

FREEDOM IN THE WORLD 2023

# Vietnam

19  
/100

NOT FREE

<u>Political Rights</u>	4/40
<u>Civil Liberties</u>	15/60

LAST YEAR'S SCORE & STATUS

19 /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 2022

- In June, the authorities imprisoned prominent environmental activist Nguyễn Thị Khanh after convicting her on dubious tax-evasion charges. The case was part of a broader crackdown on environmental and other civic activists.
- Law enforcement agencies continued efforts to combat corruption during the year, arresting a number of high-ranking officials for alleged malfeasance related to procurement of COVID-19 testing and other supplies.
- In November, the Ministry of Information and Communications introduced regulations requiring the removal of “false” information from social media platforms within 24 hours of an official request, further limiting freedom of expression 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 2021, Nguyễn Phú Trọng was reelected to a third term as the CPV's general secretary, despite reports that he suffered from significant health problems and party rules barring general secretaries from serving more than two terms. The National Assembly formally confirmed Phạm Minh Chính, a hard-line security official, as prime minister and Nguyễn Xuân Phúc as state president.

**A2** 0-4 pts

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

0/4

Elections to the 499-seat Quốc Hội, or National Assembly, are tightly controlled by the CPV, which won 485 seats in the 2021 balloting. Candidates who were technically independent, but were in fact vetted by the CPV, took the other 14 seats.

**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

<p><b>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?</b></p>	<p><b>0 / 4</b></p>
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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.

<p><b>B2</b> 0-4 pts</p>	
<p><b>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</b></p>	<p><b>0 / 4</b></p>

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 acts as an arm of the CPV.

<p><b>B3</b> 0-4 pts</p>	
<p><b>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?</b></p>	<p><b>0 / 4</b></p>

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

<p><b>B4</b> 0-4 pts</p>	
<p><b>Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?</b></p>	<p><b>1 / 4</b></p>

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 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. The 2021 legislative elections featured the first openly gay candidate in modern Vietnam's history, though he did not win.

## 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?**

**2** / 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. Multiple senior officials, including members of the Central Committee, have faced party disciplinary action and jail time. In June 2022, the health minister, the mayor of Hanoi, the head of the Hanoi Center for Disease Control, and dozens of other officials were dismissed from their posts and arrested in connection with a scandal that included price-fixing and bribery related to COVID-19 test kits. Also during the year, the government continued to investigate a corruption scandal related to COVID-19 repatriation flights. In late December, two deputy prime ministers were removed from their CPV Central Committee positions, reportedly for

their roles in these scandals; their formal dismissal from the government was expected to follow in early 2023.

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

*Score Change: The score improved from 1 to 2 because the authorities made significant efforts to combat COVID-19-related corruption, including by investigating, removing, and arresting officials implicated in price-fixing and bribery scandals.*

**C3** 0-4 pts

**Does the government operate with openness and transparency?**

**1/4**

The CPV leadership operates with considerable opacity. The provisions of a 2016 access to information law are relatively weak. While the government sometimes consults or partners with certain nongovernmental organizations (NGOs), independent journalists and civil society activists are not permitted to scrutinize or critique government activities, and they routinely face criminal penalties for doing so.

## 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. 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 2018 cybersecurity law requires companies like Facebook and Google to store information about Vietnamese users in Vietnam and allows the government, in collaboration with technology firms, to block access to a broad range of news and information that is deemed a threat to national security. Although Hanoi has complained at times that global technology firms are not doing enough to block problematic content, in practice the companies have reportedly complied with most of the government’s requests.

A decree issued in August 2022 detailed the implementation of the cybersecurity law’s data localization requirements, and the regulation took effect in October. In November, the Ministry of Information and Communications announced that major tech platforms would be required take down “false” content within 24 hours of an official request or face serious sanctions. The limit had previously been set at 48 hours.

Arrests, assaults, and criminal convictions of journalists and bloggers continued to be reported in 2022. In January, former journalist Mai Phan Lợi, creator of the nonprofit Center for Media in Education Community, received a four-year prison sentence after being convicted on dubious tax-fraud charges. In July, the authorities arrested prominent blogger Nguyễn Lâm Thắng, who has long contributed to US-based Radio Free Asia, for supposedly promoting antistate propaganda. At year’s end the authorities continued to detain war veteran and activist Trần Văn Bang, who had been arrested in March for Facebook posts that supposedly included “antistate propaganda.” According to the Committee to Protect Journalists, at least 21 journalists were imprisoned for their work in Vietnam as of December 2022.

**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. In July 2022, six members of the Peng Lei Buddhist House, which had refused to register with the official Buddhist organization, were sentenced to a combined 23 years and six months in prison for “abusing democratic freedoms.” In December, an independent Buddhist Unified Church of Vietnam pagoda in Kon Tum Province was destroyed by local authorities.

**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 face punishment if they criticize government policies or fail to 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 2022, authorities fined and jailed a wide range of ordinary citizens and more prominent activists for critiquing the state's COVID-19 response, its development strategies, CPV leaders, and many other topics related to the government. The Vietnam Human Rights Network found that 48 people were arrested for speech-related offenses between the beginning of 2021 and the end of May 2022.

## 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. In 2022, the government—which has close diplomatic ties to Moscow—reportedly prevented people from attending public events supported by the Ukrainian embassy.

**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, including extensive work on COVID-19. However, human rights organizations are generally banned, and those who engage in any advocacy that the authorities perceive as hostile risk imprisonment. In June 2022, prominent environmental activist Nguyễn Thị Khanh was sentenced to two years in prison on dubious tax-evasion

charges. The 88 Project, which tracks political prisoners, reported that as of December there were 206 activists behind bars.

In August, the government issued new regulations for foreign NGOs that allow such groups to be closed if their activities harm “national interests,” “social order,” or other such vaguely defined concepts.

**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.

A revision of the labor code that took effect in 2021 would theoretically allow workers to form their own representative bodies, but the change had little effect in practice, and independent unions outside the VGCL still face enormous obstacles to legal registration.

## 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 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.

**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. The death penalty can be applied for crimes other than murder, including drug trafficking; executions are carried out, but related statistics are considered a state secret.

**F4** 0-4 pts

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

**1/4**

Members of ethnic and religious minority groups face societal discrimination, and some local officials restrict their access to schooling and jobs. They also sometimes encounter harassment by authorities seeking to suppress dissent and suspected links to exile groups.

Men and women receive similar treatment in the legal and education systems. Economic opportunities for women have grown, though they are still subject to discrimination on 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**

Freedom of movement is nominally protected by law. Residency rules limit access to services for those who migrate within the country without permission, though this system is not consistently enforced. Authorities have restricted the movement of political dissidents and members of ethnic minorities on national security or other grounds.

**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. The seizure of land for economic development projects is often accompanied by violence, accusations of corruption, and prosecutions of those who protest.

**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 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?**

**1/4**

Human trafficking and mistreatment of laborers are major problems in Vietnam. The US State Department downgraded the country to the lowest tier in its 2022 *Trafficking in Persons* report, citing weaker state efforts to combat trafficking and impunity for diplomats who had allegedly been complicit in trafficking activity. Vietnamese migrant workers are vulnerable to recruitment for forced labor abroad in a variety of industries, and debt bondage has apparently been on the rise. Enforcement of legal safeguards against child labor and exploitative or hazardous working conditions remains poor; the lack of workplace COVID-19 protections in recent years has led some factory workers to walk off their jobs.

*Score Change: The score declined from 2 to 1 because the government has reduced its efforts to combat human trafficking and harmful working conditions in recent years, amid an apparent increase in exploitative practices.*



**On Vietnam**

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## Country Facts

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Global Freedom Score

**19/100** ● Not Free

Internet Freedom Score

**22/100** ● Not Free

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## Other Years

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2024



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