentials for Mai Phan Loi, head of the Hanoi bureau of the *HCMC Law Newspaper*, were revoked after he used a word deemed “not respectful to the military” in a Facebook post discussing the crash of a Vietnamese maritime patrol aircraft in which Loi asked why the plane had “exploded into pieces.” ⁶³ A day later, Minister of Information and Communications Truong Minh Tuan warned that journalists should be considerate when using social networks. ⁶⁴

Technical Attacks

Activists in Vietnam and abroad have been the target of systematic cyberattacks. Research published in September 2018 reported several DDoS attacks against the democracy website VietTan.org and independent news outlet Tiếng Dân between April 17 and June 15, 2018. ⁶⁵ Two other critical websites, luatkhoea.org and thevietnamese.org, were attacked amid largescale protests against the cybersecurity law in June. ⁶⁶ Previous research from 2017 revealed that hackers conducting coordinated cyberespionage campaigns targeted two Vietnamese media organizations in 2015 and 2016 and the Vietnamese diaspora in Australia in 2017, as well as corporations with interests in Vietnam. ⁶⁷

For several years, activists have been subject to account takeovers, including spear-phishing emails disguised as legitimate content, which carries malware that can breach the recipient’s digital security to access private account information. Starting in 2013, attacks using malware to spy on journalists, activists and dissidents became more personal. California-based Electronic Frontier Foundation (EFF) and Associated Press journalists reported receiving infected emails inviting them to human rights conferences

or offering academic papers on the topic, indicating that the senders are familiar with the activities and interests of the recipients.

Footnotes

- 1 Statista Digital Market Outlook, “Smartphone penetration rate as share of the population in Vietnam from 2015 to 2022,” Statista 2017, <https://www.statista.com/statistics/625458/smartphone-user-penetration-...>
- 2 “Telecom agency: still room for new FTTH service providers,” Vietnam Breaking News, October 20, 2016, <https://www.vietnambreakingnews.com/2016/10/telecom-agency-still-room-f...>
- 3 3G plan from Vinaphon: <http://3gvinaphone.vn/cac-goi-cuoc-3g-vinaphone-khong-gioi-han-luu-luon...>; World Bank, “GDP per capita, PPP (current international \$),” International Comparison Program Database, <http://data.worldbank.org/indicator/NY.GDP.PCAP.PP.CD>.
- 4 “Vietnam 3G subscriptions soar to 38 million: data”, Thanh Niên, Feb 23, 2016, <http://www.thanhniennews.com/tech/vietnam-3g-subscriptions-soar-to-38-million>
- 5 “Cuộc đua 3G đang nóng tại Việt Nam”, Thanh Niên, March 21, 2017, <http://www.thanhniennews.com/tech/vietnam-3g-subscriptions-soar-to-38-million>

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