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Freedom Of The Press - Vietnam (2011)

Status: Not Free
Legal Environment: 28
Political Environment: 33
Economic Environment: 22
Total Score: 83

As it prepared for Communist Party elections in January 2011, the Vietnamese government increased restrictions on journalists throughout 2010. Attacks on internet dissidents intensified, with bloggers who addressed politically sensitive issues facing arrest or physical harassment. Vietnam now imprisons the second-largest number of bloggers in the world, with at least 16 behind bars by year's end.

Although the 1992 constitution recognizes freedom of expression, the criminal code contains vaguely worded prohibitions against speech that is critical of government officials or that threatens national security. The propaganda and training departments of the ruling Communist Party of Vietnam (CPV) control all media and set press guidelines. A 1999 law requires journalists to pay damages to individuals or groups that are found to have been harmed by press articles, even if the article's assertions are accurate. The CPV levies charges under defamation laws or the commonly used Article 88 of the criminal code, which prohibits the dissemination of "antigovernment propaganda," in response to articles it deems threatening. Reacting to increasingly vibrant reporting by both the traditional and internet-based news media, the government issued a decree in 2006 that defined over 2,000 additional violations of the law in the areas of culture and information, with a particular focus on protecting "national security." The judiciary is not independent, and many trials related to free expression last only a few hours. Courts frequently use dubious allegations unrelated to press freedom to silence opposition views. In February 2010, democracy activist Trần Khải Thanh Thủy was charged with assault after reporting that police had vandalized her home. Authorities continued to detain Nguyễn Hoàng Hải, who blogs under the name Điếu Cày, at year's end, though he completed a two-year sentence on trumped-up tax charges in October. International press freedom organizations also question the veracity of extortion charges brought against independent editor Phan Hà Bình.

The CPV generally views the media as a tool for the dissemination of party and state policy. Criticism of government leaders, advocacy for political reforms or the creation of a multiparty democracy, discussion of national security issues, human rights, religious freedom, environmental issues, and border disputes with China are the topics most commonly targeted for official censorship or retribution. Journalists are sometimes permitted to report official corruption at the local level, as it serves the interests of the CPV's national anticorruption platform. Foreign reporters are often required to remain in the capital, Hanoi, and face disciplinary action from the propaganda department for covering politically sensitive topics. International periodicals, though widely available, are sometimes censored.

Police occasionally use physical violence and threats against opposition-oriented media personnel. Numerous reports of law enforcement officers raiding homes and confiscating computers surfaced throughout 2010, including in the cases of well-known bloggers Hà Sĩ Phu and Tạ Phong Tần. In April, police physically assaulted internet activist Lữ Thị Thu Trang of the prodemocracy group Block 8406 in front of her young son.

Almost all print media outlets are owned by or are under the control of the CPV, government organs, or the army. Several of these newspapers—including *Thanh Niên*, *Người Lao Động*, and *Tuổi Trẻ* (owned by the Youth Union of the CPV)—have attempted to become financially self-sustaining. They, along with the popular online news site VietnamNet, also have a fair degree of editorial independence, though ultimately they are still subject to the CPV. Several underground publications have been launched in recent years, including *Tự Do Ngõ: Luận*, whose editor, Nguyễn Văn Lý, was released in 2010 after serving three years in prison, and *Tổ Quốc*, which continues to circulate despite harassment of staff members. Radio is controlled by the government-run Voice of Vietnam or other state entities. The broadcasts of international stations such as Radio Free Asia are periodically jammed. State-owned Vietnam Television (VTV) is the only national television provider, although cable services do carry some foreign channels. Vietnam launched its first telecommunications satellite in 2008, indicating that access to television, telephone service, and the internet may increase in rural areas in the coming years. Many homes and local businesses in urban areas have satellite dishes, in some cases allowing them to access foreign programming.

Rising internet penetration has posed problems for the CPV, which seeks to promote new technology as well as restrict online criticism. Approximately 28 percent of the population accessed the internet in 2010, with the vast majority utilizing internet cafés and other public providers. Website operators continue to use internet-service providers (ISPs) that are either publicly or semipublicly owned like Vietnam Data Communications, which is controlled by the state-owned Vietnam Posts and Telecommunications Group and serves nearly a third of all internet users. ISPs are required by law to block access to websites that are considered politically unacceptable. These are mainly Vietnamese-language sites, including those of oppositional advocacy groups based overseas; foreign news sites remain generally accessible, though the British Broadcasting Corporation's Vietnamese-language service was repeatedly blocked during 2010.

The internet remains both the most accessible space for disseminating opposition views and the main target for government crackdowns. In 2008, the Ministry of Information and Communications formed an agency to monitor the internet and blogosphere. In April 2010, the government introduced the latest in a series of restrictions on public internet usage, requiring internet café owners to install software that records the personal information and browsing activities of users. The government continues to shut down blogs, including the popular sites *Blogosin* and *Bauxite Vietnam* in February 2010. Though the government has denied using cyberattacks to monitor and prevent dissident activity, malicious programs attached to downloadable Vietnamese-language software most frequently targets politically sensitive websites. In March, experts from the U.S.

companies Google and McAfee reported that distributed denial-of-service (DDoS) attacks, which overwhelm servers and websites with traffic, had been used to censor dissidents.

Conditions for cyberactivists and online journalists continue to deteriorate. Bloggers are frequent targets for arbitrary detention, interrogation, and arrest. Five bloggers were imprisoned in 2010, a dramatic increase from just one in 2009. After a high-profile trial in January, three cyberdissidents were convicted under Article 79 of the criminal code for supposed national security violations, with sentences ranging from 5 to 16 years in prison. In August, blogger Phạm Minh Hoàng was arrested and held for six weeks for public statements on bauxite-mining issues, then charged with 30 counts of terrorism and intent to overthrow the government. By year's end he was still being held without access to lawyers or his family. In October, authorities arrested bloggers Phan Thanh Hải, for blogging about mining and Chinese border issues, and Lê Nguyễn Hương Trà, for accusing a senior security minister of corruption.