

FREEDOM IN THE WORLD 2021

Vietnam

19
/100

NOT FREE

<u>Political Rights</u>	3/40
<u>Civil Liberties</u>	16/60

LAST YEAR'S SCORE & STATUS

20 /100 ● Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Overview

Vietnam is a one-party state, dominated for decades by the ruling Communist Party of Vietnam (CPV). Although some independent candidates are technically allowed to run in legislative elections, most are banned in practice. Freedom of expression, religious freedom, and civil society activism are tightly restricted. The authorities have increasingly cracked down on citizens' use of social media and the internet to voice dissent and share uncensored information.

Key Developments in 2020

- Journalists, bloggers, and human rights activists continued to face arrests, criminal convictions, and physical assaults during the year.
- Enforcement of a cybersecurity law that took effect in 2019 began to seriously restrict online speech. Facebook, for instance, reportedly removed an increasing amount of content within Vietnam, and the government allegedly threatened to completely exclude the platform from the Vietnamese market if it did not more thoroughly censor local content.
- Vietnamese authorities adopted one of the world's most effective strategies against the COVID-19 pandemic, using mass testing, contact tracing, travel restrictions, and social-distancing measures to keep the total number of cases for the year below 1,500, with just 35 deaths reported by the end of December. However, the government also used the pandemic to help justify further restrictions on speech, implementing a new decree in April that imposed fines on internet users for sharing false and other harmful information online.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

0/4

The president is elected by the National Assembly for a five-year term, and is responsible for appointing the prime minister, who is confirmed by the legislature. However, all selections for top executive posts are predetermined in practice by the CPV's Politburo and Central Committee.

In 2016, nominees for president and prime minister were chosen at the CPV's 12th Party Congress, which also featured the reelection of Nguyễn Phú Trọng as the party's general secretary. In April of that year, the National Assembly formally confirmed Trần Đại Quang as president and Nguyễn Xuân Phúc as prime minister.

President Trần Đại Quang died in September 2018, and the National Assembly confirmed Nguyễn Phú Trọng as his replacement in October; Trọng retained the post of party general secretary. The next party congress was scheduled for January 2021.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

0/4

Elections to the National Assembly are tightly controlled by the CPV, which took 473 of the body's 500-seat maximum in the 2016 balloting. Candidates who were technically independent but vetted by the CPV took the other 21 seats filled that year. More than 100 independent candidates, including many young civil society activists, were barred from running in the elections.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

0/4

The electoral laws and framework ensure that the CPV, the only legally recognized party, dominates every election. The party controls all electoral bodies and vets all

candidates, resulting in the disqualification of those who are genuinely independent.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

0/4

The CPV enjoys a monopoly on political power, and no other parties are allowed to operate legally. Members of illegal opposition parties are subject to arrest and imprisonment.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

0/4

The structure of the one-party system precludes any democratic transfer of power. The Vietnam Fatherland Front (VFF), responsible for vetting all candidates for the National Assembly, is ostensibly an alliance of organizations representing the people, but in practice it acts as an arm of the CPV.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

0/4

The overarching dominance of the CPV effectively excludes the public from any genuine and autonomous political participation.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

1/4

Although members of ethnic minority groups are nominally represented within the CPV, they are rarely allowed to rise to senior positions, and the CPV leadership's dominance prevents effective advocacy on issues affecting minority populations. Vietnam has enacted policies and strategies aimed at boosting women's political participation, but in practice the interests of women are poorly represented in government.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

0/4

The CPV leadership, which is not freely elected or accountable to the public, determines government policy and the legislative agenda.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

1/4

CPV and government leaders have acknowledged growing public discontent with corruption, and there has been an increase in corruption-related arrests in recent years. The government reported in 2019 that it had disciplined over 53,000 officials and other party members for graft. Multiple senior officials, including two members of the Central Committee, have faced discipline including jail time.

Despite the crackdown, enforcement of anticorruption laws is generally selective and often linked to political rivalries. Many top officials who have been detained or jailed belonged to a different political faction than Trọng. The CPV does not tolerate journalistic investigations, independent courts, or other autonomous bodies that might serve as a check on corruption.

C3 0-4 pts

Does the government operate with openness and transparency?

1/4

The CPV leadership operates with considerable opacity. The National Assembly passed an access to information law in 2016, but its provisions are relatively weak. Information can also be withheld if it is deemed to threaten state interests or the well-being of the nation. Independent journalists and civil society groups are not permitted to scrutinize or critique government activities.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?

0/4

Although the constitution recognizes freedom of the press, journalists and bloggers are constrained by numerous repressive laws and decrees. Those who dare to report or comment independently on controversial issues also risk intimidation and physical attack.

The criminal code prohibits speech that is critical of the government, while a 2006 decree prescribes fines for any publication that denies revolutionary achievements, spreads “harmful” information, or exhibits “reactionary ideology.” Decree 72, issued in 2013, gave the state sweeping new powers to restrict speech on blogs and social media. The state controls all print and broadcast media.

A cybersecurity law that was adopted in 2018 and took effect in 2019 includes several provisions that could restrict access to uncensored news and information. It requires companies like Facebook and Google to store information about Vietnamese users in Vietnam, and allows the government to block access to a broad range of content that could be defined as dangerous to national security. Under pressure from the government, Facebook agreed to increase its removals of allegedly illegal content in Vietnam during 2020, and officials reportedly threatened to block the platform if it did not restrict even more content. Radio Free Asia found that some of its Vietnamese Facebook posts were removed. Google’s YouTube video-sharing platform also reportedly complied with government censorship demands during the year.

New arrests, beatings, criminal convictions, and cases of mistreatment in custody involving journalists and bloggers continued to be reported in 2020. Among other cases during the year, a Radio Free Asia blogger was sentenced to 10 years in prison in March, a prominent dissident writer was arrested in May and charged with subversion, and a blogger was reportedly beaten while confined to a psychiatric hospital in July. Also in July, the well-known writer and journalist Phạm Đoan Trang ended her association with her publisher due to what she claimed was intense police harassment. Trang was arrested in October on charges of “propaganda against the state,” which carries a prison term of up to 20 years. In November, prosecutors indicted three leaders of an independent journalists’ association on similar charges.

Score Change: The score declined from 1 to 0 due to the intensifying persecution of independent writers and journalists.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

1/4

Religious freedom remains restricted. All religious groups and most individual clergy members are required to join a party-controlled supervisory body and obtain permission for most activities. The 2016 Law on Belief and Religion reinforced registration requirements, allowed extensive state interference in religious groups' internal affairs, and gave authorities broad discretion to penalize unsanctioned religious activity. Unregistered and unrecognized religious groups face routine harassment, including violence, criminal charges, and property damage.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

1/4

Academic freedom is limited. University professors must refrain from criticizing government policies and adhere to party views when teaching or writing on political topics.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

1/4

Although citizens enjoy more freedom in private discussions than in the past, authorities continue to attack and imprison those who openly criticize the state, including on social media. The government engages in surveillance of private online activity.

In 2020, the authorities imposed fines on hundreds of people for allegedly sharing false information about COVID-19 online. The crackdown was carried out under existing laws as well as a new decree implemented in April that prescribed fines for the use of social media to disseminate content that reveals state secrets or is deemed false or misleading, slanderous, or harmful to moral or social values.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

1/4

Freedom of assembly is tightly restricted. Organizations must apply for official permission to assemble, and police routinely use excessive force to disperse unauthorized demonstrations. After nationwide anti-China protests in 2018, during which dozens of participants were assaulted and arrested, the courts convicted well over a hundred people of disrupting public order, and many were sentenced to prison terms.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?

0/4

A small but active community of nongovernmental organizations (NGOs) promotes environmental conservation, land rights, women's development, and public health. However, human rights organizations are generally banned, and those who engage in any advocacy that the authorities perceive as hostile risk imprisonment.

Criminal prosecutions and violence against activists persisted in 2020. In June it was reported that an Australian citizen who had been jailed in Vietnam for membership in the banned opposition Viet Tan movement had been held incommunicado for months. In July, a court imposed lengthy prison terms on eight activists who had planned protests calling for the protection of constitutional rights on National Day in 2018. Also in July, a court sentenced a prominent prodemocracy activist to eight years in prison for his antigovernment posts on Facebook.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

0/4

The Vietnam General Conference of Labor (VGCL), the only legal labor federation, is controlled by the CPV. The right to strike is limited by tight legal restrictions.

A 2019 revision of the labor code, adopted to comply with international trade agreements, would theoretically allow workers to form their own representative bodies after taking effect in 2021, but the government was expected to limit such groups' independence in practice.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

1/4

The judiciary is subservient to the CPV, which controls the courts at all levels. This control is especially evident in politically sensitive criminal prosecutions, with judges sometimes displaying greater impartiality in civil cases.

F2 0-4 pts

Does due process prevail in civil and criminal matters?

1/4

Constitutional guarantees of due process are generally not upheld. Defendants have a legal right to counsel, but lawyers are scarce, and many are reluctant to take on cases involving human rights or other sensitive topics. Defense lawyers do not have the right to call witnesses, and often report insufficient time to meet with their clients. In

national security cases, police can detain suspects for up to 20 months without access to counsel.

Amendments to the penal code that took effect in 2018 included a provision under which defense lawyers can be held criminally liable for failing to report certain kinds of crimes committed by their own clients.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

1/4

There is little protection from the illegitimate use of force by state authorities, and security personnel are known to abuse suspects and prisoners, sometimes resulting in death or serious injury. In June 2020, family members of jailed activist Nguyễn Văn Đức ĐỘ claimed in a petition that he had been beaten and fed human feces while incarcerated in Đồng Nai Province. Prison conditions are generally poor. The death penalty can be applied for crimes other than murder, including drug trafficking.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

1/4

Members of ethnic minority groups face discrimination in Vietnamese society, and some local officials restrict their access to schooling and jobs. They generally have little input on development projects that affect their livelihoods and communities. Members of ethnic and religious minorities also sometimes face monitoring and harassment by authorities seeking to suppress dissent and suspected links to exile groups.

Men and women receive similar treatment in the legal system. Women generally have equal access to education, and economic opportunities for women have grown, though they continue to face discrimination in wages and promotions.

The law does not prohibit discrimination based on sexual orientation or gender identity, and societal discrimination remains a problem. Nevertheless, LGBT+ pride events are held annually across the country.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

2 / 4

Although freedom of movement is protected by law, residency rules limit access to services for those who migrate within the country without permission, and authorities have restricted the movement of political dissidents and members of ethnic minorities on other grounds. Vietnamese citizens who are repatriated after attempting to seek asylum abroad can face harassment or imprisonment.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

1 / 4

All land is owned by the state, which grants land-use rights and leases to farmers, developers, and others. Land tenure is one of the most contentious issues in the country, and is the subject of regular protests. The seizure of land for economic development projects is often accompanied by violence, accusations of corruption, and prosecutions of those who voice objections. A dispute over the leasing of land to a state-owned company in a village outside Hanoi turned deadly in January 2020, when a police raid on protesting residents led to the killing of a village leader and three police officers; officials later indicted 25 people on murder and other charges in connection with the incident.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

3/4

The government generally does not place explicit restrictions on personal social freedoms. Men and women have equal rights pertaining to matters such as marriage and divorce under the law. In 2015, Vietnam repealed a legal ban on same-sex marriage, but the government still does not grant such unions legal recognition.

Domestic violence against women remains common, and the law calls for the state to initiate criminal as opposed to civil procedures only when the victim is seriously injured.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

2/4

Human trafficking is a problem in Vietnam, although the US State Department reported in 2020 that the government has taken some steps to boost antitrafficking efforts. Internationally brokered marriages sometimes lead to domestic servitude and forced prostitution. Male and female Vietnamese migrant workers are vulnerable to recruitment for forced labor abroad in a variety of industries. Enforcement of legal safeguards against exploitative working conditions, child labor, and workplace hazards remains poor.



On Vietnam

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Country Facts

Global Freedom Score

19/100 ● Not Free

Internet Freedom Score

22/100 ● Not Free

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2024



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