



# Vietnam's press freedom shrinks despite open economy

*A special report by the Committee to Protect Journalists*



Committee to Protect Journalists

## Vietnam's press freedom shrinks despite open economy

Vietnamese officials are stepping up repression of old and new media even as they promote an image of an open, globalized economy. Intense surveillance and imprisonment of critical journalists, coupled with increasingly restrictive laws, are choking the flow of information. **A CPJ special report by Shawn W. Crispin**



A police officer blocks photographers at an anti-China protest in front of Hanoi's Opera House on July 22. (Reuters/Nguyen Lan Thang)

*Published September 19, 2012*

### HANOI

When Vietnamese police first detained blogger Nguyen Van Hai in 2008, they told his family it was for his own protection from Chinese secret agents angered by his reporting. Hai, widely known by his blog name, Dieu Cay (Peasant's Pipe), had reported on local protests against China—rare events that were censored in government-controlled mainstream newspapers—and written critical commentaries about China's claim to island territories contested by Vietnam.

"They said if they did not catch my father in time, it would disappoint China and they would start a war and then we would lose even more territory," Hai's son, Nguyen Tri Dung, said in a recent interview with CPJ. "That obviously wasn't true."

Four years later, despite having completed a 30-month sentence on trumped-up tax evasion charges, Hai continues to languish in prison as authorities pursue new anti-state charges against him and two other bloggers who jointly created the Free Journalists Club, a website that carried stories critical of Vietnam's relations with China. Hai and co-defendants Ta Phong Tan and Phan Thanh Hai await trial on counts that could result in up to 20 years' imprisonment apiece. Tan's mother, Dang Thi Kim Lieng, set herself on fire in July in a dramatic and fatal protest against the government's actions in the case.

For his part, Dung has faced intense and persistent government harassment as he has campaigned for his father's release. Dung said agents have asked his neighbors and university classmates whether they had ever heard him say anything against the state. When no potential witnesses stepped forward, he said, agents blocked him from taking his final examinations, which has kept him from receiving his degree.

Dung's movements and communications are closely monitored as well. During a June 26 meeting with CPJ, an apparent plainclothes agent entered the secluded private room in a back alley café where the interview was taking place and eavesdropped on the discussions. "This is what happens to us—we never know if a random person is really a government agent or not," Dung said in a follow-up email after cutting short the meeting. "We are prisoners of our own government. ... They try to break down all people who fight for their rights or speak their own opinions."



Reporting on anti-China protests like this one in Hanoi on July 1 is not allowed in Vietnam's state-controlled media. (Reuters/Nguyen Lan Thang)

Vietnam's Communist Party-dominated government maintains some of the strictest and harshest media controls in all of Asia even as it portrays the nation as having an open economy. Through economic liberalization measures, beginning with market-oriented reforms in the mid-1980s and culminating in the country's entry to the World Trade Organization in 2007, national leaders have worked to integrate the country into the global community. Prime Minister Nguyen Tan Dung's administration has tried to leverage this liberalized trade status into a more prominent global role, which includes a bid for a seat in 2014 on the U.N. Human Rights Council. His government has also sought to deepen military and other ties with the United States as a way to diversify its foreign relations and counterbalance China's rising regional profile.

While Vietnam must maintain a certain degree of openness, including over its communications infrastructure, while integrating into the global economy, authorities are simultaneously striking back against independent

journalists and political dissidents who use digital platforms. Rising grassroots resentment of state-backed land-grabbing, perceptions that the government has ceded territory and made unfavorable concessions to China, and, now, signs of an economic slowdown have all been covered critically in independent blogs. These types of reports, which are banned in state-controlled media, have challenged the Communist Party's portrayal of itself as the sole guardian of the national interest, a narrative it has perpetuated since taking power and unifying the country in 1975.

Responding to this perceived threat, Prime Minister Dung's administration has unleashed a harsh crackdown on dissent—a campaign of harassment and intimidation that since 2009 has led to the imprisonment of scores of political dissidents, religious activists, and independent bloggers, many for their advocacy of multi-party democracy, human rights, and greater government accountability. With at least 14 journalists behind bars, Vietnam is Asia's second worst jailer of the press, trailing only China, according to CPJ research. Many of those in detention have been charged or convicted of anti-state crimes related to their blog postings. Authorities have also ramped up Internet surveillance and filtering and applied even more pressure on the long-repressed mainstream media. The Arab Spring uprisings that toppled autocratic regimes in the Middle East and North Africa prompted a recent expansion of censored news topics, according to local journalists and editors.

Online journalists are especially vulnerable. On top of the vague anti-state statutes that the government uses to quash dissent, notably Articles 79 and 88 of the penal code, new laws have been enacted specifically to rein in bloggers, according to local journalists and CPJ research. An executive decree that came into force in February 2011 brought bloggers under many of the same legal restrictions used to control, censor, and sanction the mainstream media. Another pending draft decree on Internet services, now in its third reading, aims to stiffen those restrictions by making it illegal to maintain an anonymous identity online and obliging Internet companies to cooperate with authorities in enforcing its many freedom of expression-curbing provisions.

CPJ interviews with 32 bloggers, reporters, and editors—both inside and outside of the country—found that Dung's government has deepened repression of both the old and new media. Many spoke to CPJ on condition of anonymity due to fear of reprisal if their names appeared in a report critical of the government. Several independent bloggers declined to meet in person due to concerns for their personal security. Prime Minister Dung's office did not respond to CPJ's written request for comment for this report.

## **Manacled mainstream media**

All news publications in Vietnam are owned and controlled by the government. There are around 80 newspapers in circulation across the country, of which a dozen or so are national in scope. Publications are generally associated with Communist Party-affiliated institutions or organizations, while news and commentary is often slanted to push their respective factional agendas or score points against intra-party rivals, particularly in the run-up to Communist Party Congresses held every five years.

All top editors are appointed by the government and must be card-carrying members of the party. Those editors are summoned for regular meetings, usually held on Tuesday mornings, with Central Propaganda Department (CPD) officials who set their weekly news agendas, typically a prosaic lineup of official meetings and events. At the same closed-door meetings, according to local journalists, authorities review newspapers'





Vietnamese Prime Minister Nguyen Tan Dung has tried to leverage Vietnam's liberalized economy into a more prominent global role. (AFP/Hoang Dinh Nam)

coverage of the previous week, reprimanding editors who allowed publication of news or commentary viewed as straying from the party line.

The government does not acknowledge maintaining a formal blacklist of local journalists who have either flouted the CPD's directives or who are believed to have ties to political dissidents. However, journalists who spoke to CPJ insisted that such a list exists. One reporter said she believes she was blacklisted in 2009 after being detained and interrogated by police over her blogging on Vietnam's territorial disputes with China, an issue the government considers sensitive. Since then, she said, the government has consistently denied interview requests and barred her from international conferences and summits.

According to editors and reporters familiar with the CPD's guidelines, forbidden topics include the activities of political dissidents and activists, high-level official corruption, factional divisions inside the Communist Party, human rights issues, anti-China sentiments or protests, and any mention of ethnic differences between the country's once divided northern and southern regions, among others. As economic growth has recently started to slow, the list of taboo topics has expanded to include criticism of the government's economic management, land conflicts between the government and local communities, and the business dealings of the prime

minister's daughter, they said.

A case in point: A reporter at the Ho Chi Minh City-based *Tuoi Tre* newspaper said CPD authorities recently called his bureau to demand that it stop running a series of stories and editorials that questioned why the income tax rate was higher in Vietnam than in wealthier neighboring countries. Although *Tuoi Tre* had prepared to publish several additional stories on the issue, the series was brought to an abrupt halt, the reporter said. "In the morning, you start working on a story; by the afternoon, you're told to stop," said the reporter, who requested anonymity. "It sometimes makes you throw your hands up and say, 'I don't want to do this job anymore.'"

Even with those strict guidelines in place, reporters who spoke to CPJ said their movements, phone conversations, and online activities are under tight surveillance. One local wire service reporter said he maintains four separate mobile telephones, three registered in other people's names, to elude government eavesdropping, especially on his communications with foreign embassies and local dissidents. He said he often places calls to sensitive sources far away from his news bureau to evade possible GPS tracking of his location.

Several mainstream media reporters who spoke to CPJ said they had earlier maintained independent blogs outside of their news bureaus, where they published material that their newspapers had censored or posted comments critical of their paper's slanted coverage of news events. But as government surveillance over the blogosphere has improved and intensified, many said they have shuttered their blogs, either under direct government pressure or because of concerns they could be fired if discovered moonlighting as a pseudonymous blogger.



All news publications in Vietnam are owned and controlled by the government. (AP/Chitose Suzuki)

Huynh Ngoc Chanh, a retired senior editor at *Thanh Nien* newspaper, said he was forced to close his personal blog under heavy government pressure after he posted on several sensitive issues, including what he characterized as “failures of the political system.” Chanh said that since retiring from the newspaper he has restarted his blog and now regularly posts on topics left uncovered in the mainstream media.

“In Vietnam, there are a lot of issues that are not right—corruption, social issues, political problems—that journalists are not allowed to write about,” said Chanh, who blogs under his real name. “As a journalist, there were things I wanted to write and publish but couldn’t. [As a blogger] I write about the things I see and put forth my opinions.” He said he has not faced any repercussions for his blogging and was adamant that he be quoted by name in this report.

Although not subject to the CPD’s weekly censorship meetings, international reporters based in Vietnam face a different set of restrictions. Police keep tabs on their reporting activities through required informal “coffee meetings” with their local news assistants. All accredited foreign news bureaus are required to hire local assistants, although the assistants are not allowed press credentials.

In one such recent meeting, police queried the news assistant of a major Western newspaper about why its correspondent had met with a local “blacklisted” journalist—indication, she said, that plainclothes agents were closely monitoring the international reporter’s movements. Another news assistant with an international news agency said he can often tell which of his bureau’s phone calls have been bugged by the questions that security agents ask during their weekly “coffee meetings.”

International journalists work in Vietnam on renewable six-month visas, a system that encourages self-censorship for those keen to maintain their position in the country, according to the bureau chief of one international news agency who spoke on condition of anonymity. After one journalist reported on state repression of political dissidents and independent bloggers, authorities shortened his visa renewal period to three months and required government review of his most recent reporting, the bureau chief told CPJ.

Foreign journalists must also receive permission from the Ministry of Foreign Affairs to report outside of Hanoi, the national capital. Reporters who spoke to CPJ about the requirement complained that the applications often take weeks, and even months, to be processed and that the breaking news they aim to cover has died down by

the time they receive their travel permits. Reporters who parachute in, meanwhile, are required to hire a government-appointed minder for the dong equivalent of US\$200 per day, a supervisory arrangement that restricts reporters' ability to conduct candid interviews with independent sources.

## **An open space closes**

Vietnamese bloggers thrived throughout the early and mid-2000s, largely free of legal harassment or surveillance. Yahoo 360° had emerged as the country's preferred blog platform, and at its height hosted an estimated 2 million blogs. While most of those blogs were dedicated more to lifestyles than news, a critical mass focused on political, economic, and social issues, including commentaries critical of government policies, projects, and personalities that would have been censored in mainstream newspapers.



Farmers in Vietnam's northern Hung Yen province protest on April 20 against the seizure of land to construct a luxury resort.  
(Reuters/Mua Xuan)

By late 2007, bloggers found common cause in the government's perceived limp response to China's creation of a new province on the Paracel Islands, a territory historically claimed by Vietnam. Nationalistic bloggers organized online a series of anti-China protests in 2007 and 2008, demonstrations that the government quickly quashed to avoid irking its northern neighbor. Many were detained, interrogated, and, if perceived to be ringleaders of the demonstrations, imprisoned on anti-state or other arbitrary charges, according to bloggers, journalists, and activists caught up in the crackdowns.

A similar movement galvanized online in 2009 against China-backed bauxite mining. While the mainstream media were under directives to laud the project's economic upside, according to local journalists, bloggers criticized it on various fronts, including its likely adverse environmental impact, Beijing's plan to import thousands of its own nationals rather than hire local Vietnamese workers, and Premier Dung's alleged personal stake in the multimillion-dollar scheme.

"After those protests, the government saw the influence of blogs on political life in Vietnam," said one of the bloggers who was temporarily detained in the 2009 crackdown. "Now they see blogs as something very dangerous, something they need to control. ... They see bloggers as hostile forces."

By mid-2009, Yahoo shuttered its 360° platform, fragmenting what had been a cohesive and insulated online community. Several bloggers who spoke to CPJ said they believe that the government pressured Yahoo to suspend the service because its servers were hosted outside of the country, which had provided an added layer of security to anonymous bloggers. Yahoo representatives have consistently rejected such speculation, noting that the company discontinued the service worldwide, not just in Vietnam, due to waning use.

Authorities have since tightened their grip on the blogosphere, though Vietnam's Internet controls still lack the sophistication of China's Great Firewall. Bloggers who spoke to CPJ said they routinely circumvent government-administered blocks on websites and social media sites using proxy servers and other technological roundabouts. Many said they use Facebook as their preferred blogging platform, in part because the U.S.-based company doesn't maintain an in-country office and is thus presumably not subject to government pressure to reveal the Internet protocol (IP) addresses of its users.

Authorities are working to close those gaps. Recent measures aimed at curbing Internet freedoms have included heightened surveillance of blogs, new laws barring the posting of information viewed as a threat to national security or unity, and the deployment of so-called "red guards," security officials who pose online as ordinary Internet users and harshly criticize and harass targeted bloggers, according to CPJ interviews. A new draft executive decree aims to force foreign Internet companies like Facebook and Google to cooperate with authorities and require them to locate offices or appoint representatives in Vietnam. (Only Yahoo currently maintains an office in the country.)

If the decree is enacted, it would make a wide range of intermediaries, including Internet service providers (ISPs), social media networks, interactive message boards, and individual blogs legally liable for violations. It would also require all Internet-related companies based in Vietnam to house their servers in the country, a requirement that anonymous and pseudonymous bloggers fear would jeopardize the security of their IP addresses.

## **Bloggers try to fill the gap**

Trinh Kim Tien, a 22-year-old blogger, is among those who have been targeted for harassment. For the past year, she has maintained a blog on Facebook that publicizes cases of police abuse of power. She told CPJ she took up journalistic blogging on issues of justice and official abuse after her father was paralyzed and later died after being beaten in police custody for a minor traffic violation.

Tien said her posts expose the behind-the-scenes ways that police have escaped justice in abuses nationwide. "In recent years, there have been many mysterious deaths in police stations," she told CPJ during a meeting in an underground café in Hanoi. "They claim many people commit suicide."

An initial court ruling in her father's case found that he died accidentally while in custody. An appeals court has delayed handing down a follow-up verdict on three separate occasions—indication, she believes, of the publicity her blogging has generated. Police have denied wrongdoing in the case.

Those critical entries, however, have come at high personal cost. Since she started blogging, Tien said she has received threatening phone calls and text messages from phones using untraceable SIM cards. She said anonymous visitors have also frequently left crude messages on her Facebook page and that her home





Blogger Trinh Kim Tien shows a photo of her father after he was beaten by police. (AFP/Ian Timberlake)

address, phone number, and email contacts were recently posted on a local website known for selling commercial sex services.

“They do whatever they can to humiliate and defame me,” said Tien, who likens the harassment to “spiritual and mental torture” and attributes it to rogue police officials. “I will keep writing and keep fighting, but I don’t know what they will do to me.”

For other bloggers, the oppression has been more overt. Last year, authorities detained on anti-state charges four bloggers linked with *Redemptorist News*, an online Catholic news service that reports on religious and social issues from a Ho Chi Minh City-based church. As a religious organization, which first began publishing pamphlets in 1935, long before the Communist Party existed, *Redemptorist News* operates outside of the CPD’s censorship guidelines and relies on a wide network of citizen journalists for most of its news content.

“We have our own reporters, but we also publish information from the people if we feel we can say something on their behalf,” said Dinh Huu Thoai, a priest who helps to edit the news and blog site. “We stand for the people who have no voices.”

The detained bloggers, including staff writer Paulus Le Van Son, had all posted entries critical of the government’s attempts to seize lands held by the Catholic Church. Nearly a year after their arrests, all four are still being detained without trial. According to a *Redemptorist News* staff member who requested anonymity, other contributors have been pressured by police to stop contributing to the website, including those who have reported on land conflicts between the church and state.

“We are free to pray, preach, and blog on church grounds, but once we venture off the grounds we can be harassed and arrested,” the staff member said. The *Redemptorist News* website is blocked in Vietnam and its various mirror sites have been hit by denial-of-service attacks, she said.

## Mixed signals to the media

While such overt repression represents a clear danger to all journalists, some independent observers sense inconsistency in the government’s media policies.

Geoffrey Cain, a researcher who has sought to identify patterns in Vietnam’s press censorship, told CPJ that interviews he conducted with local reporters suggested that press freedoms have been on a “downward spiral” since 2006, the year two local reporters broke news of a high-level scandal at the Ministry of Transport, known as PMU-18, and were later sentenced to prison for “abusing democratic freedoms.”



Church representatives protest what they say is the seizure of church land at the People's Committee building in Hanoi on November 18. (Reuters/Peter Nguyen)

Yet Cain believes Communist Party leaders have recently allowed for more enterprise reporting on local-level corruption—a practice he described as “deliberately incomplete censorship”—as a way to discipline and humiliate provincial civil servants and police officials outside of the party’s central reach. Local journalists said they believe that increased factional competition inside the Communist Party has also made decision-making over the media less certain.

“The censorship boundaries have become so nebulous, and the security people are always keeping an eye on reporters, a sort of panopticon effect,” Cain said in an email correspondence with CPJ. “There seems to be less and less of a correlation between their reporting topics, their editing ranks, and whether or not they get in trouble. The party uses this uncertainty to keep them on their toes.”

That also appears to be the case with the government’s seemingly erratic online censorship. Like mainstream newspapers, Vietnam’s three main ISPs are controlled by different factions inside the Communist Party. Local bloggers note that while certain websites and social media platforms are blocked on one ISP, they are often available elsewhere, a possible reflection of infighting. A local news assistant with a Western newspaper noted that when the government announced its sovereignty over South China Sea territories in June—a sensitive proclamation, considering China’s competing claim to the islands—the National Assembly website that carried the announcement of the legislation was blocked on one local ISP but was available on two others.

Local bloggers also believe the government imposes sporadic blocks on social media sites, including Facebook, to prevent politically oriented groups from coalescing online.

While the government imposes new restrictions on bloggers with one hand, some individual officials are beginning to embrace the country’s vibrant blogosphere with the other. *Dan Lam Bao* (Citizen Journalist), a popular Vietnamese-language exile-run collective blog that posts critical news and editorials from about 20 anonymous in-country contributors, receives 150,000 page views per day after only two years of publishing, according to its U.S.-based editor, who requested anonymity.

The editor said the blog published a series of unsolicited submissions from an anonymous source at the government’s General Department of Military Intelligence, which drew on leaked internal documents to critically

assess the activities of the U.S. Embassy and the U.S. Chamber of Commerce in the country. Other submissions from the same source detailed confidential interactions between China's Foreign Department and Vietnam's ambassador to Beijing. Still, *Dan Lam Bao's* undercover contributors face harassment, such as the recent travel ban imposed against one blogger who tried to leave the country for an Internet security training seminar.

Those mixed signals perpetuate the culture of fear that keeps the country's journalists on a knife's edge. "It's hard to know the line because even the Communist Party doesn't seem to know what it's doing," said a *Phap Luat* (Law) newspaper reporter who blogs under a pseudonym and met with CPJ secretly at an underground café in Hanoi. "We don't know how to protect ourselves. It's a big fear that prevents us from raising our voices. ... Even at this moment, I'm not sure if we're being eavesdropped [on]. In Vietnam, you never know."

*CPJ Senior Southeast Asia Representative Shawn W. Crispin is based in Bangkok, where he is a reporter and editor for Asia Times Online. He has led CPJ missions throughout the region, including to Burma, the Philippines, and Indonesia.*

## **CPJ's recommendations**

### **To the Vietnamese government:**

- Release all imprisoned journalists immediately and unconditionally. CPJ research shows that at least 14 journalists were imprisoned in the country as of September 1, 2012.
- Implement reforms to bring Vietnam's laws and practices in line with international standards for press freedom and freedom of expression. Put an immediate end to all state censorship of newspapers and other publications.
- Halt the arbitrary detention, surveillance, and harassment of journalists.
- Drop the pending executive decree on Internet services, which would make it illegal to maintain an anonymous identity online and would require foreign Internet companies to host their servers in Vietnam. Repeal existing laws and policies that restrict Internet freedom.
- Abolish or amend all anti-state laws, including Articles 79 and 88 of the criminal code, that penalize "propagandizing" against the state. These statutes are used regularly to threaten and imprison journalists.
- Allow international reporters open access to all areas of the country. Stop pressuring local news assistants for foreign publications to provide information about their agencies' reporting plans, appointments, and sources.
- End the government's monopoly of print and broadcast media, and allow the establishment of independent, privately held newspapers, radio stations, and television news channels.

### **To the European Union and United States:**

- Insist that future political and economic relationships be dependent on Vietnam displaying greater commitment to political openness and demonstrating improvements on press freedom and Internet freedom.
- Make the release of imprisoned journalists a priority condition for enhancing diplomatic, strategic, and commercial engagement with Vietnam, including through new trade and investment pacts.
- In the case of the United States, insist on such conditions before allowing Vietnam to join the Trans-Pacific Partnership regional trade agreement. Similarly, the United States should decline Vietnam's request to become a beneficiary under the U.S. Generalized Systems of Preferences tax exemption program until press freedom conditions have significantly and demonstrably improved.

### **To United Nations member states:**

- Insist that Vietnam release all imprisoned journalists and make demonstrable progress on press freedom as a condition of approving its bid to take a seat on the U.N. Human Rights Council in 2014.

**To U.N. Human Rights Council members:**

- Consider passage of a resolution urging Vietnam to improve its poor press and Internet freedom record and to halt its persistent jailing of journalists.

**To international Internet and technology companies:**

- Decline to comply with restrictive provisions in the pending executive decree on Internet services. Such provisions would require Internet-related companies to host servers and appoint company representatives in Vietnam. Companies can continue to host services outside Vietnam; the governments of trading nations could challenge Vietnamese censorship of foreign sites under free trade provisions.
- Predicate all future investments and technological transfers on Vietnam demonstrating progress on press and Internet freedom situations. Consider scaling back or closing current representative offices and manufacturing facilities based in Vietnam until such progress is accomplished.
- Hold dialogues with local journalists and bloggers to ensure internationally accepted practices are in place to protect user anonymity and security.



Committee to Protect Journalists  
330 7th Avenue, 11th Floor  
New York, NY 10001

Web: [www.cpj.org](http://www.cpj.org)  
Twitter: [@pressfreedom](https://twitter.com/pressfreedom)  
Facebook: [@committeetoprotectjournalists](https://facebook.com/committeetoprotectjournalists)

Email: [info@cpj.org](mailto:info@cpj.org)  
Tel: 212-465-1004