

Vietnam Country Report
Background Information and Recommendations

Vietnam Study Group

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Summary Updates

The first four months of 2008 witnessed further deterioration of human rights conditions in Vietnam relative to the latter half of 2007. Incidents of sentencing, detention, arrest, and harassment, all combined, severely restricted the freedoms of expression, the press, religion, assembly, association, and movement. Since Vietnam had achieved all its major diplomatic objectives, especially its admission as a non-permanent member of the UN Security Council, the government toughened its opposition to “foreign intervention in Vietnam’s domestic affairs.” The Government of Vietnam maintained that it held no political prisoners. Concessions made recently were few and superficial, such as the release and extradition of a handful of American and French citizens of Vietnamese origin. On the other hand, Vietnam assumed a much more hard-line position towards dissidents, with more arrests and heavier sentences.

While the Government of Vietnam released author Tran Khai Thanh Thuy after 9 months and 10 days in detention on charges of “propaganda against the Socialist Republic of Vietnam,” which was later changed to “causing public disorder,” and college student Dang Hung after 262 days of detention without trial, we have documented the detention of at least 15 additional dissidents from January to mid-May: Luong Van Sinh arrested on January 10, 2008 on charges of “participation in Bloc 8406 and contacting reactionary elements;” Kieu Van Hoa, Nguyen Van Tuan, Nguyen Van Nang, Luu Quoc Luan, Nguyen Nam Dien, Nguyen Thi Tho, Nguyen Thi Dung, Do Thi Mai, Duong Thanh Truc and Nguyen Thi My Van arrested (leaders of demonstrations against the government’s misappropriation of land) on March 2, 2008; jurist Bui Kim Thanh, member of Vietnam Democratic Party XXI and supporter of victims of land misappropriation, arrested and sent back to a psychiatric ward on March 4, 2008; Nguyen Van Hai, aka Dieu Cay or Hoang Hai, arrested on April 20, 2008 on charges of tax evasion (a member of the Free Journalists Club, he had been a vocal opponent of China’s occupation of the Spratly and Paracel archipelagoes and called for boycotting the Olympics in Beijing); on May 12, 2008 the police in Hanoi arrested and detained two well-respected journalists, Nguyen Van Hai from the Tuoi Tre Newspaper and Nguyen Viet Chien from the Thanh Nien Newspaper, on the charge of “abusing position and authority while on duty”—they had exposed corruption among high-ranking government officials. An updated list of dissidents arrested and detained since August 2006 is enclosed in the Appendix.

From January to mid May, eleven (11) dissidents were sentenced to a total of 31 years and 9 months of imprisonment combined with 19 years of house arrest; these included three members of the Viet Tan Party tried on May 13. Thanks to US pressure, these defendants were accorded legal representation. In the cases of Truong Quoc Huy and Hang Tan Phat, tried on January 29, and of Vu Hoang Hai, Nguyen Ngoc Quang, Pham Ba Hai (members of the “Bach Dang Giang Foundation”), tried on April 25, the defense lawyers used arguments not agreed to or approved by the defendants. The other two defendants, Tran Khai Thanh Thuy and reporter Truong Minh Duc, did not have legal representation at their trials.

The procedures used in the criminal prosecution of lawyers Nguyen Van Dai and Le Thi Cong Nhan in November 2007, which showed small improvements towards due process, were no longer followed. Family members of the defendants came under tremendous pressure not to stir up public opinion. The defendants faced great difficulty in retaining a lawyer because few lawyers would dare face government retaliation. Lawyer Le Tran Luat received threats from the government when he intended to defend Nguyen Van Hai. Lawyers Dang Trong Dung and Le Cong Dinh, who represented Nguyen Van Dai and Le Thi Cong Nhan in 2007, received threats from the government every time they considered defending a political detainee. All documents used to charge and prosecute political dissidents were kept

secret and withheld from the defendants, their family members, and their lawyers, if any, making it almost impossible to build an effective defense argument. In a number of cases, family members were notified only a few hours before the trial.

There have been reports of political prisoners being abused and assaulted in prison. The government usually used “national security” as the rationale for barring prison visits during the pre-trial detention period. A number of detainees reported abuses during this period. Author Tran Khai Thanh Thuy was savagely abused by another prisoner during the solitary confinement, evidently with the approval of the guards; a visiting member of the Norwegian parliament inquiring about Thuy’s case was deported. Journalist Truong Minh Duc (Vietnam Populist Party) did not receive medical treatment for his broken arm; he risks losing the use of this arm if left untreated. Despite his illness, Dr. Le Nguyen Sang was subjected to forced labor and was disciplined when he could not meet the objectives set by prison guards.

The Vietnamese public security police increased its use of “temporary detention” to isolate their political targets at critical junctures. For example, to pre-empt demonstrations against China as the Olympic torch relay reached Vietnam on April 29, the police detained almost 100 dissidents in Hanoi, Hai Phong and HCM City between April 25 and April 30. Similarly, the police detained 10 dissidents in February to prevent them from attending the funerals of Hoang Minh Ching; jurist Bui Kim Thanh was arrested and sent to a psychiatric ward after the police found her at the funerals.

In February, two human rights groups disclosed the 2007 revision of the Vietnamese government’s “Training Document: Concerning the Task of the Protestant Religion in the Northern Mountainous Region,” which contains instructions to “resolutely subdue the abnormally rapid and spontaneous development” of Protestant Christianity in the northern provinces. On March 28, the Evangelical Church of Vietnam–South issued a prayer appeal indicating that the government had stonewalled attempts to obtain redress on confiscated church properties, interference in church affairs, and discrimination against Christians.

Labor trafficking increased significantly in both numbers and scope as Vietnam aggressively expanded its labor export markets. In the first two months of 2008 alone, some 15,000 workers were sent to Taiwan, Malaysia, South Korea, Qatar and other countries. In January 2008, Vietnam and Qatar reached an agreement to increase the number of Vietnamese workers in this Middle East country tenfold from the current level of 10,000. In late February, the case of 176 Vietnamese garment workers, all women, at W&D Apparel made headline news in Jordan. Sent to Jordan as part of Vietnam’s strategy to increase labor exports to the Middle East, these women found themselves victims of exploitation, forced to work 16 hours a day but paid only a fraction of the wages promised in the contract. When these workers went on strike to demand compliance with the contract, the Taiwanese employer sent in the security guards and the local police to drag the strikers to work, causing severe injuries to many workers. The strikers were denied medical treatment and received insufficient food. A few weeks later the Vietnamese government sent a multi-disciplinary delegation to Amman to convince the workers to return to work. When this attempt failed, Vietnam’s Communist Party, the Ministry of Labor, War Invalids, and Social Affairs (MOLISA), the Ministry of Foreign Affairs, and the Ministry of Public Security publicly denounced the strikers for having collaborated with overseas anti-government forces to oppose the Government of Vietnam. There are signs of collusion between well-placed government officials and the labor trafficking syndicate.

2007 Country Report

In 2007 Vietnam attained all the major objectives of its diplomatic initiatives, including removal from the Countries of Particular Concern (CPC) list, accession in the World Trade Organization, granting of Permanent Normal Trade Relation status by the United States, the APEC Summit in Hanoi attended by heads of state including President George W. Bush, and President Nguyen Minh Triet's US visit. Having scored such diplomatic victories, Vietnam felt less pressure to improve its human rights record; in fact, the government's determination to backpedal became increasingly evident. In the area of religious freedom, the Unified Buddhist Church of Vietnam and the Hoa Hao Buddhist Church continued to be outlawed and risked extinction because of the government's resolute policy to coerce both religious followers and leaders to join the government-sanctioned churches. The limited improvements observed in 2007 in the government's treatment of Protestant churches appeared to have fizzled. The police's failure to investigate the crime of arson committed against a Protestant's home in Quang Ngai Province in June 2007 showed that the local government in certain localities was not able or willing to protect Protestants, especially in places where the government had previously incited mobs to victimize members of Protestant churches. The apparently well-coordinated and well-timed initiatives by local governments at multiple locations in the North to prevent Protestant and Catholic communities from celebrating Christmas suggested a policy originating from the central government; a number of Protestants, categorized by the government as new converts, were assaulted with resulting injuries. The authorities of Son La Province resumed their campaign to prevent Catholics from gathering for mass. The appeals of thousands of Catholics for the return of confiscated church properties were ignored by authorities, showing the lack of good will on the part of the government, at least at the local and provincial levels. The imprisonment of Khmer Krom Buddhist monks in the Mekong Delta added another dimension to ongoing religious persecution.

The Government of Vietnam continued to repress individuals holding views differing from those of the government. The ongoing series of unfair trials follows the wave of arrests of prominent political dissidents that started early 2007. Vietnam's non-permanent membership in the UN Security Council appears to have no impact on the human rights conditions. Under international pressure, Vietnam set free a small number of political detainees, but soon arrested or re-arrested a much larger number. At the trials of dissidents charged with spreading "propaganda against the Socialist Republic of Vietnam," the People's Courts showed the utmost disregard for the International Covenant on Civil and Political Rights, which Vietnam signed in 1982. This was a step back for Vietnam in its process of joining the world community.

(1) Persecution of Dissidents

Since August 2006, Vietnamese authorities have conducted a crackdown on dissidents. Quiet at first, the crackdown intensified in February 2007. All together, by end of 2007 the government had detained at least 46 dissidents and placed others under house arrest; a small number of dissidents managed to escape to Cambodia.

(a) Trials

Between March 30 and December 11, the Vietnamese People's Courts sentenced 29 dissidents and religious leaders to a total of at least 103 years of imprisonment and 32.5 years of house arrest.

On March 30, Father Nguyen Van Ly and four of his associates were brought to court on the charge of disseminating “propaganda against the Socialist Republic of Vietnam.” Father Ly was muzzled when he responded to the court ruling. He was sentenced to 8 years of jail time (JT) and 5 years of house arrest (HA) following the jail time; he had spent 14 of the past 24 years in prison. Two of his associates received long-term sentences: Nguyen Phong (6 years JT + 3 years HA), and Nguyen Binh Thanh (5 years JT + 2 years HA), and another two associates received suspended sentences.

On May 3, four Hoa Hao Buddhists were sentenced for “causing public disorder”: Nguyen Van Tho (6 years JT), Duong Thi Tron (4 years JT), Le Van Soc (6 years JT), and Nguyen Van Thuy (5 years JT).

On May 10, three members of the People’s Democratic Party were tried on the charge of spreading “propaganda against the Socialist Republic of Vietnam.” Dr. Le Nguyen Sang was sentenced to 5 years JT and 2 years HA, jurist Nguyen Bac Tuyen to 4 years JT and 2 years HA, and journalist Huynh Nguyen Dao to 3 years JT and 2 years HA. On August 17, the Court of Appeal reduced the prison term of Dr. Le Nguyen Sang to 4 years, jurist Nguyen Bac Tuyen to 3.5 years, and journalist Huynh Nguyen Dao to 2.5 years. Their terms of house arrest remained the same.

On May 11, two lawyers based in Hanoi were tried on the charge of spreading “propaganda against the Socialist Republic of Vietnam”: Lawyer Nguyen Van Dai was sentenced to 5 years JT and 4 years HA and lawyer Le Thi Cong Nhan to 4 years JT and 3 years HA. On November 27, the Court of Appeal in Hanoi reduced the prison term of Dai to 4 years and Cong Nhan to 3 years. Their terms of house arrest remained the same.

On May 11, five Khmer Krom Buddhist monks - Danh Tol, Kim Muot, Thach Thuong, Ly Suong, and Ly Hoang - were sentenced to 2-4 years of imprisonment for “causing public disorder.”

On May 15, jurist Tran Quoc Hien, spokesman of the United Workers and Farmers Association (UWFA), was tried on the charge of disseminating “propaganda against the Socialist Republic of Vietnam.” He was sentenced to 5 years JT and 4 years HA. Other members of the UWFA were brought to court on December 10, 2007, on the charge of “misuse of democratic rights to cause disorder.” Doan Van Dien was sentenced to 4.5 years JT, Tran Thi Le Hong to 3 years JT, Doan Huy Chuong to 18 months JT, and Phung Quang Quyen to 18 months JT.

On July 20, Nguyen Thanh Phong was sentenced to 3 years in prison for “misuse of democratic rights” because he had participated in internet forums, written opposition papers and distributed pro-democracy leaflets.

On November 29, Le Van Yen, a member of Bloc 8406, was sentenced to 2 years JT for “misuse of democratic rights.”

On December 11, 2007, three members of the “Group of Patriots” were brought to court on the charge of “misuse of democratic rights to cause disorder.” Truong Minh Nguyet was sentenced to 4 years JT, Nguyen Van Ngoc to 4 years JT, and Trinh Quoc Thao to 2 years JT. Truong Minh Nguyet is also the vice president of the Vietnamese Political and Religious Prisoners Association and had spent 17 of the past 26 years in prison.

(b) Lack of due and fair process and breach of international human rights legal standards

From March to December 2007, Vietnamese People's Courts sentenced 29 dissidents to a total of 103 years imprisonment. Five of them were tried in appeal courts in which their sentences were reduced by six months to one year. In all the trials, Vietnamese authorities severely violated international minimum standards for due and fair process:

- the right to presumption of innocence,
- the right to notification of rights,
- the right of the defendant to be informed promptly of any charges,
- the right to legal counsel before trial,
- the right of access to family in the pre-trial period,
- the right to adequate time and facilities to prepare a defense,
- the right to be defended by counsel,
- the right to equality before the law and courts,
- the right to call and examine witnesses,
- the right to trial by a competent, independent and impartial tribunal and
- the right to a fair and public hearing.

In her 24-page plea for the release of her husband, Nguyen Van Dai, on the occasion of his appeal trial scheduled for November 27, 2007, Vu Minh Khanh gave a comprehensive description of the injustices committed against her husband (see annex). This description is typical of many other political cases. Many defendants did not have a counsel at the trial. In the trials occurring in December, families of defendants were only informed a few hours before the beginning of the trial.

Besides violating Vietnam's own Criminal Procedural Code, the Vietnamese government disregarded the International Covenant on Civil and Political Rights (ICCPR), to which it became a signatory in 1982. The Government of Vietnam resorted to false allegations to detain dissidents and charged and sentenced "political suspects" for non-political crimes. Among the 29 dissidents sentenced in 2007 (to a total of 103 years imprisonment), eleven were charged with spreading "propaganda against the Socialist Republic of Vietnam" according to Article 88 of Vietnam's Penal Code, a severe crime against national security with a maximum sentence of 20 years. Since the law does not define disseminating "propaganda against the Socialist Republic of Vietnam," it was up to the prosecution to arbitrarily dictate its meaning and frame their allegations accordingly, often with the consent, if not the collusion, of the judges. By denying the defendants the right to speak in their own defense or to seek competent legal counsel, the court implicitly affirmed the political nature of such trials. This is in direct violation of the ICCPR and contravenes Vietnam's own "Law on Signing, Accession and Implementation of International Treaties," passed by the Vietnamese National Assembly on June 14, 2005. This law gives precedence to the application of international treaties as stipulated in Article 6: "In the event that Vietnamese legislation conflicts with international treaties, to which Vietnam is a State party, then the regulations of international treaties apply."

(c) Detention without trial

We have confirmed at least 13 dissidents detained without trial since August 2006: Hang Tan Phat, Truong Quoc Huy, Vu Hoang Hai, Nguyen Ngoc Quang, Pham Ba Hai, Tran Khai Thanh Thuy, Ho Thi Bich Khuong, Truong Minh Duc, Dang Hung, Dr. Nguyen Quoc

Quan, Nguyen The Vu, Nguyen Viet Trung. Dang Hung, released on February 1, 2008 after 262 days of detention, was never brought to trial; the government quietly dropped the charge of spreading “propaganda against the Socialist Republic of Vietnam.”

(d) Escape to Cambodia

Due to persecution, dissidents associated with different organizations sought asylum in Cambodia after the spring crackdown: Le Tri Tue (Independent Union), Truong Quoc Tuan and Bach Ngoc Duong (Committee for Human Rights in Vietnam) in April 2007; Tran Van Hoa and Tran Van Dung (both from the People’s Democratic Party) in May 2007; Cao Van Nham (United Workers and Farmers Association) and Dao Van Thuy (Independent Union) in June 2007. Except for Le Tri Tue, who has been missing since May 2007, all the abovementioned persons were granted refugee status from the United Nations High Commissioner for Refugees (UNHCR). A growing number of Montagnards have also escaped to Cambodia; some of them feared being deported.

(e) Releases

Since May, five detained dissidents have been released. Pastor Hong Trung was released on May 11 and jurist Bui Kim Thanh on July 11, 2007. Jurist Bui Kim Thanh, a member of the Democratic Party XXI, had been detained in a psychiatric ward since November 2, 2006. Lawyer Le Quoc Quan was released on June 20 after three months of detention, and his associate, lawyer Tran Thi Thuy Trang, on September 14, 2007 after 6 months of detention. These two lawyers were accused of violating national security, a serious crime under Vietnam’s Penal Code. Their subsequent releases without trial proved that the government’s original charges were unfounded. Nguyen Ba Dang was released on September 13, after four months of detention. Also released were two long-term political detainees: Phan Van Ban (detained since 1978 on the charge of “attempting to overthrow the government”) and Nguyen Vu Binh, who was sentenced to 5 years of imprisonment on September 25, 2002 for “spying” after his submission of written testimony on human rights abuses in Vietnam to the US Congress.

(2) Subtle forms of persecution

In 2007, the Government of Vietnam committed acts that violated the dignity, health and basic freedoms of those holding views differing from the government’s political lines; at times family members of dissidents were targeted as well. These acts were committed in sequence or in combination to escalate the pressure on and the distress experienced by the dissidents and their families. The targets found themselves in the “extralegal” zone and at the total mercy of the authorities. Taken together these multiple acts of harassment and mistreatment amounted to persecution.

(a) Police questioning and temporary detention

The victims or their family members were frequently summoned to the police station for questioning without reasons given. Those who did not comply would be taken to the police station from home or arrested on their way to or from home. The police arbitrarily set the duration of their detention, from one to several days. Oftentimes, the victims had to wait around for an entire day only to be asked a few vague questions. This practice was designed

to disrupt the life, work, and livelihood of the targets, creating fear and distress. In 2007, the following dissidents were subjected to questioning and temporary detention:

- Dao Van Thuy, Do Nam Hai, wife and daughter of Nguyen Chinh Ket (currently in exile), Nguyen Phong, Tran Khai Thanh Thuy, and Dr. Pham Hong Son in January;
- Duong Thi Xuan, Dr. Pham Hong Son, lawyer Le Thi Cong Nhan, lawyer Nguyen Van Dai, Pham Van Troi, Nguyen Phuong Anh, and Bach Ngoc Duong in February;
- Lawyer Nguyen Van Dai, lawyer Le Thi Cong Nhan, Le Tri Tue, Truong Minh Nguyet, Nguyen Chinh Ket, Vu Minh Khanh, Tran Van Hoa, Vu Thanh Phuong, Le Thi Kim Thu, and Vi Duc Hoi in March;
- Vu Van Hung, Tran Thi Ao, and Nguyen Xuan Nghia in April;
- Do Nam Hai in May;
- Nguyen Tien Trung, Nguyen Khac Toan, Le Thi Kim Thu, Buddhist monks Thich Khong Tanh, Thich Dam Binh and other monks of the United Buddhist Church in August;
- Vu Van Hung in September;
- Le Thanh Tung, Lu Thi Thu Duyen, Pham Van Troi, and Vu Thanh Phuong in October;
- Nguyen Xuan Nghia, Le Quoc Quan, Nguyen Vu Binh, Phan Van Troi, and Le Thanh Tung were physically assaulted when they attempted to attend the appeal trial of Nguyen Van Dai and Le Thi Cong Nhan in November;
- Buddhist monks Thich Thien Minh and Thich Nhat Ban, Pastor Nguyen Hong Quang, Luong Van Sinh, blogger Nguyen Van Hai (pen names Hoang Hai and Dieu Cay), blogger Ta Phong Tan, and blogger Trang Ha in December.

(b) Temporary home confinement

On occasions considered sensitive, such as the period leading up to the APEC Summit, visits by human rights monitoring delegations or US congresspeople, or mass demonstrations or protests, Vietnamese authorities imposed home confinement on political suspects, including pro-democracy activists and family members of political prisoners, in order to bar them from joining the demonstration, meeting with foreign journalists, or contacting foreign diplomats or parliamentarians. The public security police “advised” them against leaving home or “invited” them to the police station. In many instances, the police set up posts in front of the dissidents’ homes to prevent them from leaving and guests from visiting. In a number of instances the authorities posted “off limit to foreigners,” “no entry” or “no photographs” signs in front of the dissidents’ homes. This practice was implemented against: Bui Thi Kim Ngan (wife of Nguyen Vu Binh), Vu Minh Khanh (wife of Nguyen Van Dai), Tran Thi Le (mother of Le Thi Cong Nhan), Nguyen Thi Thu Hien (wife of Le Quoc Quan), Hoang Minh Chinh, Nguyen Phuong Anh, Nguyen Khac Toan, and Dr. Nguyen Thanh Giang in April; Pham Van Troi and Vu Van Hung in August; Do Nam Hai and Buddhist monk Thich Thien Hanh in September.

The following dissidents were under constant police surveillance: Nguyen Phuong Anh (Hanoi), lawyer Le Quoc Quan (Hanoi), Nguyen Khac Toan (Hanoi), Vi Duc Hoi (Lang

Son), Vu Cao Quan (Hai Phong), Nguyen Xuan Nghia (Hai Phong), Vu Van Hung (Ha Tay), Nguyen Ba Dang (Hai Duong), and Do Nam Hai (HCM City).

(c) House searches and confiscation of property

House searches were not limited to the residences of people under criminal investigation. They were frequently used, against the law, to disrupt the life and activities of dissidents and to terrorize their family members. During house searches, the police might confiscate, usually without warrants, computers, fax machines, scanners, cameras, SimCards, and other means of communication. Such properties were never returned to their owners. Victims included the following dissidents or their family members: Tran Anh Kim in January; Nguyen Phong, Nguyen Binh Thanh, Le Thi Le Hang, Hoang Thi Anh Dao, Father Nguyen Van Ly, Hong Trung, lawyer Nguyen Van Dai, lawyer Le Thi Cong Nhan, Nguyen Van Ngoc, and Trinh Quoc Thao in February; Tran Khai Thanh Thuy in March; Tran Khue, Vu Van Hung, Catholic priest Nguyen Huu Giai, Duong Thi Xuan, and Nguyen Xuan Nghia in April; Tran Khai Thanh Thuy and Ho Thi Bich Khuong in May.

(d) Pressure on employers

Depriving dissidents of their livelihood is an effective way to disrupt their lives and activities. The police reportedly targeted their employers or, for self-employed dissidents, their clients. In January 2007, under police pressure, the private company employing Dao Van Thuy fired him when he joined an independent labor union. Those working in state-owned companies faced even greater pressure. In April, two high school teachers in Ha Tay, Tran Thi Ao and Vu Van Hung, were temporarily detained for 10 days when found to be reading articles about democracy and human rights authored by Dr. Nguyen Thanh Giang. Four months later, Vu Van Hung was fired. Pham Hung Vy, a member of the Coming Together for the Future of Vietnam group, lost employment twice in 2007 for his writings that promote democracy.

(e) Physical abuses

A number of dissidents were assaulted by mobs while at the police station: Bach Ngoc Duong in February and Pham Van Troi in November. The police rejected requests by these dissidents for investigation, claiming no information was available about the perpetrators. Many pro-democracy activists were victims of physical assaults, including beatings and arranged traffic accidents, by plainclothes police officers: Do Nam Hai in January; Catholic priest Nguyen Van Ly, Hoang Trung Kien, and Ho Bich Khuong in February; evangelical Pastor Nguyen Cong Chinh, and Le Tri Tue in March; Ho Bich Khuong in April; and Do Nam Hai in May. On several occasions, the wives of imprisoned dissidents were roughed up when they attempted to meet foreign diplomats or parliamentarians: Vu Thuy Ha and Bui Thi Kim Ngan were assaulted in front of the residence of the US ambassador in April after they had written a letter to denounce arbitrary detention by the police, the three sisters Lu Thi Thu Duyen, Lu Thi Thi Trang, and Lu Thi Thu Van were assaulted and injured by thugs who broke into their house at night; the police along with thugs assaulted Nguyen Phuong Anh, causing serious injuries, when he made a visit to a dissident in another province.

(f) Threats against family members, defamation, and the People's Tribunal

The government consistently used threats against the dissidents' family members as a means to pressure the dissidents to stop their opposition activities. Family members were denied employment with government agencies or, if already employed, were denied promotion. Defamation through the media and well-scripted denunciation in front of a People's Tribunal were used to set up public opinion for the high-profile trials of prominent dissidents. At the People's Tribunal, the dissidents or, if the dissidents were in detention, their family members, became targets for accusations, vilification, and insults by mobs. The tribunal concluded with the mob's request to the government to prosecute the victim for "activities against the government." Dissidents subjected to this practice included: Thich Thien Minh in January; Nguyen Van Dai and Bach Ngoc Duong in February; Thich Minh Nguyet and Nguyen Khac Toan in August; Buddhist monk Thich Khong Tanh and Catholic priest Phan Van Loi in September; the two sisters Lu Thi Thu Duyen and Lu Thi Thu Trang in December.

Recommendations:

The US government should

- a. Maintain an up-to-date list of detained dissidents and provide an analysis of their conditions in prison;
- b. Make home visits to dissidents under house arrest or loved ones of detained dissidents;
- c. Use funds from the newly created Human Rights Defenders Fund of the Department of State to assist with the legal defense and the needs of the families and dependents;
- d. Invite immediate relatives of these dissidents to participate in US exchange programs so as to speak to US elected officials, administration officials, and the public about human rights conditions in Vietnam;
- e. Seek the unconditional release of 29 convicted dissidents;
- f. Request that Vietnam promptly accord public and fair trials to the 14 dissidents temporarily detained since August 2006 or immediately release them;
- g. Request that Vietnamese authorities cease all forms of harassment or interference against individuals invited to meet with US officials, diplomats or members of Congress;
- h. Tie funding for legal reforms to concrete improvements in the treatment of political dissidents during investigations and all legal proceedings;
- i. Expand and expedite refugee processing under the Priority One program for individuals targeted by the government;
- j. Work with the government of Cambodia and the UNHCR to ensure protection and quick resettlement of asylum seekers;
- k. Work with other governments to exert diplomatic, political and economic pressure on Vietnam to ensure that Vietnam takes the following actions.

Vietnam should

- a. Announce charges against detained dissidents within reasonable timeframes, promptly bring them to open and fair trials, or immediately set them free;
- b. Offer them humane treatment (visits by family members and health professionals, medication, possession of religious scriptures);
- c. Allow visits by foreign diplomats, representatives of Amnesty International, the International Committee of the Red Cross, etc.;
- d. Secure international minimum standards for a due and fair process: the right to a presumption of innocence, the right to notification of rights, the right of the defendant to be informed promptly of any charges, the right to legal counsel before trial, the right of access to family in the pre-trial period, the right to adequate time and facilities to prepare a defense, the right to be defended by counsel, the right to equality before the law and courts, the right to call and examine witnesses, the right to trial by a competent, independent and impartial tribunal;
- e. fully implement the “International Covenant on Civil and Political Rights;”
- f. Hold public court hearings and open trials with due process; family members should be informed in a timely fashion before the trial date. Reporters and independent observers should be allowed to attend the court hearings and trials;
- g. Stop all forms of subtle persecution against family members of the detainees (cutting off phone service, threatening visitors, placing surveillance posts in front of their homes, prohibiting them from meeting foreign officials, questioning, temporary detention, prohibition from leaving home, house searches, confiscation of property, pressure on employer, violence and threats against family members, defamation, People’s Tribunal);
- h. Stop using the government-controlled media to commit “character assassination” against detainees.

(3) Violations of Religious Freedom

(a) Registration

Vietnam’s concessions with regard to religious freedom are of a much lesser extent than reported. The Ordinance on Belief and Religion effective November 15, 2004 and the Decree on Implementing the Ordinance on Belief and Religion (22/2005/ND-CP) issued March 1, 2005 provide for two types of registration: Type 1 -- “registration for national legal recognition” (đăng ký pháp nhân) and Type 2 -- “registration for religious operation” (đăng ký hoạt động tôn giáo). But through Directive “Special Instructions Regarding Protestantism” (01/2005/CT-TTg) issued February 4, 2005, the prime minister created a third type: “registration for specific religious activities” (đăng ký sinh hoạt tôn giáo). Registration of specific activities (Type 3) places severe restrictions on the approved applicants: few activities are permitted (prayer, singing, catechism) and may be conducted only in one designated location (often the home of the church leader) and involving only individuals pre-approved by the local authorities. Applicants not receiving a response from their respective People’s Committees were considered not registered.

Article IV, Provision 20 of the decree specifies that affiliates of religious organizations with national legal recognition (Type 1) such as Evangelical Church of Vietnam North (ECVN-North) and Evangelical Church of Vietnam South (ECVN-South) only need to register their religious operations before October 15 of each year; if the local People’s Committee does not object in writing, they are deemed as registered and may

officially conduct their religious operations. The government failed to honor this provision of the decree. In the case of the ECVN-North, for example, 671 of its affiliates in the Northwestern Highlands informed the local People's Committees of their planned activities according to the decree. Since none of them had received any written objection from their respective People's Committees, all of these 671 ECVN affiliates should be able proceed and conduct their planned activities. In reality, none but 34 of these ECVN affiliates were approved to conduct limited activities under Type 3 registration; ECVN-North leaders were prohibited from visiting the unregistered affiliates. In April, ECVN-North was ordered to stop the submission of additional applications. The processing of registration halted in April 2007; the government declared the implementation thus far of its new legal framework on religions a pilot project that needed further study.

Type 2 registration permits congregations of a church denomination to carry out religious activities in a rather broad geographic area (city, province, group of provinces or nationally). The processing of registration applications for all three types was very slow. By end of 2007 only seven (7) Christian institutions had been recognized for religious operation (Type 2) under the ordinance: Hoi Co Doc Truyen Giao (Christian Mission Church) on September 15, 2006; Co Doc Phuc Lam (Seventh-Day Adventist Church) on December 23, 2006; Tong Hoi Baptist Viet Nam [An Dien-Nam Phuong] (Baptist Grace Church) on December 23, 2006; Hoi Thanh Mennonite Viet Nam (Mennonite Church of Vietnam) on October 2, 2007; Jehovah's Witness Church and Hoi Thanh Tin Lanh Truong Lao Viet Nam (Presbyterian Church) on October 9, 2007; Hoi Thanh Lien Huu Co Doc Viet Nam (Christian Alliance Church) on October 9, 2007. The following five (5) non-Christian organizations were also granted nationwide category 2 registration: Tu An Hieu Nghia (Four Debts of Gratitude) on August 8, 2006; Tinh Do Cu Si Phat Hoi Viet Nam (The Pure Land Buddhist Home-Practice Association) on January 3, 2007; Cong Dong Ton Giao Baha'i Viet Nam (Baha'i Community of Vietnam) on March 20, 2007; Giao Hoi Phat Duong Nam Tong Minh Su Dao (Minh Su Theraveda Buddhist Church) on August 23, 2007; Minh Ly Dao Tam Tong Mieu (Minh Ly Religion) on August 24, 2007.

The Vietnamese state media often falsely reported the approval of registration for religious operations (Type 2) for a denomination, while in reality it was only registration for specific activities (Type 3) for a local congregation. The local People's Committees routinely ignored the Type 2 registration prescribed in the ordinance and the decree altogether, using instead the much more restrictive Type 3 registration provided for in the prime minister's directive. By February 2007, approximately 300 of an estimated 1,600 individual house churches (outside the ECVN-North and ECVN-South) had been approved for registration of specific religious activities (Type 3). The Mennonite Church led by non-conformist Pastor Nguyen Hong Quang was not approved even to conduct specific religious activities (Type 3).

The ECVN-South reported slow progress in the full recognition of many Montagnard congregations.

In September 2007, the Central Bureau of Religious Affairs (CBRA) approved the ECVN-North's application to train leaders of registered affiliates, but remarked that the ECVN-North should contact the local Bureau of Religious Affairs and People's Committee in Hanoi for further advice.

(b) Protestant Churches

Disbanding home prayer services and physically assaulting attendees of prayer services were no longer widespread. However, the government continued to find ways to

stem the growth of Protestantism in Vietnam by using threats and discriminatory treatment. In rural and mountainous areas, many Protestant families did not receive public assistance for low-income families, were not approved for micro-enterprise development loans, or were not referred to foreign NGOs for assistance. The case of Phong Hong Phuong in Quang Nam Province illustrates this more subtle policy of “disincentives.” Phuong applied for entry into fifth grade at the Ka Dang Public Boarding School for Minorities. In July 2007, Phuong received a denial letter stating that the People’s Committee had banned Protestant ethnic students from entering this school. This was not an isolated incident. Article 4 of the Ministry of Education and Training’s Public Notice No. 16/GDDT issued August 14, 1997 stated that “regarding Public School for Minorities, students must be from families or be themselves without ties to political, religious... reactionary organizations...”

Ethnic minorities living in mountainous regions continued to face forced renunciation of their faith. While the prime minister’s Directive 01/2005/CT-TTg, “Special Instructions Regarding Protestantism,” ostensibly declares the end of forced renunciation, in reality the authorities simply called that by a different name: “encouraging the return to traditional beliefs” as stated in the 2007 revision of the Central Bureau of Religious Affairs’ “Training Document: Concerning the Task of the Protestant Religion in the Northern Mountainous Region.” This secret document categorized Protestant communities into three categories: localities with entrenched believers, localities with few entrenched believers, and localities with only “new believers.” The government would allow *registration for specific religious activities* (Type 3) for Category 1 localities. With regard to Category 2 localities, the government should “urgently and continuously mobilize these citizens to return to their traditional beliefs;” if that does not work, the government should “guide and direct them to practice their religion in the context of their private homes.” As for Category 3 localities, the document told the trained cadres to “hold your ground and mobilize and persuade the people to return to their traditional beliefs.” Accordingly, in Category 3 locations, Protestants have no alternative but to abandon their faith. In another secret document issued in 2007 (TL2007), the Central Bureau of Religious Affairs called for “resolutely overcom[ing] the abnormal and spontaneous growth of Protestantism” and “propagandiz[ing] and mobiliz[ing] the people to safeguard and promote good traditional beliefs of ethnic minorities” (page 32, TL2007). This document left out Category 2 altogether, meaning that except for Category 1 localities, local authorities should encourage ethnic minority Protestants to abandon Christianity.

We have confirmed several incidents of religious repression by local governments, indicating more subtle measures being used to hinder the religious activities of ethnic minority Protestants. On June 10, the home of evangelist Dinh Van Xeo in Son Bao Village, Son Ha District, Quang Ngai Province, was burned down. His home served as the place of worship for the local Mennonite house church. Xeo previously resided in Son Tinh Village, Son Tay District, where in 2003 he was brutally beaten by local authorities, who forced him to abandon his faith. In October 2003, they destroyed his home in Son Tinh Village. In the past three years, there have been 19 incidents of homes of Protestants in Son Ha and Son Tay Districts burned down or destroyed. On July 26 and then July 31, 2005 the local government mobilized residents of Son Tinh Village to destroy ten homes belonging to Protestants, forcing them out of the village. On August 21, 2005 the chief and deputy chief of public security police of Son Thuong Village, Son Ha District, led 20 veterans of the People’s Army to the home of Dinh Van Hoang, forcing him to deny his faith. Because Hoang did not give in, several members of the mob proceeded to plunder, demolish and set fire to Hoang’s house. On March 4, 2006 two grain storage sites of local Protestants in Son Tinh Village were set on fire. Three days later, a group of veterans pillaged four homes of Protestants and

beat up the residents. The veterans then set fire to five recently rebuilt houses—they were among the ten houses destroyed in July 2005. The nine affected families had to take refuge in Dinh Van Hoang's home. The local governments did not prosecute the known arsonists. Local authorities have a longstanding policy of forcing the Kdong and Hré ethnic minorities to abandon their Christian faith.

On July 11, 2007 approximately 140 Protestant families of the Stieng ethnicity in Bu Dop, Binh Phuoc Province became homeless when the government took away their ancestral lands and homes and destroyed their crops. Mennonite churches in Canada and the US are helping some 60 of these families with food and basic supplies.

On Christmas 2007, the government in many localities blocked Protestant churches from holding large prayer services. In Thanh Hoa Province, the authorities assaulted and caused injuries to two non-Protestants who attended the Christmas Eve prayer service at the local Full Gospel Church.

(c) Khmer Krom Buddhists

The Vietnamese government's oppression of the Khmer Krom Buddhists intensified in 2007. In February of this year, defying the threat of defrocking by the government-controlled Patriotic Clerics Association, some 200 Buddhist monks joined in a demonstration in Soc Trang Province to demand religious freedom. The police broke up the peaceful demonstration and arrested suspected leaders. On May 10, the People's Court of Soc Trang handed down two to four-year sentences for “causing public disorder to five Khmer Krom Buddhist monks.” Kim Muot, Ly Suong, Thach Thuong, Danh Tol and Ly Hoang. Sought by the police, several Khmer Krom Buddhist monks have gone into hiding. Five Khmer Krom Buddhist monks are being held under “temple” arrest despite the reported repeal of the infamous Decree 31/CP on administrative detention: Ly Nau, abbot of Wat Peam Buon, Long Phu district, Soc Trang Province; and Son Thanh Phia, abbot of Wat Dom Po, Long Phu district, Soc Trang Province; Son Lum An, Kanchoung Kampong Leiv Temple, Tra Vinh province; Son Cheng Cheon, Trok Kurt Temple, Tra Vinh Province; Thach Phun, Pho Sathireach Temple, Tra Vinh Province. Vietnamese authorities have exerted increasing pressure on Khmer Krom Buddhist leaders to defrock monks who were critical of the government. After being stripped of their robes, many of them were then placed under house arrest. Facing the danger of arrest and detention, many Khmer Krom Buddhist monks escaped to Cambodia. One of these monks, the Venerable Tim Sakhorn, was defrocked by the head of the Cambodian Buddhist Church for “undermining the friendship between Cambodia and Vietnam.” He and other Cambodian monks of Vietnamese origin and members of the Khmer Krom Federation had organized demonstrations accusing the Vietnamese government of repressing ethnic Khmers. In July, Cambodian authorities deported the Venerable Sakhorn to Vietnam. The Vietnamese authorities arrested him for illegally entering Vietnam and for “undermining national unity.”

(d) Unified Buddhist Church of Vietnam

Prominent members of the Unified Buddhist Church of Vietnam (UBCV) continue to be subjected to “temple” detention. Earlier this year their patriarch, the Most Venerable Thich Huyen Quang, was blocked from traveling to Saigon for a medical checkup. His church, the primary Buddhist religious institution in pre-1975 South Vietnam, continues to be outlawed. The Public Security Police has escalated its surveillance and harassment of UBCV leaders since mid-July, a response to UBCV's decision to support the “victims of injustice”

(dân oan). Inspired by the Grameen Bank projects in Bangladesh, Venerable Thich Quang Do, UBCV deputy leader, established the Fund for Victims of Injustice to offer assistance to poor peasants and farmers to help them overcome poverty on their own.

On July 17, 2007, the Most Venerable Thich Quang Do broke out of “temple detention” to distribute cash assistance to peasants and farmers demonstrating outside the National Assembly’s Southern Office in Ho Chi Minh City. Known as “victims of injustice,” the demonstrators were protesting misappropriation of land by corrupt government officials. On August 23, public security police arrested Venerable Thich Khong Thanh, UBCV commissioner for social and humanitarian affairs, as he distributed cash assistance to peasants and farmers gathered outside the Government Complaints Office in Hanoi. He was transported to a public security office where he was subjected to intensive interrogations by several public security agents. He was then met by Lt. General Nguyen Van Huong, vice-minister of Public Security. General Huong demanded that the Venerable Thich Khong Thanh hand over all the money (US\$19,000) to the Fatherland Front to help victims of Agent Orange instead of the victims of injustice. Later in the day, the Venerable Thich Khong Thanh was escorted to the airport and sent back south. In HCM City, he was picked up by the public security police and driven back to his temple.

In Tien Giang Province, from which many demonstrators originated, UBCV monks were subjected to increased threats, surveillance and harassment. On August 24, the public security police convened local Buddhists for “denunciation sessions” held at three UBCV pagodas. These sessions targeted the Venerable Thich Minh Nguyet, head of the UBCV’s local Representative Board, and his fellow monks. The authorities accused the monks of illegally supporting “victims of injustice” and threatened to expel the Venerable Thich Minh Nguyet and replace him with a monk from the State-sponsored Vietnam Buddhist Church. The Venerable Thich Minh Nguyet had joined the Most Venerable Thich Quang Do in distributing cash assistance to demonstrators in Ho Chi Minh City. When the government dispersed the demonstration, he was forcibly escorted back to Tien Giang with 300 victims of injustice who had demonstrated for three weeks. On September 10, the public security police were deployed to surround all major UBCV pagodas in Hue. According to the Venerable Thich Thien Hanh, deputy head of the UBCV Institute of the Sangha and chairman of the UBCV Provincial Board in Thua Thien Hue, the public security police in uniform and plainclothes encircled his temple, Bao Quoc Pagoda, and placed a number of officers with police dogs in the pagoda’s courtyard and grounds. He was forbidden to leave his pagoda.

On August 29, Major-general Tran Tu of the Ministry of Public Security’s Department A41 (in charge of monitoring and controlling religious organizations) came from Hanoi to visit UBCV Patriarch Thich Huyen Quang at the Nguyen Thieu Monastery where the 87-year-old patriarch was under house arrest. General Tu was accompanied by a delegation of security officials, including Che Truong, head of the Binh Dinh Security Police, Doan Muoi, head of Dept. PA38 (Dept. of Political Security in charge of rural areas) and several other officials. General Tu denounced the Fund for Victims of Injustice as UBCV’s effort to incite people to demonstrate against the government.

(e) Hoa Hao Buddhist Church

The government controls the Hoa Hao Buddhist Church through a government-appointed Board of Representatives that includes several Communist Party members. On March 5, the People’s Court of Dong Thap Province sentenced four Hoa Hao Buddhist leaders to four to six years imprisonment for having participated in a peaceful hunger strike to protest physical assaults by the police against Hoa Hao Buddhists: Nguyen Van Tho (6

years), Le Van Soc (6 years), Nguyen Van Thuy (5 years), and Duong Thi Tron (4 years). Their trials, with no defense accorded and being closed to the public and family members, have resulted in the typical prearranged sentences. Other prominent Hoa Hao Buddhist leaders in prison are: Nguyen Van Dien, Vo Van Buu, Mai Thi Dung, Nguyen Thanh Phong, Nguyen Thi Ha, To Van Manh, Vo Van Thanh Liem, Vo Van Thanh Long, Le Van Tinh and Bui Tan Nha. The Venerable Vo Van Thanh Liem was apprehended by the public security police in front of his temple after his submission of written testimony to a congressional hearing chaired by Congressman Christopher Smith on June 9, 2005. Also arrested and imprisoned was his nephew Vo Van Thanh Long, an assistant monk at the temple. The government has cut off power to the Venerable Vo Van Thanh Liem's temple and to the home of Vo Van Thanh Long, his nephew. Many prominent Hoa Hao Buddhists that advocated for religious freedom were placed under house arrest and continue to be under strict surveillance by the police: Truong Van Thuc, Le Minh Triet, Nguyen Van Lia, Vo Van Diem (Vo Van Thanh Liem's brother). Local authorities cut off power to Diem's home after they found out that Diem had met with Congressman Christopher Smith during the latter's visit to Vietnam in late 2005.

(f) Catholic Church

The authorities at different localities in Son La Province stepped up their efforts to prevent Hmong Catholics from gathering for group prayers on the 24 and 25 of December, 2007. The public security police and border patrol police surrounded the homes of Catholics suspected of planning group Christmas prayers. Many Hmong Catholics were summoned to the police station and forced to sign statements to "not gather, not say prayers." A priest, Nguyen Trung Thoai, was detained at the police station of Co Noi Hamlet for four hours on Christmas Day. The chairman of the People's Committee of Mai Son District prohibited him from conducting religious activities in the district and in the town of Son La. The police then took him to the border with Hoa Binh Province and "deported" him from Son La Province.

In December 2007, thousands of Catholics gathered at two locations in Hanoi and one location in Ha Dong Province to demand the return of church properties confiscated by the government since 1959. These properties belonged to the Vietnamese Catholic Church and were leased to the Vatican for use until the Vatican representatives were thrown out of Vietnam in 1959. On December 30, Prime Minister Nguyen Tan Dung visited Archbishop Ngo Quang Kiet in Hanoi to discuss this matter. In a radio interview with BBC on January 3, 2008, Nguyen The Doanh, head of the Central Bureau on Religious Affairs, declared that "land is a property of the people, managed by the government. The government, depending on the needs of the people and the land stock, assigns land to the people, the different agencies for long-term, stable use... There should be no demand for return, there is no return."

(g) Refugee protection

Boat People SOS (BPSOS) has referred several victims of religious persecution for consideration under the US Priority One (P1) In-Country Refugee Program, but none have been invited for an interview. In fact, Tran Van Hoa, a Protestant lay leader and labor union organizer, was referred to this program in October 2006. Unable to wait for a US interview, earlier this year he escaped to Cambodia with his family; they were recognized as refugees by the United Nations High Commissioner for Refugees.

Recommendations:

The US government should:

- a. Maintain an up-to-date list of persecuted Khmer Krom Buddhists, Hoa Hoa Buddhists, UBCV members, and Protestant house church members;
- b. Convene regular meetings with leaders of the persecuted churches so as to monitor the true conditions of religious freedom;
- c. Maintain and publicize the list of Vietnamese government officials violating religious freedom;
- d. Publicize the benchmarks on religious freedom that Vietnam agreed to in 2005 so as to avoid sanctions due to Country of Particular Concern (CPC) designation;
- e. Facilitate a country visit by the UN Special Rapporteur on Freedom of Religion and Belief;
- f. Make a visit to the Mennonites in Son Ha and Son Tay districts and to the 140 Protestant families in Binh Phuoc, and mobilize international non-governmental organizations (NGOs) to assist affected families;
- g. Expedite the processing of Priority One cases involving individuals targeted for religious persecution;
- h. Consider re-designating Vietnam as a Country of Particular Concern should Vietnam fail to demonstrate good faith through the following measures;
- i. Expedite the processing of P1 refugee applications.

Vietnam should

- a. Within three (3) months approve all affiliates of legally recognized churches (such as the ECVN-North and ECVN-South) for “religious operation” (đăng ký hoạt động);
- b. Immediately and automatically “upgrade” all approved “registration for specific activities” (đăng ký sinh hoạt) to “registration for religious operation” (đăng ký hoạt động);
- c. Recognize the legal status of churches that have operated since prior to 1975, including the Unified Buddhist Church of Vietnam, the traditional Organization of Hoa Hao Buddhists, the Mennonite Church, the Baptist Church, the Pentacostal Church, the Seventh-Day Adventist Church, the Jehovah’s Witness Church;
- d. Convene a series of public seminars at different locations to explain the implementation of the Ordinance on Belief and Religion and address questions from religious leaders.

(3) Imprisonment of Montagnards

Many Montagnards involved in the 2001 and 2004 mass demonstrations were still in prison in the first four months of 2008. They had demonstrated against religious persecution and the misappropriation of their ancestral lands. They are being detained far away from their hometowns, which hinders visit by loved ones. There are reported beatings and torture of these Montagnards. The list of 27 confirmed cases will be made available to appropriate US agencies.

Montagnards in the Central Highlands continued to escape to Cambodia to seek refuge. The border patrol police stepped up their interception activities. From February to

May 2007, 50 Montagnards successfully fled to Cambodia and sought the protection of the UNHCR. Ten other Montagnards were reportedly deported back to Vietnam. In April 2007, the People's Court in Dac Nong Province sentenced three Montagnards for "organizing escapes to a foreign country:" Y Min Bkrong (born 1978) three years of imprisonment; Y Nhat (born 1984) two years, and Rehom Chuon (born 1982) two years' suspended sentence.

Recommendations:

The US government should

- a. Continue to apply the Lautenberg Amendment to refugee processing of Montagnards seeking refuge outside of Vietnam;
- b. Make frequent visits to the families of the 27 confirmed cases;
- c. Maintain a list of all Montagnards imprisoned due to their involvement in the 2001 and 2004 mass demonstrations;
- d. Use funds from the newly created Human Rights Defenders Fund of the Department of State to assist with the needs of their families and dependents;
- e. Include the release of all Montagnards imprisoned due to their involvement in the 2001 and 2004 mass demonstrations as CPC benchmarks;
- f. Seek the unconditional release of all detained Montagnards;
- g. Expand and expedite refugee processing under the Priority One program for the handful of Montagnards recently released from prison;
- h. Request that Vietnam demonstrate good faith through the following actions.

Vietnam should within three (3) months

- a. Publicize the names of all Montagnards currently in detention due to reasons related to the 2001 and 2004 demonstrations;
- b. Transfer them to prisons near their homes;
- c. Allow foreign observers and US embassy personnel to meet with them and their family members;
- d. Stop all forms of mistreatment against Montagnard prisoners.

(4) Labor Unions

In the last two years, Vietnam has witnessed hundreds of strikes involving hundreds of thousand workers. The government-controlled labor union cannot defend the rights of workers. However, attempts by workers to form independent labor unions have been outlawed by the government. Independent labor union leaders have been harassed and many of them arrested, including Tran Thi Le Hong, Doan Huy Chuong, Doan Van Dien, Phung Quang Quyen and Tran Quoc Hien (who have already been included in the list of detained dissidents).

Recommendations:

Vietnam should

- a. Immediately release the above individuals from detention;
- b. Stop harassment of labor union leaders;
- c. Recognize independent labor unions.

(5) Trade

Vietnamese State-owned enterprises (SOEs) still dominated the economy.

Vietnam began its transformation from a centrally-planned economy to a market economy in the late 1980s with adoption of the “Doi Moi” (Renovation) program. However, until late 1990s, hard-line Vietnamese policy makers, led by former general secretary Do Muoi, still saw the expansion of the private sector as a serious threat to the Vietnamese Communist Party's commanding role under socialism. They wanted to build a strong public sector with a large number of SOEs.

However, SOEs proved to be inefficient and have become a heavy burden on the Vietnamese economy. They have consumed financial resources at the expense of the private sector, whose development is crucial to long-term growth. SOE reform started 20 years ago. Every year, the Hanoi government sets reform goals but never achieves them. Resistance to the necessary reform comes from some high-ranking communist leaders, SOE managing directors, and employees. In the last five years, under the tremendous pressure of integration into the world economy, Vietnam has been forced to reform the public sector, realizing that SOEs cannot survive in a market-based environment.

The number of SOEs decreased from 6,000 at the beginning of 1990s to about 1,500 in 2005. Many SOEs were closed, merged or equitized. In 2006, only about 250 SOEs were restructured. The remaining large SOEs still dominate the economy's service, manufacturing and food sectors. Vietnam's accession to the World Trade Organization (WTO) has heightened the urgency of banking reform, since under the WTO rules, Vietnam has been required to open up this sector for foreign investment. It will be difficult for state-owned commercial banks to survive without government protection in the face of external competition, unless these banks quickly improve their efficiency and profitability.

While Vietnam enjoys the privilege of freely exporting all forms of print and audio-visual media, including books, newspapers, magazines, printed matter, motion-picture films, records, tapes, etc. to the US, the Vietnamese government substantially limits these imports from the US into Vietnam. For instance, according to its WTO commitment, Vietnam allows only educational, technical, scientific, historical, cultural, legal and economic books in Vietnamese. Daily newspapers are allowed, but weekly or fortnightly publications including journals and periodicals must cover only three areas: science, technology, and economics. Music and video-recorded compact discs and tapes are totally prohibited.

This treatment not only runs counter to the principles of fair and free trade and free flow of information, but also violates the reciprocity rule of diplomatic relations between the two countries. As a partial result of this violation, the US trade deficit with Vietnam rose from US\$454 million in 2000 to US\$7.5 billion in 2006, a 16-fold increase in just six years.

Over the years, Hanoi has freely broadcast radio and television programs abroad and collected advertising revenues without any foreign interference. However, the Vietnamese government has said it will maintain the evaluation regime for investment licensing indefinitely, in order to control radio and television broadcasting, production, publishing, and the distribution of cultural products in Vietnam. As a result, no foreign or private companies are allowed to do business in these areas. Selected programs broadcast into Vietnam, including Radio Free Asia (RFA), have been constantly jammed. Access to websites featuring different views from those of the Hanoi government has been denied.

Vietnamese artists are allowed to book tours in the US while their overseas Vietnamese counterparts cannot perform in Vietnam unless they have obtained written permission from Hanoi. Vietnamese newsmen are permitted to file reports from abroad while

their overseas Vietnamese reporters, including US Congress-mandated RFA staff, cannot visit Vietnam. Some foreign journalists are banned from reentry into Vietnam for their reports critical of the CPV and government.

Recommendations:

- a. Vietnam should be urged to accelerate the reform of the SOEs in order to promote the development of the private sector, foreign investment and economic growth.
- b. With the forthcoming renewal of the US-VN Bilateral Trade Agreement (BTA) at the end of this year, the US has an important opportunity to rectify these injustices. As a condition for BTA renewal, we strongly urge the US government to demand that Vietnam abolish this unfair trade. Moreover, as we understand, Vietnam is eager to benefit from the GSP program. Therefore, we believe the time is right to set comprehensive trade rules.

(6) Corruption

Corruption has become an issue of major political and economic significance in recent years. Corruption was a big problem in 2006 due to the well-publicized Project Management Unit (PMU) 18 scandal. PMU 18 involved the Ministry of Transportation, 17 agencies, and 40 individuals including one minister and one deputy minister and substantial funds from Japan and the World Bank. The second well-known corruption case involved Vietnam Airlines. In this case, the investigation revealed that 11 officials from office chief to director levels were hired inappropriately. The company budget was used to provide scholarships to high-ranking government officials. Vietnam Airlines purchased engines designed for short-distance airplanes to install on the long-distance ones. Moreover, it was found that the rental of Boeing-777s lacked transparency.

In 2006 alone, the state investigated about 350 corruption cases which cost US\$456 million, including US\$103 million of the State budget. Most of these corruption schemes took place at large SOEs and were related to projects financed by the State budget.

Previous attempts to reduce corruption in Vietnam have failed. In recent months, three senior officials were accused of corruption and have been removed from their posts: Major General Cao Ngoc Oanh, the head of the Investigative Police in the Ministry of Public Security, who was linked to the PMU 18 scandal; Nguyen Van Lam, deputy head of the Government Office, who accepted cash gifts during official trips; and Tran Quoc Duong, deputy head of the Government Inspectorate, who received a bribe from a company under his investigation.

Two other widespread forms of corruption in Vietnam are graft and cronyism. No effort has been made to measure their size and effect on the economy, since they are harder to detect. It is believed that these kinds of corruption are most serious ones.

The authoritarian regime is the main cause of the current pervasive corruption in Vietnam. The “criticism and self-criticism” campaign of the Communist Party of Vietnam (CPV) did not bring about any concrete results. The Planned Property Declaration Campaign applied to government officials was abandoned. The 2006 report of Transparency International ranks Vietnam 111th among 163 surveyed countries based on its corruption index, which shows slight improvement compared to 2003. Corruption is a serious concern of foreign investors and a major barrier to economic development, social justice and stability.

Recommendation:

Vietnam should be urged to fight corruption by adopting the UN Convention Against Corruption and setting rules to prevent conflicts of interest; promoting integrity through transparency and accountability; and enhancing resistance to corruption in risk areas such as SOEs, public procurement, and contract management. Anti-corruption efforts should be linked to the Official Development Assistance (ODA).

(7) Intellectual Property Rights

Although Vietnam is part of the WTO, it is still listed as one of the most software piracy-prone nations in the world. About 90% of software throughout the country is used illegally, according to a 2007 survey by the International Data Corporation (IDC). Competing with Vietnam on the top of the list are Zimbabwe (90%), Indonesia (87%), and Pakistan (86%). The software business in Vietnam loses about US\$38 million a year, according to a May 14, 2007 report by Afternoon New Hanoi. Violations of intellectual rights are prevalent without strict government intervention.

Software is only part of the problem. Pirated copies of videotapes and DVDs newly released in the US and specially produced by Vietnamese-American companies are normally found for sale in Vietnam within three days, and are four times cheaper than the original products. Many copied products find their way back to the US. It is not uncommon to discover that publishers in Vietnam have cashed in on the reputation of some well-known overseas Vietnamese authors by publishing books under their names, even though they are not the authors.

Recommendation:

Improvements regarding transparency, corruption, and protection of intellectual property rights must be set as conditions for international lending and grants.

(8) Generalized System of Preferences

The US Generalized System of Preferences (GSP) is a program designed to promote economic growth in developing countries. This program provides preferential duty-free treatment for 3,400 products imported from 134 beneficiary countries and territories, including 43 least-developed developing economies. The GSP program was instituted in 1976. It has been renewed periodically since 1986.

Vietnam is eager to become a new beneficiary country of the GSP program after acceding to the WTO. The GSP rule requires that in order to become eligible for the GSP program, a country must provide reasonable and effective protection to US intellectual property rights, respect workers' rights, and other statutory concerns.

Recommendation:

This conditional rule should apply to Vietnam with concrete measures. As an example, the US should demand that the Hanoi government release leaders of the United Workers-Farmers Organization of Vietnam, an independent labor union. They were imprisoned simply because of their peaceful activities to protect workers' rights.

(9) Human Trafficking

Vietnam was a major source of human trafficking in the first three months of 2008. Vietnamese women continued to be sent overseas as “brides,” with many ending up in prostitution. In 2007, there were approximately 100,000 Vietnamese “brides” in Taiwan. The flow of “brides” has now reached Singapore, South Korea, and Malaysia. Young children continued to be trafficked from Vietnam into brothels in Cambodia.

This labor trafficking was intimately related to and a result of Vietnam's policy to “eradicate hunger and reduce poverty” (xoá đói giảm nghèo). Sending workers overseas was the main thrust of this policy. The number of exported workers rapidly increased from 30,000 in 2000 to 82,000 in 2007, with the largest number going to Malaysia, Taiwan and South Korea. Since 2000, Vietnam has exported a total of 600,000 workers, and by end of 2007 there were half a million Vietnamese workers overseas. They sent home the equivalent of US\$2 billion a year.

Vietnam aggressively expanded labor exports to both existing and new markets.

Malaysia, which consistently commanded roughly 25% of Vietnam's labor export market, illustrates the overall rapid expansion of existing markets: 27,000 in 2002 (Vietnam started exporting workers to Malaysia April 2002), 46,200 in 2003, 13,000 in 2004, 24,605 in 2005, 39,000 in 2006 and 26,706 in 2007, a steady increase reaching a total of 176,509 workers over the 5 years and 8 months period from April 2002 to the end of 2007. There were 130,000 Vietnamese workers in Malaysia by year's end.

In 2007, the government aggressively expanded labor exports to the Middle East, which by then made up 10% of Vietnam's total labor export market. For example, the government's goal for Qatar, a tier-3 country in the State Department's 2007 *Trafficking in Persons Report*, was to increase the number of Vietnamese workers in this country from 10,000 at the present time to 100,000 by the end of 2010.

The government's aggressive pursuit of this policy created conditions conducive to trafficking. In 2007, there were some 150 labor export companies approved by the government to export workers. While the number of state-owned companies steadily decreased, the government owned stocks in most of the privatized labor export companies and had considerable influence over the appointment of their executives. Many of these labor export companies were part of an intricate trafficking syndicate. Applicants had to pay the equivalent of several thousand US dollars not only to the labor export companies, but also layers of brokers and intermediaries — the subsidiaries set up by the labor export companies. The fees could be very high for certain destination countries: up to US\$7,500 for Taiwan and US\$10,000 for the Czech Republic.

The trafficking syndicate deceived the applicants with a contract, dubbed “hợp đồng nội” (domestic contract), showing good work conditions and decent pay. Prompted by such favorable terms, the applicant made the decision to seek a bank loan, usually through the state-owned Agriculture and Rural Development Bank, to cover application expenses. The

applicants usually had to mortgage their houses or farm lands. Oftentimes, this was not enough; their family members had to mortgage their own properties to help the applicant secure the loan. Once in the destination country, the workers had to sign another contract, dubbed “hợp đồng ngoại” (foreign contract), with much different terms. Many workers found themselves working much longer hours for much less than promised in the contracts. In many cases, workers were not fully paid for their work and held in debt bondage in disguise: mandatory monthly payments to the labor export company. Routinely, their documents were confiscated by either the employer or a representative of the labor export company posted in the country of destination. In the case of W&D Apparel, a Taiwanese-owned clothing plant operating near Amman, Jordan, Vietnamese workers, mostly women, were promised \$220/month for 8 hours of work per day—additional work hours would be paid overtime. However, once in Jordan, they were put to work for 16 hours a day while getting paid only a small fraction of the promised base wages.

We have documented several cases of workers who signed up to work in one country but ended up in another country. In the same W&D Apparel case, several workers signed up for Taiwan or Brunei but found themselves working in Jordan. The responsible labor export company, the Hanoi-based Footwear Stock Corporation, later claimed that they had no record of such workers, including the thousands of dollars they had paid to the company.

Workers in distress could not count on intervention from the Vietnamese embassies. In several documented cases, embassy officers took the side of the traffickers and threatened the victims. In late October 2007, when 1,300 Vietnamese workers at Esquel Malaysia, a clothing plant in Penang, requested help through a local lawyer, the Vietnamese embassy in Kuala Lumpur did not respond. The “domestic contract” they had signed in Vietnam guaranteed close to US\$250 per month; in actuality they received much less—some receiving only \$6/month and therefore suffering from malnutrition. When a small group of workers stopped work to protest, two women among them were assaulted by the company’s security men. This prompted all 1,300 Vietnamese workers to join the strike. A few days later, the employer sent the police into the dormitories to arrest suspected strike leaders in the dead of night and deported them within hours. The Vietnamese embassy in Kuala Lumpur completely ignored the appeal for help from the frightened workers who remained in Malaysia.

Vietnam’s existing legal framework is very weak in terms of combating trafficking in persons. Existing laws cover only trafficking in women and children (the Vietnamese Penal Code’s articles 119 and 120, respectively) but not trafficking in persons in general. In cases involving the trafficking of men, the only provision in Vietnam’s Criminal Code that could be used to prosecute traffickers is Article 275, not for trafficking but for “organizing, coercing others to illegally escape or stay overseas.” This provision does not apply to labor export syndicates, which export workers through legal routes. On January 29, 2007 Vietnam’s prime minister issued Executive Decision No. 17/2007/QĐ-TTg, establishing new policies regarding the reception of and community re-integration assistance for trafficked women and children returning from foreign countries. This document also excludes men.

Even this limited legal framework was trumped by the government’s drive to expand labor exports under its “hunger eradication and poverty reduction” initiative: there was no prevention, protection or prosecution with regard to labor trafficking of women despite their coverage under Article 119 of Vietnam’s Penal Code.

The government’s attitude towards trafficking restricted the roles of International Organization for Migration (IOM) and barred this international agency from assisting repatriated victims of trafficking. While IOM–Vietnam was funded by the US State

Department to assist repatriated victims, this agency was unable to provide assistance to many of the victims referred by BPSOS in even the most clear-cut trafficking cases.

The Vietnamese government's professed commitment to fighting human trafficking was not reflected in its conduct. In January of 2001, in an overwhelming decision, the High Court of American Samoa found two Vietnamese state-owned companies, Tourism Company 12 (TC 12) and International Manpower Supply (IMS), liable for their mistreatment of Vietnamese workers. For more than six years the two firms have steadfastly refused to pay US\$3.2 million dollars in damages to over 200 Vietnamese workers trafficked to American Samoa. In two documented cases, the Vietnamese People's Court ruled that the repatriated victims from American Samoa must surrender the back wages paid to them by the US Department of Labor to their creditors, including the brokers and banks that were part of the trafficking syndicate.

An area of trafficking deserves greater attention: workers on Taiwanese fishing trawlers. They were rarely allowed to disembark even when the boat was in port. Therefore, they were able to call home only once or twice a year. They reported working long hours, from 18 to 20 hours a day, and were often beaten and verbally abused. One of them was left without food for not performing as expected by his employer. Each month, they were paid an equivalent of US\$125-\$200 sent directly to their families in Vietnam.

Recommendations:

The US government should

- a. Link Vietnam's Trafficking in Persons (TIP) Tier ranking with its willingness to pay damages to the trafficking victims as ruled by the High Court of American Samoa;
- b. Investigate Vietnam's contract labor system and Vietnamese laws, policies and programs to combat human trafficking;
- c. Work with IOM to bring relief, assistance and protection to victims of forced labor in destination countries as well as after their repatriation to Vietnam;
- d. Fund projects that recruit and train advocates from faith-based communities and social justice communities in Vietnam and in receiving countries to combat human trafficking at the grassroots level.

Vietnam should

- a. Expand its current law on trafficking of women and children to encompass trafficking in persons in general;
- b. Approve IOM to provide assistance to victims in cases recognized by the US government as trafficking in persons;
- c. Investigate cases referred by NGOs and prosecute the traffickers.

List of political prisoners in S.R. Vietnam

Detained and tried persons since August 2006

(Updated on May 15, 2008)

No	Name (male, female)	DOB	Affiliation	Arrest (dd/mm/yy)	Trial and sentence	Place of detention	Reason/ Charge
01	Vu Hoang Hai (m)	1965	Bach-Dang-Giang Foundation, Bloc 8406	05/09/06, Ho Chi Minh City	25/04/08, sentenced to 2 years prison and 2 years house arrest	Detention Center B34 (Ministry of Public Security), Ho Chi Minh City	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
02	Nguyen Ngoc Quang (m)	1962	Bach-Dang-Giang Foundation, Bloc 8406	02/09/06 Hue City	25/04/08, sentenced to 3 years prison and 2 years house arrest	Detention Center B34 (Ministry of Public Security), Ho Chi Minh City	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
03	Pham Ba Hai (m)	1968	Bach-Dang-Giang Foundation, Bloc 8406	07/09/06 Thai Binh City	25/04/08, sentenced to 5 years prison and 2 years house arrest	Detention Center B34 (Ministry of Public Security), Ho Chi Minh City	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
04	Dr. Le Nguyen Sang (m)	1959	People's Democratic Party	14/08/06, Ho Chi Minh City	Court of first Instance on 10/05/07: sentenced to 5 years prison and 2 years house arrest; Court of Appeal, 17/08/07: prison sentence reduced to 4 years.	Prison Bo La, Province of Binh Duong City	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
05	Huynh Nguyen Dao (m)	1968	People's Democratic Party	14/08/06, Ho Chi Minh City	Court of first Instance on 10/05/07: sentenced to 3 years prison and 2 years house arrest; Court of Appeal, 17/08/07: prison sentence reduced to 2 years and 6 months.	Prison Bo La, Province of Binh Duong	Distributing leaflets. Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)

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06	Nguyen Bac Truyen (m) [jurist]	1968	People's Democratic Party	14/08/06, Ho Chi Minh City	Court of first Instance on 10/05/07: sentenced to 4 years prison and 2 years house arrest; Court of Appeal, 17/08/07: prison sentence reduced to 3 years and 6 months.	Prison Bo La, Province of Binh Duong	Distributing leaflets. Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
07	Tran Quoc Hien (m) [jurist]	1965	United Workers and Farmers Association (UWFA)	12/01/07, Ho Chi Minh City	15/05/07, sentenced to 5 years prison and 2 years house arrest	Prison Bo La, Province of Binh Duong	Speaker of UWFA. Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC) and disrupting security (§89 VCC)
08	Hang Tan Phat (m)	1984		23/09/05, Ho Chi Minh City	29/01/08, sentenced to 6 years prison and 3 years house arrest	Detention Center B34 (Ministry of Public Security), Ho Chi Minh City	Propaganda against the Socialist Republic of Vietnam (§88 VCC). The charge was modified several times: "Subversive activities against the government" (§79 VCC) at the beginning and then "Abuse of free democratic rights" (§258 VCC)
09	Truong Quoc Huy (m)	1980	Bloc 8406	18/08/06, Ho Chi Minh City	29/01/08, sentenced to 6 years prison and 3 years house arrest	Detention Center B34 (Ministry of Public Security), Ho Chi Minh City	Propaganda against the Socialist Republic of Vietnam (§88 VCC). The charge was modified several times: "Subversive activities against the government" (§79 VCC) at the beginning and then "Abuse of free democratic rights" (§258 VCC)
10	Tran Thi Le Hong (Tran Thi Le Hang) (f)	1959	UWFA	15/11/06, Ho Chi Minh City	Sentenced on 10/12/07 to 3 years prison. No reduction of sentence at Court of Appeal, 25/02/08	Detention Center B5, Province Dong nai	Charge: misuse of the democratic right causing disorder (§258 VCC)
11	Doan Huy Chuong (Nguyen Tan Hoanh) (m)	1985	UWFA	15/11/06, Ho Chi Minh City	Released on 13/05/2008	Detention Center B5, Province Dong nai	Released Charge: misuse of the democratic right causing disorder (§258 VCC); Sentenced on 10/12/07 to 18 months prison.

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12	Doan Van Dien (m)	1954	UWFA	15/11/06, Province Dong nai	Sentenced on 10/12/07 to 4 years and 6 months prison. No reduction of sentence at Court of Appeal, 25/02/08	Detention Center B5, Province Dong nai	Charge: misuse of the democratic right causing disorder (§258 VCC)
13	Phung Quang Quyen (Huyen) (m)	1956	UWFA	15/11/06, Ho Chi Minh City	Sentenced on 10/12/07 to 18 months prison. No reduction of sentence at Court of Appeal, 25/02/08	Detention Center B5, Province Dong nai	Charge: misuse the democratic right causing disorder (§258 VCC)
14	Nguyen Van Dai (m) [lawyer]	1969	Bloc 8406, Committee for Human Rights in Viet Nam	06/03/07, Hanoi	Court of first Instance on 11/05/07, sentenced to 5 years prison and 4 years house arrest; Court of Appeal, 27/11/07: prison sentence reduced to 4 years.	Detention Center No 1, Police Department Hanoi	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
15	Le Thi Cong Nhan (f) [lawyer]	1979	Progression Party Vietnam	06/03/07, Hanoi	Court of first Instance on 11/05/07, sentenced to 4 years prison and 3 years house arrest; Court of Appeal, 27/11/07: prison sentence reduced to 3 years.	Detention Center No 1, Police Department Hanoi	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
16	Le Quoc Quan (m) [lawyer]	1971	unknown	08/03/07, Hanoi	Released on 20/6/2007 but furthermore under impeachment		Released, Charge: Subversive activities against the government (§79 VCC)
17	Tran Thi Thuy Trang (f) [lawyer]	1975	Unknown.	07/03/07, Ho Chi Minh City	Released on 14/9/2007 but furthermore under impeachment	Detention Center , Phan Dang Luu No 4, Ho Chi Minh City	Released, Storing of anticommunist publications

18	Nguyen Van Ly [Catholic priest]	1946	Bloc 8406, Progression Party Vietnam	29/03/07, Hue City	30/03/07, sentenced to 8 years prison and 5 years house arrest;	Prison K1 Nam Ha, ba Sao, Kim Bang, Province of Ha Nam	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
19	Nguyen Phong (m)	1975	Progression Party Vietnam, Lac Hong Party Coalition	29/03/07, Hue City	30/03/07, sentenced to 6 years prison and 3 years house arrest	unknown	Chairman of Progression Party Vietnam. Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
20	Nguyen Binh Thanh (m)	1955	Progression Party Vietnam	30/03/07, Hue City	30/03/07, sentenced to 5 years prison and 2 years house arrest	unknown	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
21	Hoang Thi Anh Dao (f)	1986	Progression Party Vietnam	19/02/07	30/03/07, sentenced to 2 years prison released on parole and 3 years probation	Home in Hue City	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
22	Le Thi Le Hang (f) [teacher]	1963	Progression Party Vietnam	18/02/07	30/03/07, sentenced to 18 months prison released on parole and 30 months probation	Home in Hue City	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
23	Tran Khai Thanh Thuy (f), [writer and journalist]	1960	Organisation of Victims of Unjustice (Hôi Dân Oan)	21/04/07, Hanoi	31/01/08, sentenced to 9 months and 10 days prison, equal to the period of remand.	Detention Center No 14 (Camp B12), Thanh Liet, Hanoi	Released Charge: "Causing disorder" (§245 VCC). Initially charged with "Propaganda against the Socialist Republic of Vietnam" (§88 VCC)
24	Ho Thi Bich Khuong (f)	1973	Bloc 8406	25/04/07, Province of Nghe An	24/04/08 sentenced to 2 years prison and 3 years house arrest	Administrative Detention Center of the Police in district Nam Dan, Province of Nghe An	Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC) and causing public disorder (§245 VCC)
25	Hong Trung (m), [evangelical pastor]	1964	Party "Vi Dan" (For the People), Lac Hong Party Coalition	22/02/07 until 11/05/07, Province of Gia Lai	Released on 11/05/07 but placed under administrative house arrest for 6 months since 11/05/07, at Chu Se district, Province of Gia Lai	Home in Chu Se district, Province of Gia Lai	Released Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)

26	Danh Tol (m) [Khmer Buddhist monk]		Monk of Buddhist Pali school	08/02/07, Province of Soc Trang	11/05/07, sentenced to 4 years prison	Province of Soc Trang	Charge: causing public disorder (§245 VCC)
27	Kim Muot (m) [Khmer Buddhist monk]		Monk of Buddhist Pali school	08/02/07, Province of Soc Trang	11/05/07, sentenced to 4 years prison	Province of Soc Trang	Charge: causing public disorder (§245 VCC)
28	Thach Thuong (m) [Khmer Buddhist monk]		Monk of Buddhist Pali school	08/02/07, Province of Soc Trang	11/05/07, sentence unknown, Nhan Dan Newspaper said 2-4 years prison	Province of Soc Trang	Charge: causing public disorder (§245 VCC)
29	Ly Suong (m) [Khmer Buddhist]		Monk of Buddhist Pali school	08/02/07, Province of Soc Trang	11/05/07, sentence unknown, Nhan Dan Newspaper said 2-4 years prison	Province of Soc Trang	Charge: causing public disorder (§245 VCC)
30	Ly Hoang (m) [Khmer Buddhist monk]		Monk of buddhist Pali school	08/02/07, Province of Soc Trang	11/05/07, sentence unknown, Nhan Dan Newspaper said 2-4 years prison	Province of Soc Trang	Charge: causing public disorder (§245 VCC)
31	Nguyen Van Tho (m)		Hoa Hao Buddhist Church	02/10/06	03/05/07, sentenced to 6 years prison	unknown	Charge: causing public disorder (§245 VCC)
32	Duong Thi Tron (f)		Hoa Hao Buddhist Church	02/10/06	03/05/07, sentenced to 4 years prison	unknown	Charge: causing public disorder (§245 VCC)
33	Le Van Soc (m)		Hoa Hao Buddhist Church	04/11/06	03/05/07, sentenced to 6 years prison	unknown	Charge: causing public disorder (§245 VCC)
34	Nguyen Van Thuy (m)		Hoa Hao Buddhist Church	22/04/06	03/05/07, sentenced to 5 years prison	unknown	Charge: causing public disorder (§245 VCC)
35	Truong Minh Duc (m), journalist	1960	Party "Vi Dan" (Vietnam Populist Party)	05/05/07, Province Kien Giang	28/03/08, sentenced to 5 years prison	Vinh Thuan District Jail Facility, Province Kien-Giang	Charge: misuse of the democratic right (§258 VCC); very poor health, broken arm
36	Dang Hung (m)	1981	Party "Vi Dan" (Vietnam Populist Party)	17/05/07, Ho Chi Minh City	Released on 01/02/08 but placed under police surveillance	unknown	Released Charge: Propaganda against the Socialist Republic of Vietnam (§88 VCC)
37	Nguyen Thanh Phong (m)	1979	Bloc 8406	13/10/2006, Province of Long An	Court of Appeal on 20/07/07 sentenced to 3 years prison	unknown	Charge: misuse the democratic right causing disorder (§258 VCC)

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38	Tim Sakhorn (m) [Khmer Buddhist Monk]	1968		30/06/07, Province of An Giang	08/11/07, sentenced to 1 year prison	Prison in Province of An Giang	Charge: undermining national unity (§87 VCC)
39	Truong Minh Nguyet (m)	1946	“Group of Patriots” and “Vietnamese Political and Religious Prisoners Friendship Association”	04/06/07, Province of Long An	11/12/07, sentenced to 4 years prison	Province of Dong Nai	Charge: misuse the democratic right causing disorder (§258 VCC)
40	Nguyen Van Ngoc (m)	1960	“Group of Patriots”	01/03/07	11/12/07, sentenced to 4 years prison	Province of Dong Nai	Charge: misuse the democratic right causing disorder (§258 VCC)
41	Trinh Quoc Thao (m)	1956	“Group of Patriots”	03/03/07	11/12/07, sentenced to 2 years prison	Province of Dong Nai	Charge: misuse the democratic right causing disorder (§258 VCC)
42	Le Van Yen (m)	1953	unknown	unknown	29/11/07, sentenced to 2 years prison	Ho Chi Minh City	Charge: misuse the democratic right by participating in internet forum, writing about oppositional viewpoint and distributing leaflets (§258 VCC)
43	Dr. Nguyen Quoc Quan (m)	1953	Viet Tan Party [US citizen]	17/11/07, Ho Chi Minh City	13/05/08, sentenced to 6 months prison	Ho Chi Minh City	Charge: Terrorism (§84 VCC)
44	Nguyen The Vu (m)	1977	Viet Tan Party	17/11/07	13/05/08, sentenced to 5 months 26 days prison and 1 year house arrest	Ho Chi Minh City	Charge: Terrorism (§84 VCC)
45	Nguyen Viet Trung (m)	1979	Viet Tan Party	20/11/07	Released , 08/04/08	Phan Thiet City	Charge: Distributing leaflets
46	Khunmi Somsak (m) [Nguyen Hai, Luu Ngoc Bang, Nguyen Quang Phuc]	1947	Viet Tan Party [Thai citizen]	17/11/07, Ho Chi Minh City	13/05/08, sentenced to 9 months prison and 3 years house arrest in Province Khanh Hoa	Ho Chi Minh City	Charge: Terrorism (§84 VCC)
47	Y Min Bkrông (m)	1978		unknown	April 2007, People’s Court in Province Dak Nong sentenced to 3 years prison		Charge: organizing illegal migration
48	Y Nhat (m)	1984		unknown	April 2007, People’s Court in Province Dak Nong sentenced to 2 years prison		Charge: organizing illegal migration
49	Rchôm Chuôn (m)	1982		unknown	April 2007, People’s		Charge: organizing illegal migration

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					Court in Province Dak Nong sentenced to 2 years prison released on parole		
50	Luong Van Sinh (m)		Bloc 8406	10/01/2008, Binh Thuan		Binh Thuan	Contact to reactionary people
51 - 59	Kieu Van Hoa (m), Nguyen Van Tuan (m), Nguyen Van Nang (m), Luu Quoc Luan (m), Nguyen Nam Dien (m), Nguyen Thi Tho (f), Nguyen Thi Dung (f), Do Thi Mai (f), Duong Thanh Truc (f), Nguyen Thi My Van (f)			2/3/2008, Ho Chi Minh City		Ho Chi Minh City	Protest against property confiscation in district 9, HCM City
60	Bui Kim Thanh (f) [jurist]	1960	Democratic Party XXI	04/03/08, Ho Chi Minh City		Bien Hoa Psychiatric Ward	Visiting dissidents; detained from Nov 2006 to July 2007 in Bien Hoa Psychiatric Ward
61	Nguyen Van Hai (m) [journalist]	1975	Tuoi Tre Newspaper	12/05/08, Hanoi		Hanoi	Charge: abuse of position and authority while on duty (§281 VCC)
62	Nguyen Viet Chien (m) [journalist]	1952	Thanh Nien Newspaper	12/05/08, Hanoi		Hanoi	Charge: abuse of position and authority while on duty (§281 VCC)