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Testimony of Dr. Quan Quoc Nguyen Before the Tom Lantos Human Rights Commission Hearing

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Honorable Chairmen and distinguished members:

Thank you very much for inviting me to participate in this hearing. I am honored to provide you information related to current violations of freedom of information in Vietnam, particularly, the internet.

I would like to begin my testimony with the story of my brother, Dr. Nguyen Dan Que, a prominent human rights advocate in Vietnam. Seven years ago, in the evening of March 17, 2003, Dr. Que was surfing the internet in Saigon café. Suddenly, an un-uniformed policeman grabbed him, choked his neck, and carried him away. At the same time, the forces of the Vietnam State Security Service raided his house and confiscated his writings and communications equipment. Dr. Que was arrested because he simply disagreed with remarks made by a Vietnamese Foreign Ministry spokesman, who claimed that freedom of information is guaranteed in Vietnam based on the facts that Vietnam has nearly 600 newspapers and magazines and the majority of people have access to the radio and television.

Dr. Que spoke publicly, but peacefully, against the spokesman's statements, saying that the government has failed to disprove the fact that all these publications, radio, and TV stations are in the hands of the state, and none are independent. The Vietnamese government kept Dr. Que incognito for 15 months. Finally, on July 29, 2004, they brought him to trial, and sentenced him to 30 months in prison for the charge of spreading anti-government propaganda and endangering state security. My brother has committed no crime. He was merely exercising his right to information which is clearly mentioned under Article 19 of the Universal Declaration of Human Rights of the United Nations.

Dr. Que was neither the first or last to be arrested. Any dissident who used the internet to obtain and exchange information is promptly arrested by the Hanoi communist regime. It was not until the beginning of this year that the Vietnamese government finally brought to trial 15 dissidents and gave them heavy sentences. Most of the sentences were related to using the Internet to criticize the government for ceding lands to the Chinese or corruption.

As you are aware, in order to be accepted to the World Trade Organization, the Communist Government has to promise that they will improve the human rights situation in their country. Based on that promise, the U.S. removed Vietnam from its list of Countries of Particular Concern. The Congress passed the PNTR Status and subsequently, the U.S. helped Vietnam become a member of the WTO in 2006, and a non-permanent member of the United Nations Security Council at the beginning of 2008. Vietnam has not fulfilled its commitments to improve human rights and to move toward a more democratic and civil society. Instead, the world has witnessed some of the worst crackdown on dissidents and movements for democratic reform in Vietnam. The surprising thing is that the more we award and court the Vietnamese government, the more they become repressive, particularly in the field of freedom of information.

The Vietnamese people recognize that freedom of information and freedom of expression are vital and indispensable for the democratization and development of Vietnam. They know that the government ill-conceived policy of control and suppression of freedom of information is detrimental to the future of Vietnam. In the global economy full of intense competition like today, the Vietnamese people need all necessary information on time in order to compete. That is why the dissidents inside Vietnam consider the internet as a "battlefield between the government and the dissidents". Dr. Que has said that: Internet is a dangerous weapon of repression in the hands of the Government but it's also an excellent tool for promoting democracy. We have to exploit this tool, even if it means going to prison. In January, the people of Vietnam, especially the dissidents were very encouraged to hear Secretary Hillary Clinton's speech regarding Internet freedom. She stated that free internet access is a fundamental human

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right. And they also hail Google's decision to stop censoring Internet search results in China.

On the Vietnamese government side, in an effort to win, the VCP is trying to strictly control the use of the Internet by blocking and filtering most of the sensitive websites or information deemed unfavorable toward the government. In addition, it identified, harassed, or even arrested the citizens who exercised their right to express their opinions on the internet by various methods such as chat rooms, blogs, or e-mails. The VCP forced the owners of internet-café's to cooperate with the government by identifying the users, IPO addresses, and spying on the users for the government. Recently, the Vietnamese government has gone further by trying to control the freedom of information by using high-tech professionals on the internet to block, and attack the websites of Vietnamese abroad which advocate democracy and freedom, or websites which criticize the Vietnamese government regarding corruption or ceding lands to China. In some instances, they even hijacked the domain names of these websites.

Our Internet Radio: "Tap Hop Vi Nen Dan Chu" (Rallying For Democracy) and its Vietnamese website belong to a pioneer project funded by a Grant of the National Endowment For Democracy (NED) aiming at providing the Vietnamese listeners and readers with uncensored and unbiased news. It has been constantly attacked by the Vietnamese government because of its growing popularity. (Please see attached).

To conclude my testimony, I would like to propose the following recommendations:

1. The exchange of information between the two countries does not work freely both ways. At present, Viet Nam, through various public and private channels, sends large volumes of books, tapes, newspapers, videos, and other materials into the United States. However, Vietnam does not permit Americans the same freedom to send such materials to Vietnam. The imbalance is unfair and against the principles of the WTO. The Bilateral Trade Agreement should be amended to give equal treatment for Vietnamese Americans.
2. The Vietnamese government should stop jamming the Vietnamese section of Radio Free Asia, as well as other similar radio stations which bring truthful information to Vietnam.
3. Dissidents such as the Most-Venerable Thich Quang Do, Father Nguyen Van Ly, Dr. Nguyen Dan Que, Lawyer Le Thi Cong Nhan, Dr. Pham Hong Son and engineer/writer Do Nam Hai etc. should be allowed to circulate their own publications. They should be allowed to use common communication channels such as the telephone, fax, and the internet.
4. Open a vast investigation to bring to light the censoring of internet information of Vietnamese overseas, and if proven that the Vietnamese government is behind these attacks, then it should be severely reprimanded.
5. The State department has created an Internet Freedom Task Force, but so far we haven't heard anything about this task force other than to hear its name. We propose that the U.S. Congress should monitor its activities, and that we be permitted to work in conjunction with the task force. Fortunately, I have set a meeting with Ms. Sarah Labowitz, a member of the Task force this Friday, March 26, 2010 to discuss this, and will keep you posted.

Thank you.

Quan Nguyen, M.D.

Chairman, The International Committee For Freedom To Support The Non-Violent Movement For Human Rights in Vietnam

Director, The Internet Radio: Rallying for Democracy, a pioneer program funded by The National Endowment for

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Democracy (NED), which broadcasts to Vietnam 24 hrs/day, 7 days/week.