

**REPORTERS
WITHOUT BORDERS**
FOR PRESS FREEDOM



INDEX
ON CENSORSHIP



TO: Director-General Hoang Chi Trung
Department of International Organizations
Ministry of Foreign Affairs of Viet Nam

November 9th, 2011

Dear Director General,

As your delegation arrives in Washington, DC for its human rights dialogue with the US, the undersigned organizations write to express serious concern over the lack of freedom of expression and information in Vietnam. As of today, 20 reporters, bloggers and human rights defenders in your country are behind bars because they dared write the denial of human rights in Vietnam.

In past discussions with U.S. officials, you agreed to note that without free and independent media and civil society, it would be difficult for Vietnam to tackle many of the issues your country faces. We regret that the tighter restrictions your government has put on the press and Internet users since January 2011 could also have made you less informed on the situation in your own country and therefore less equipped to govern.

Vietnam continues to have no independent media, and bloggers and reporters take a risk when they report on the true state of civil society in Vietnam. Prior to entering the World Trade Organization in 2006, you acknowledged that the human rights record of a country was very closely linked to your economic development. We agree.

Last August, the Vietnamese Foreign Ministry spokesperson Nguyen Phuong Nga said that human rights in Vietnam are respected as content in your Constitution and observed. We ask that you examine the following three examples and explain why then are the following civil and political rights that are enshrined in the Vietnamese constitution not observed in reality.

Article 53 states: "Citizens have the right to take part in managing the State and society, in debating on general issues of the whole country or of the locality, and make petitions or recommendation to the state offices and vote at any referendum held by the State."

Why is Nguyen Van Hai still in jail for his writings, despite what your own constitution says? He was supposed to be released more than a year ago and is still held without an explanation.

Article 69 also states: "Citizens are entitled to freedom of speech and freedom of the press; they have the right to receive information and the right of assembly, association and demonstration in accordance with the law".

Explain to us why the independent journalist Nguyen Dan Que, 69, is accused of anti-government propaganda and could face prison over his call for demonstrations inspired by pro-democracy movements in the Middle East. According to your Constitution, such a call is not against the law.

Article 71: "Citizens have the right to physical inviolability and to have their lives, health, honor and dignity protected by law. No citizen may be arrested without a warrant from the People's Court, or a warrant from the People's Court, or a warrant from or ratification by the People's Inspectorate except in the case he or she is caught in flagrant violation of the law."

Lastly, please explain to us why our organizations have confirmed testimony of physical and mental torture in detention centers across Vietnam, in direct violation of article 71.

There are too many testimonies like these all across Vietnam. These contradictions will all damage foreign investments in your country in the long run. Look at the unethical practices foreign business balk at in China and Iran, often leading them to reconsider their presence and strategy in these countries. Businesses are becoming more aware that operating in repressive countries leads to bad press and they are under growing pressure to withhold investment in those nations.

During your stay in the US, the free and diverse media here will allow you to read the news and discern information about human rights, yet your own citizens will not know how your visit is going by any means other than state media. U.S. citizens will be better informed about human rights in Vietnam than Vietnamese citizens themselves. Not paying attention to the national situation is definitely not in the line with defending your homeland, "a sacred duty and noble right of Vietnamese citizens" (article 77 of the Constitution).

For all of these reasons, freedom of information matters. Shortly after the 66th anniversary of Vietnam's independence in early September, our organizations were thrilled to learn that 10,000 prisoners were granted amnesty. We therefore urge you to extend that amnesty to all political prisoners, and to these ones in particular:

Nguyen Tien Trung

Vu Duc Trung

Le Van Thanh

Nguyen Van Ly

Nguyen Van Hai, "Dieu Cay"

Paulus Le Son

Cu Huy Ha Vu

Pham Minh Hoang

as well as the 13 other journalists and bloggers who are participating in building the civil society you mentioned in 2008, during your last visit to Washington.

Sincerely,



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Index on Censorship



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ARTICLE 19



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