

VIETNAM COMMITTEE ON HUMAN RIGHTS  
QUÊ ME: ACTION FOR DEMOCRACY IN VIETNAM

Ủy ban Bảo vệ Quyền làm Người Việt Nam



Affiliated to the International Federation of Human Rights (F.I.D.H.)  
NGO accredited to the United Nations, Unesco and the Council of Europe



Paris, 5<sup>th</sup> December 2011

**Ref: Violations of Human Rights in Vietnam**

Dear Member of the European Parliament,

A high-level Parliamentary and ministerial delegation from Vietnam will visit the European Parliament today. The EU and Vietnam have an important relationship which has enhanced Vietnam's development in many domains.

We are nevertheless concerned that the benefits of EU economic aid and investment are enjoyed first and foremost by the Vietnamese Communist Party which controls the economy, leaving large sections of the Vietnamese population in poverty, and creating serious social inequity.

Moreover, despite its binding obligations to respect human rights and democratic freedoms under the 1995 EU-Vietnam Cooperation Agreement (Article 1), Vietnam systematically stifles peaceful criticism, religious and political dissent, and indeed all forms of free expression.

For example, Vietnam receives significant funding from the EU and its member states for legal reforms. Yet instead of using this to bring domestic legislation into line with international human rights laws, it is using EU taxpayers' money to adopt or reinforce restrictive, anti-human rights legislation. Particularly alarming are vaguely-defined "**national security**" offences in the Vietnamese Criminal Code, seven of which carry the death penalty, which are routinely invoked to detain dissidents and human rights defenders; **Article 4 of the Constitution** which enshrines the political monopoly of the Communist Party, thus excluding political pluralism, free trade unions and independent civil society; **Ordinance 44** which empowers local officials to detain critics under house arrest or in psychiatric institutions for up to two years without any process of law; **Media Decree 2** (2011), which imposes drastic restrictions on journalists, along with an arsenal of decrees curbing Internet freedom and blogs.

Alongside the use of restrictive legislation, Vietnam widely uses state coercion to silence its critics and suppress basic freedoms. We are deeply concerned about recent violations of:

**Religious freedom:** Vietnam controls religions and represses all religious bodies that are "not recognized" by the State. The independent **Unified Buddhist Church of Vietnam** (UBCV), Vietnam's largest religious community, is a target of fierce persecution. Banned by the government in 1981, its members suffer continuous harassments, arrest and detention. We are particularly concerned about the plight of **Thich Quang Do**, who was consecrated UBCV Fifth Supreme Patriarch at a clandestine assembly in Vietnam in November 2011. He is currently under house arrest at the Thanh Minh Zen Monastery in Ho Chi Minh City after almost 30 years in detention. **Roman Catholics** disputing state confiscations of Church property and land have been brutally repressed, as have ethnic minorities in the Northern and Central Highlands (Montagnards, H'mongs) who convert to **Protestantism**.

BP 60063, 94472 Boissy Saint Léger cedex, France ☎ (331) 45 98 30 85 ♦ Fax (33 1) 45 98 32 61 ♦ E-mail : [queme@free.fr](mailto:queme@free.fr) ♦ Web - <http://www.queme.net>

**ADVISORY BOARD**

Marc Blondel, *France*  
Vladimir Boukovski, *Russia*  
Bill Bradley, *USA*  
Larry Diamond, *USA*

David Kilgour, *Canada*  
Paul Goma, *Rumania*  
Charles D. Gray, *USA*

Orrin G. Hatch, *USA*  
Leonid Pliouchtch, *Ukraine*  
Chris Smith, (*Honorary, USA*)

President  
Vo Van Ai  
Vice-President  
Penelope Faulkner  
Executive Secretary  
Vo Tran Nhat

**OTHER FOUNDING MEMBERS**

Milovan Djilas, *Ex-Yugoslavia*  
Eugène Ionesco, *France*

Lane Kirkland, *USA*  
Douglas Pike, *USA*

Stephen Nedzynski, *Poland*  
Jean-François Revel, *France*

**Repression of peaceful critics, lawyers and human rights defenders:** Despite guarantees of freedom of expression in the Constitution, the government has pursued a fierce crack-down on dissidents, lawyers and human rights defenders expressing peaceful criticisms or appealing for democratic reforms. In April 2011, legal expert **Cu Huy Ha Vu** was sentenced to seven years in prison and three years house arrest on charges of “anti-socialist propaganda” (Article 88 of the Criminal Code) simply for calling for pluralism and criticizing the Prime Minister; in 2010, human rights lawyer **Le Cong Dinh**, who himself was a strong critic of Article 88, **Nguyen Tien Trung**, **Tran Huynh Duy Thuc** and three others received prison sentences from 5 - 16 years for similar appeals for political reform.

**Suppression of Internet freedom:** Vietnam has adopted extensive legislation to curb use of the Internet, including a 2008 regulation on blogs, and restricts the use of social networks such as Facebook. Many bloggers and on-line journalists have been arrested or harassed, and their blogs closed down. We are extremely concerned about the health and security of blogger **Nguyen Van Hai**, (aka **Dieu Cay**). He has been detained incommunicado since October 2010 on charges of “propaganda against the Socialist Republic of Vietnam”. His current whereabouts is unknown.

**Crack-down on demonstrations:** Since June 2011, unprecedented demonstrations have taken place in Hanoi and Ho Chi Minh City in protest against a series of Chinese incursions into Vietnamese waters and lands. Organized by young people and students, the protests brought together people from all walks of life, including prominent intellectuals, Communist party and military veterans. Police cracked down heavily on these protests, arresting and assaulting scores of demonstrators. On 28 August, after a meeting with the Chinese Defense Minister in Beijing, Vietnamese Deputy-Minister of Defense Nguyen Chi Vinh, announced: “*we will strongly sanction any gatherings or rallies in Vietnam. We will not let this happen again*”. Despite this ban, since mid-September, dissidents have continued to hold silent gatherings each Sunday in Hanoi.

The European Parliament has repeatedly called for an end to human rights abuses and a process of democratic reform in Vietnam. To achieve this, it is crucial that the new EU-Vietnam Cooperation and Partnership Accord that will be signed next year contains specific mechanisms for monitoring and ensuring the respect of human rights. We urge you to raise this question with the Vietnamese delegation at the EP today, and also to call upon them to take the following concrete steps:

- Cease persecution against all religious communities, notably by releasing UBCV Patriarch **Thich Quang Do** and reestablishing the UBCV’s legitimate status;
- Immediately and unconditionally release all dissidents, bloggers, journalists and human rights defenders detained for the peaceful exercise of their basic human rights, e.g. **Cu Huy Ha Vu**, **Le Cong Dinh**, **Nguyen Tien Trung**, **Tran Huynh Duy Thuc** and **Dieu Cay**;
- Ensure that the new law on demonstrations promised by the Prime Minister in November 2011 does not repeat the restrictive provisions of the current Decree 38, but provides a legal framework that truly guarantees the right to peaceful demonstration;
- Repeal or revise all laws that contravene international human rights standards and norms (e.g. Article 4 of the Constitution, Ordinance 44 etc).

We thank you for your support for the respect of human rights and freedom in Vietnam.

Yours sincerely,



---

Vo Van Ai  
President