

**Testimony before the Tom Lantos Human Rights Commission,
United States House of Representatives**

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May 15, 2012

Hearing on Vietnam: Continuing Abuse of Human Rights and Religious Freedom

Chairmen Wolf and McGovern, and Members of the Commission:

Thank you for inviting the Saigon Broadcasting Television Network (SBTN) to testify at this important hearing.

For over ten years, SBTN and its affiliates around the United States and beyond have offered 24-hour news and entertainment through cable television and the web. SBTN offers not only variety shows and international news but features daily programs on civic empowerment, giving voice to a community and facilitating access to its leaders.

This year, our organization was proud to stand behind a petition on the White House's "We the People" website, simply asking this administration to review its bilateral relationship through the purview of human rights.

Well over 150,000 signatures were collected, all in 30 days, an unprecedented and unsurpassed undertaking. These signatures not only echoed the sentiments of those living in America but the hopes and desires of a vibrant citizen journalism network and human rights defenders in Vietnam.

My remarks today will focus on the deteriorating condition for journalists and bloggers, as it has become evidently clear that the government is the greatest threat to media freedom in Vietnam today.

A pervasive repression of the media

The government of Vietnam brags about its media development by pointing to 550 press agencies and over 700 publications in existence¹. All of these entities are owned or controlled by the government, with little room for alternative viewpoints.

The government has racked up such dis-honors as **Enemy of the Internet** by Reporters Without Borders and a consistent placement in the **Not Free** category of Freedom House's yearly Freedom of the Press report.

¹ Nguyen Xuan Trien, Vietnam News Agency

<http://www.ssig.gov.my/ssig/kcent/material/vietnam%20Nguyen%20Xuan%20Trien.pdf>

In his remarks before World Press Freedom Day this year, President Obama praised the work of imprisoned journalist Nguyen Van Hai, known to the world as **Dieu Cay**. Imprisoned since 2008 on trumped-up charges of tax evasions, Dieu Cay was held incommunicado for almost a year and a half before being able to meet with his lawyer. He awaits trial on new charges and could face 20 years in prison.

Other renowned bloggers such as **Paulus Le Son, Phan Thanh Hai, and Ta Phong Tan** all await trials for their writings, after experiencing years of intimidation, threats, and arbitrary detention.

Radio journalists **Vu Duc Trung** and his brother-in-law, **Le Van Thanh**, were sentenced in November 2011 to three and two years in prison respectively for "illegal broadcasting" of religious programming.

Traditional media have not been spared. More often than not, control over media content is ensured by self-censorship, backed by systemic threats of dismissal and possible arrest. Private ownership of any media outlet is prohibited, and the Ministry of Information and Communication routinely parade editors in to dictate stories.

The government's pervasive press repression is bolstered by a legal system that applies vague national security laws against free speech. Vietnamese law severely limits investigative reporting, restricts the ability of the local press to report on foreign news stories, and even limits access to foreign correspondents. Even more alarming, a draft decree, scheduled for enactment in June this year, would enlist Internet companies in an effort to strengthen censorship on the Web.

The government's go-to legal code, Article 88, otherwise known as "propaganda against the state" is routinely used to silence writers. **Viet Khang**, an up and coming songwriter charged with this legal pretext, sits in jail for his piercing songs that appealed to the humanity of the security police. His songs are becoming anthems for a world audience fighting against police brutality.

Citizen journalists: operating on the fringe

Despite the Hanoi regime's maneuvering to monopolize political power, the Vietnamese people are becoming more willing to speak out, emboldened by the Internet. The increase in Internet penetration has given rise to citizen journalism and a nascent alternative media.

Openings for media in Vietnam exists in the indelible works of citizen journalists operating under much duress.

We all know that citizen journalists now operates in all forms in Vietnam: radio, broadcasting, online and some print. They are at the forefront of exposing corruption, documenting police brutality, and reporting the stories often ignored by the state.

Only two weeks ago, on April 24, 2012, seasoned citizen journalists, armed with video cameras, were front and center during land protests outside of Hanoi, and were able to capture the police

brutality that took place. As hundreds of farmers demonstrated against land seizures, three thousand police in riot gear descended upon the town, with bloggers giving live reporting of their every move.

In a turn of events, two citizen journalists were also on hand to document the beatings of journalists of the state-run radio station Voice of Vietnam: Nam Nguyen and Han Phi Long. They were beaten and injured along with other citizens. No media company in Vietnam dared reporting the incident

Contrary to what was on camera, in his report to Prime Minister Nguyen Tan Dung, Nguyen Khac Hao, a local official claimed that the land evictions were safe and no one was injured. He accused “reactionary forces at home and abroad” for arranging fake video clips to “slander and blacken the name of the people’s government.”

A clear example of the press as an organ of the state is on display with the case of **Dr. Nguyen Quoc Quan**, an American citizen recently detained in Vietnam. The litany of smears against Dr. Quan, such as labeling peaceful pro-democracy advocacy as “terrorism”, is what many bloggers and human rights defenders in Vietnam face. No other media, except in the US could report the truth.

Three years ago, while SBTN were able to go to Vietnam to record a religious event. Although a visa for reporting was granted, our news team were escorted by a team of media police who censored the contents.

As to internet freedom, Vietnam has also created legislation to severely control and limit internet usage by:

1. Forbid internet shops to be more than 500 meter away from schools, and 1 meter apart from each.
2. Mandate Bloggers to register with true names, and post no anti government articles, and demanding foreign providers such as Google and Facebook to have office in Vietnam and to disclose name of internet users upon government ‘s request.
3. The ministry of information and communication will mandate each person to register a maximum of 18 simcards form mobile network operators.

Recommendations

Vietnam’s future relies on a free press that can enable open debates. SBTN recommends the following specific actions to support an independent media:

1/ Congress in conjunction with the Obama administration should work for the release of all imprisoned journalists and bloggers in Vietnam. Their cases must be closely monitored by the US Embassy as well as raised in all human rights and security dialogues with the Government of Vietnam.

2/ Members of the Tom Lantos Human Rights Commission should help pass House Resolution 484 and H.R. 5157, the FREE Vietnam Act. Such legislation addresses the systemic causes of human rights violations in Vietnam, especially the Hanoi regime's arbitrary use of vague national security statutes to repress peaceful dissent.

3/ Trade agreements with Vietnam, especially the Trans-Pacific Partnership, should guarantee equal access to the Vietnamese market. Currently, any Vietnamese government-owned media outlet can broadcast and publish in the United States. American companies such as SBTN and various other media entities in the US cannot freely market their programs and products in Vietnam. A bilateral trade agreement call for reciprocity, and this is not the case for Vietnam. I believe that a permanent mechanism should be in place to deter human rights violation and to promote freedom of the press in exchange for favorable economic treatment.

I believe these three actions would go a long way toward supporting greater human rights in Vietnam. In the near future, if the US 's policy is to make Vietnam become a strategic partner, we owe a fiduciary duty to redress the wrong action of our partner; otherwise, we could be equally culpable by remaining inactive. Thank you for this opportunity to testify today.