### Ok. First of all Vietnam is rated as not free country with regard to censorship. And its lack of freedom accounts for 76 % out of 100.

### First of all talking about Media and press Forbidden topics include the activities of political dissidents and activists; factional divisions inside the Communist Party; human rights issues; and any mention of ethnic differences between northern and southern regions.

### In 2016, the government has detained (arrested) Nguyen Ngoc Nhu Quynh, a blogger who has published the article in the Internet about criticizing the Communist Party

As a consequence, the government blocks satellite and cable TV as well as radio broadcasts of foreign companies which offend against this law. In 2015, the government had shut down the non-governmental journalist organizations and the founders of this company were sentenced longer than two decades of jail time.  Also, the government has arrested at least 14 freelance journalists as of December 2014.

**Limits on Content:**

On November 2015, MIC officials ordered local media production company Monday Morning Ltd. Co. to stop producing episodes of the YouTube celebrity gossip series “Bitches in Town,” for using offensive language and causing public outrage.[19](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote19sym)

**Foreign media are not free from government censorship as well.** First of all, Foreign correspondents are required to hire a local assistance, who can watch their reporting activities.[[9]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-:3-9) These correspondents have to censor themselves to extend their visas because Vietnamese government refuses their extension for stay if their work has violated the rules given by the government.

 **Then if we talk about internet**

Firstly there are 3 main service providers, that often monitor Websites access by subscribers.[[4]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-:0-4) In addition, **the government prohibits people from accessing to politically sensitive Websites and from creating a new Website without its permission.**[**[4]**](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-:0-4)

And from time to time local authorities can block access to sites like Facebook, the BBC Vietnamese service and Vietnamese media based abroad if they notice any criticized writings related to democracy, freedom, justice and peace. **The government also uses harassment techniques to prevent known bloggers from attending and reporting on events.**

 [Independent bloggers](https://cpj.org/blog/2014/09/undercover-in-vietnam-room-for-debate-frees-up-but.php) who report on sensitive issues have faced persecution ( harassment) through street-level attacks, arbitrary arrests, surveillance, and harsh prison sentences for anti-state charges. Editors and journalists also risk post-publication sanctions including imprisonment, fines, disciplinary warnings, and job loss **In September 2015, a**[**new law**](https://cpj.org/2013/07/decree-targets-online-freedoms-in-vietnam.php)**extended state censorship to social media platforms, making it illegal to post any material, including foreign news articles related to "oppose the state" or "harm national security."** Some mobile users also reported that they were unable to send SMS messages about the rallies.

**In 2014, Decree 02 gave authorities power to penalize journalists and bloggers for a series of infractions, including publishing under a pseudonym**

Facebook and Instagram were blocked in May 2016 to curb (restrain) environmental protests organized online

**Availability and Ease of Access**

The 3G network operating since 2009 is growing fast. As of March 2015, Vietnam had 29.3 million 3G users, up from 15.7 million in 2012.[10](https://freedomhouse.org/report/freedom-net/2016/vietnam#sdfootnote10sym) In 2015 the Ministry of Information and Communication was preparing for the introduction of the faster 4G network but it has not yet been licensed and commercialized.

**Media, Diversity, and Content Manipulation**

All content needs to pass through in-house censorship before publication

For example, In November 2016, the local government in southwestern province fined a secondary school teacher $220 for describing the provincial chairman as “arrogant” on Facebook. Two other individuals were fined and received disciplinary warnings for “liking” and sharing the post. The incident became a national event, attracting dozens of media representatives to press conferences. Finally, the People’s Committee of An Giang ordered its Department of Information and Communication to withdraw the fines.[24](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote24sym) Following the case, Minister of Information and Communication Nguyen Bac Son reminded internet users that social media posts speaking ill of, or spreading false information about another person, would be subject to fines or prosecution.[25](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote25sym) The same month, Prime Minister Nguyen Tan Dung said the internet should be "clean and pure" and called on internet users in Vietnam to be more "responsible."[26](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote26sym)

The Law on Information Security passed in November 2015 and came into effect on July 1, 2016, introducing some cybersecurity protections.

 However, Vietnamese authorities do monitor online communication and dissident activity. **Cybercafe owners are required to install software to track and store information about their clients’ online activities, and citizens must also provide internet service providers with government-issued documents when purchasing a home internet connection**

Three ministries—information and culture (MIC), public security (MPS), and culture, sport, and tourism (MCST)—manage the provision and usage of internet services. On paper, the MCST regulates sexually explicit and violent content, while the MPS oversees political censorship. In practice, however, guidelines are issued by the Vietnamese Communist Party (VCP) in a largely non-transparent manner.

# A lighter, softer censorship in Vietnam

Vietnam’s first ever licensed nude photography exhibition took place last month in Ho Chi Minh City, This is a sign that the door might be opening wider for similar events to be permitted,” Hao Nhien’s fellow photographer Nguyen A told local media. “What makes me even happier is that Ho Chi Minh City [authorities] have taken the lead with such an open-minded decision.”

In a nation where freedom of expression has long been limited, the exhibition marked an important step for Vietnam’s arts community.

Filmmakers and singers “I try to express some spirit from life, from reality, in my paintings – sometimes from society, sometimes from politics,” he says. “I want to show some of the things that are happening whilst I’m alive.”

You know, everyone knows that you can’t have a film industry if things don’t change – there would be no perspective,”

### Media and the press[[edit](https://en.wikipedia.org/w/index.php?title=Censorship_in_Vietnam&action=edit&section=2" \o "Edit section: Media and the press)]

Vietnamese government owns most official media outlets and news publications in Vietnam.[[4]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-:0-4) The government often appoints senior editors, publishers, and reporters in order to control the press, news agencies, and periodicals press, news agencies, and periodicals.[[5]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-:1-5).[[5]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-:1-5)[[6]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-6)

 Also, foreign television broadcasts based in Vietnam are required to run on a 30-minute delay too because the government needs to monitor their content before they show to the public.[[10]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-10)

### Internet[[edit](https://en.wikipedia.org/w/index.php?title=Censorship_in_Vietnam&action=edit&section=3" \o "Edit section: Internet)]

There are three Internet service providers (ICPs) in Vietnam: FPT Telecom, Viet Nam Post and Telecommunications Corporation (VNPT) and [Viettel](https://en.wikipedia.org/wiki/Viettel%22%20%5Co%20%22Viettel), which are owned by the government and military.[[11]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-11)

.[[12]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-12) This is not the only case, but Vietnamese government already has utilized vague national security laws to punish several bloggers.[[7]](https://en.wikipedia.org/wiki/Censorship_in_Vietnam#cite_note-:2-7)

In August 2006, The Berkman Center for the Internet and Society at Harvard University reported that the Socialist Republic of Vietnam was “actively censoring the Internet, focusing its filtering on sites considered threatening to its one-party system” (para. 2) The report also noted that the technical sophistication, breadth, and effectiveness of Vietnam’s filtering were similar that that of China’s with which Vietnam maintained close ties. Similar to China, Vietnam has taken a multi-layered approach to controlling the Internet; Vietnam applies technical controls, the law, and education to restrict its citizens’ access to and use of information (Berkman Center, 2006). The censorship regimen has increased since then. In the last couple of years, there have been several articles in the news media that have reported on the increasing Internet censorship in Vietnam.

####  Vietnam

**Leadership**: Prime Minister Nguyen Tan Dung has been in power since 2006.

**How censorship works**: Vietnam's Communist Party-run government allows no privately held print or broadcast outlets. Under the 1999 Media Law (Article 1, Chapter 1), all media working in Vietnam must serve as "the mouthpiece of Party organizations." The Central Propaganda Department holds mandatory weekly meetings with local newspaper, radio, and TV editors to hand down directives on which topics should be emphasized or censored in their news coverage.

**Lowlight**: Authorities have increasingly used Article 258, the anti-state law that vaguely criminalizes "abusing democratic freedoms," to threaten and prosecute independent bloggers. At least three bloggers have been convicted under the law, which allows for seven-year prison sentences.

Authorities administered fines and disciplinary warnings for critical content online

Prosecutions of ICT users fell during Trans-Pacific Partnership negotiations, but three bloggers were sentenced the month after the agreement was signed

A cybersecurity law passed in November 2015 could undermine privacy and encryption

**Obstacles to Access:**

Although internet is widely available in cities, access can be sporadic in rural areas. The quality of access is improving, yet remains poor by global standards. Investment is needed to improve access speeds, and the infrastructure is vulnerable to physical damage. The telecom market is dominated by a few players, most of them state or military-owned, lacking fairness and autonomy by international standards.

Availability and Ease of Access

Internet penetration grew from 48 to 53 percent in 2015, according to an International Telecommunication Union estimate.[3](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote3sym)

Despite incremental improvement, the quality of access remains poor. Internet speeds were among the lowest in the Asia Pacific, ranking 17th in the region, according to one study, and 102nd in the world.[4](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote4sym) Akamai reported average connection speeds of 5 Mbps in early 2016.[5](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote5sym)

While there has been a surge in the number of subscribers, fixed broadband remains a relatively small market segment. Fixed broadband services have been largely based on DSL technology; more recently, faster fiber-based broadband services are starting to replace it, with FttH subscriptions overtaking DSL subscriptions for the first time in November 2015.[6](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote6sym)

Mobile broadband has been a more significant factor in increasing access to faster internet service. Mobile broadband penetration was more than four times that of fixed broadband by 2015 (34 percent compared to 8 percent). [7](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote7sym) Mobile penetration was reported at 130 percent in 2015.[8](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote8sym) By March 2015, 52 percent of Vietnamese mobile subscribers used smartphones. [9](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote9sym)

The 3G network operating since 2009 is growing fast. As of March 2015, Vietnam had 29.3 million 3G users, up from 15.7 million in 2012.[10](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote10sym) In 2015 the Ministry of Information and Communication was preparing for the introduction of the faster 4G network. The regulator authorized operators to launch trial 4G LTE networks, though its use has not been commercialized, and spectrum has yet to be licensed. [11](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote11sym)

### Restrictions on Connectivity

While several companies have licenses to build infrastructure, the state-owned Viet Nam Post and Telecommunications Corporation (VNPT) and military-owned Viettel dominate the country's telecommunications sector.

Three out of four providers servicing Internet Exchange Points (IXP), which allocate bandwidth to service providers, are state- or military-owned (VNPT, Viettel, and SPT; the fourth, FPT, is private).[12](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote12sym) Although this suggests a concerning degree of state influence over the internet architecture, authorities in Vietnam did not employ noticeable throttling or restrict access to the internet for political reasons during the coverage period of this report. Research published in 2014 indicated that mobile operators may throttle over-the-top communications applications which represent a threat to their own, paid services,[13](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote13sym) though this is difficult to confirm, and the services were accessible and popular in 2015 and 2016.

In early 2015, the Asia-America Gateway (AAG) submarine cable, one of several which carry international traffic, was damaged twice, significantly impairing the speed and quality of access.[14](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote14sym) No similar incident was reported during the coverage period of this report.

**Obstacles to Access:**

*Although internet is widely available in cities, access can be sporadic(нерегулярный) in rural areas. The quality of access is improving, yet remains poor by global standards. Investment is needed to improve access speeds, and the infrastructure is vulnerable to physical damage. The telecom market is dominated by a few players, most of them state or military-owned, lacking fairness and autonomy by international standards.*

Internet penetration grew from 48 to 53 percent in 2015, according to an International Telecommunication Union estimate.[3](https://freedomhouse.org/report/freedom-net/2016/vietnam#sdfootnote3sym)

Despite incremental improvement, the quality of access remains poor. Internet speeds were among the lowest in the Asia Pacific[4](https://freedomhouse.org/report/freedom-net/2016/vietnam#sdfootnote4sym) Akamai reported average connection speeds of 5 Mbps in early 2016.[5](https://freedomhouse.org/report/freedom-net/2016/vietnam#sdfootnote5sym)

**Regulatory Bodies**

The Vietnam Internet Network Information Center (VNNIC), an affiliate of the Ministry of Information and Communications, is responsible for managing, allocating, supervising, and promoting the use of internet domain names, IP addresses, and autonomous system numbers (ASN). Three additional ministries—information and culture (MIC), public security (MPS), and culture, sport, and tourism (MCST)—manage the provision and usage of internet services. On paper, the MCST regulates sexually explicit and violent content, while the MPS oversees political censorship. In practice, however, guidelines are issued by the Vietnamese Communist Party (VCP) in a largely non-transparent manner.

*Political content on a range of sensitive topics is restricted online, especially in Vietnamese.*

**Blocking and Filtering**

. Demonstrators criticized a Taiwanese steel plant they held responsible for millions of fish washing up dead along the central coast, and the government for failing to respond to the crisisAt the end of the coverage period, both platforms were available with no reports of interruption.

With fewer resources devoted to online content control than in China, the Vietnamese authorities have nevertheless established an effective content filtering system. Censorship is implemented by ISPs rather than at the backbone or international gateway level. Specific URLs are generally identified for censorship and placed on blacklists. Censorship targets high-profile blogs or websites with many followers, as well as content considered threatening to Communist Party rule, including political dissent, human rights and democracy, as well as websites criticizing the government’s reaction to border and sea disputes with China.

Content promoting organized religion such as Buddhism, Roman Catholicism, and the Cao Dai group, which the state considers a potential threat, is blocked to a lesser but still significant degree. Websites critical of the government are generally inaccessible, whether they are hosted overseas, such as Human Rights Watch, Talawas, Dan Luan, U.S.-funded Radio Free Asia’s Vietnamese-language site, and Dan Chim Viet, or domestically, like Dan Lam Bao, Dien Dan Xa Hoi Dan Su, or Bauxite Vietnam.

ISPs use different techniques to inform customers of their compliance with blocking orders. While some notify users when an inaccessible site has been deliberately blocked, others post an apparently benign error message.

**Content Removal**

The party’s Department for Culture and Ideology and the Ministry of Information and Culture (MIC) regularly instruct online outlets to remove content they perceive as problematic, through nontransparent, often verbal orders. Their instructions cover social as well as political content.

The Vinpearl safari is operated by Vingroup, one of the country’s biggest conglomerates. Shortly afterward, Facebook users who had previously discussed the issue temporarily deactivated their accounts, and a Facebook page administrator posted that they had to stop reporting on the case “for security reasons,” according to the BBC Vietnamese service, leading observers to believe that they feared reprisals from Vingroup or its supporters.[20](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote20sym) Vingroup denied reports that thousands of animals had died at the park and workers had quit in protest.[21](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote21sym)

. In weekly meetings, guidelines handed out by a Party Committee to editors dictate areas and themes to report on or suppress, as well as the allowed depth of coverage. (see Intimidation and Violence).

These economic and social penalties, in addition to the risk of criminal prosecution, foster self-censorship. The unpredictable and nontransparent ways in which topics become prohibited make it difficult for users to know what might be off-limits, and bloggers and forum administrators routinely disable commenting functions to prevent controversial discussions.

The government has also taken steps to manipulate public opinion online. In 2013, Hanoi's head of propaganda Ho Quang Loi was the first official who admitted that the communist regime employs a Chinese-style system of Internet moderators to control news and manipulate opinion. He revealed the city has a 900-strong team of "internet polemicists" or "public opinion shapers" who are tasked with spreading the party line. The "teams of experts" had set up some 18 websites and 400 online accounts to monitor and direct online discussions on everything from foreign policy to land rights, he said at the time. [27](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote27sym)

Organized campaigns involving political content appeared to be ongoing in 2015 and 2016. In one case Mai Khoi, a singer who ran for the National Assembly as an independent member, said her Facebook account had been disabled twice during her campaign. She suspected that individuals aligned with the security forces reported her account to Facebook for violating security guidelines in order to silence her.[28](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote28sym)

Although government-run media continue to dominate, new domestic online outlets and social media sites are expanding the traditional media landscape. Young educated Vietnamese are increasingly turning to blogs, social media, and other online news sources over state TV and radio. [29](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote29sym) While some important alternative blogs have stopped operating following the prosecution of their owners, like*Que Choa*in 2014, new Facebook pages and other sites continue to emerge. In August 2015, independent broadcaster Conscience TV began producing YouTube videos on human rights issues in Vietnam. Police in Hanoi interrogated seven people for several hours about the content in September, and a dissident lawyer involved in the project was arrested in December (See Prosecutions and Detentions for Online Activities).[30](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote30sym)

In October 2015, the government opened an official Facebook page to provide timely information about the government and the prime minister.[31](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote31sym) Other government agencies, such as the Ministry of Health or the Hanoi People’s Committee have also started to reach out to citizens on Facebook, apparently signaling a shift away from the perception of such platforms as oppositional, towards more digital engagement for propaganda purposes.

Tools for circumventing censorship are well known among younger, technology-savvy internet users in Vietnam, and many can be found with a simple Google search.[32](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote32sym)

**Violations of User Rights:**

*The interrogation, imprisonment, and physical abuse of bloggers and online activists continued during the coverage period, with 15 behind bars, even though the government may have been trying to keep the number of political arrests and trials to a minimum in 2015 in the context of the Trans-Pacific Partnership negotiations. New revisions to the penal code passed in November 2015 included several harsh provisions penalizing legitimate online activity, though have yet to be implemented.*

**Legal Environment**

The constitution, amended in 2013, affirms the right to freedom of expression, but in practice the VCP has strict control over the media. Legislation, including internet-related decrees, the penal code, the Publishing Law, and the State Secrets Protection Ordinance, can be used to fine and imprison journalists and netizens. The judiciary is not independent, and trials related to free expression are often brief, and apparently predetermined. Police routinely flout due process, arresting bloggers and online activists without a warrant or retaining them in custody beyond the maximum period allowed by law.

Articles 79, 88, and 258 of the penal code are commonly used to prosecute and imprison bloggers and online activists for subversion, antistate propaganda, and abusing democratic freedoms. Though the law was in effect for the duration of the coverage period, Vietnam’s National Assembly amended the penal code on November 27, 2015.[36](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote36sym) Under the amended law, Article 79, “carrying out activities aimed at overthrowing the people’s administration,” became Article 109, and Article 88, “making, storing, disseminating or propagandizing materials and products that aim to oppose the State of the Socialist Republic of Vietnam,” became Article 117.[37](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote37sym) The clauses newly criminalized preparing to commit those crimes with penalties of one to five years in prison. Article 258, which punishes “abuse of democratic rights to infringe upon the interests of the State, the legitimate rights and interests of organizations and citizens,” became Article 330. The amendments were supposed to become effective on July 1, 2016 butt it was postponed for further revision.[38](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote38sym)

Since 2008, a series of regulations have extended controls on traditional media content to the online sphere. Decree 97 ordered blogs to refrain from political or social commentary and barred them from disseminating press articles, literary works, or other publications prohibited by the Press Law..[39](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote39sym) Decree 72 on the Management, Provision, Use of Internet Services and Internet Content Online replaced Decree 97 in 2013, expanding regulation from blogs to all social media networks. Article 5 prohibits broad categories of online activity including “opposing the Socialist Republic of Vietnam,” inciting violence, revealing state secrets, and providing false information.

A cybersecurity law passed in November 2015 and came into effect on July 1, 2016 (see Surveillance, Privacy and Anonymity).[40](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote40sym)

Prosecutions and Detentions for Online Activities

Vietnam released 14 bloggers and activists under pressure from the US in 2014 and 2015, in the midst of negotiations over the Trans-Pacific Partnership (TPP), according to Human Rights Watch.[41](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote41sym) Bloggers released from prison were not pardoned. In one case, a fine was still outstanding.[42](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote42sym) Another was escorted to the airport, and will serve her full sentence if she returns from exile.[43](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote43sym)

Although this significantly reduced the number of individuals detained in Vietnam for online activity, which Reporters Without Borders documented as 29 in December 2014,[44](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote44sym) there was no improvement in the overall environment for freedom of expression online. General Tran Dai Quang, the public security minister, told the National Assembly in November 2015 that his forces had “received, arrested, and dealt with” 1,410 cases involving 2,680 people who violated national security since June 2012, a category that includes critics of the government, according to Human Rights Watch.[45](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote45sym) He did not provide details of individual cases, so the number of cases involving online activity remains unknown.

At least 15 bloggers and activists were still jailed at the end of 2015.[46](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote46sym) Some were tried and sentenced during the coverage period, though long after the legal time limit for detention without trial had expired. Nguyen Huu Vinh, who ran the well-known independent blog *Anh Ba Sam*, was arrested along with his assistant Nguyen Thi Minh Thuy in May 2014 under Article 258 of the penal code. Suspects charged under Article 258 (2) can initially be held in pre-trial detention for up to six months, and for a further 90 days following indictment.[47](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote47sym)Yet both were held for more than 22 months before a court in Hanoi sentenced them to five and three years in prison, respectively, in March 2016.[48](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote48sym) *Anh Ba Sam*was blocked in Vietnam in 2016, but still accessible for users of circumvention tools, though it no longer posts original content.

In a separate trial in March, blogger Nguyen Dinh Ngoc, also known under the pen name Nguyen Ngoc Gia, was sentenced by a court in Ho Chi Minh City to four years in prison for publishing anti-state propaganda online. He was first arrested in December 2014.[49](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote49sym)

During the coverage period, several prominent activists were jailed for peaceful dissent, though not directly for their digital activity. In December, the police arrested prominent rights campaigner Nguyen Van Dai and charged him with “conducting propaganda against the state” under Article 88 of the penal code.[50](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote50sym) The lawyer and activist was involved with YouTube broadcaster Conscience TV,[51](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote51sym) although the charges against him involved organizing meetings.[52](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote52sym)

Separately, in December 2015 two men aged 21 and 23 were sentenced to six months’ imprisonment each by a court in the northern city of Hai Phong, four months after they were detained; they had publicized how to avoid traffic checkpoints on Facebook, according to Voice of America.[53](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote53sym)

**Surveillance, Privacy, Anonymity**

Limited information is available about advanced surveillance technology available to Vietnamese authorities. In 2013, Citizen Lab, a research group based in Canada, identified FinFisher software on servers in 25 countries worldwide, including Vietnam. Promoted by United Kingdom-based distributor Gamma International as a suite for lawful intrusion and surveillance, FinFisher offers the power to monitor communications and extract information from other computers without permission, such as contacts, text messages, and emails. Citizen Lab noted that the presence of such a server did not prove who was running it, though it is marketed to governments.

Decree 72 requires providers like social networks to “provide personal information of the users related to terrorism, crimes, and violations of law” to “competent authorities” on request, but lacks procedures or oversight to discourage intrusive registration or data collection. It also mandates that companies maintain at least one domestic server “serving the inspection, storage, and provision of information at the request of competent authorities.” The decree gave users themselves the ambiguous right to “have their personal information kept confidential in accordance with law.” Implementation is at the discretion of ministers, heads of ministerial agencies and governmental agencies, the provincial People’s Committees, and “relevant organizations and individuals,” leaving anonymous and private communication subject to invasion from almost any authority in Vietnam. During the coverage period, “correspondence from the Saigon Post and Telecommunications Service Corporation” was the basis of Nguyen Dinh Ngoc’s indictment for disseminating antigovernment propaganda; he was charged under Article 88 of the penal code.[54](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote54sym)

[55](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote55sym) In more troubling provisions, the law allows the sharing of users’ personal information without consent at the request of competent state agencies (Article 17.1.c), mandates that authorities be given decryption keys on request, and introduces licensing requirements for tools that offer encryption as a primary function, threatening anonymity.[56](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote56sym)

.[57](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote57sym)In late 2009, the MIC requested all prepaid mobile phone subscribers to register their ID details with the operator and limited each to three numbers per carrier. As of 2016, however, the registration process is not linked to any central database and could be circumvented using a fake ID. Pay-per-use, SIM cards, can be easily purchased without IDs.

**Intimidation and Violence**

In addition to imprisonment, bloggers and online activists have been subjected to physical attacks, job loss, severed internet access, travel restrictions, and other rights violations. In 2015, at least 40 bloggers and rights activists were beaten by plain-clothes agents, according to Human Rights Watch.[58](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote58sym)

Not all of those assaults were in direct reprisal for online activity, though many targets of violence were known to the authorities because of their blogging and digital activism. In July 2015, Nguyễn Ngọc Như Quỳnh, a blogger who writes under the name “Mẹ Nấm,” said police in the southern city of Nha Trang hit her in the face and detained her during a public demonstration in support of political prisoners.[59](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote59sym) She was released without charge.

In September 2015, police in Hanoi detained seven staff members of Conscience TV for several hours as part of a sustained campaign of harassment that included home searches and traffic stops (see Media, Diversity, and Content Manipulation). Other activists, including blogger Doan Trang, reported being harassed outside the police station when they demanded their release.[60](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote60sym)

Journalists for traditional media outlets faced reprisals for Facebook posts in 2015 and 2016. On June 20, 2016, just outside the coverage period of this report, an announcement on the MIC website said the ministry had revoked press credentials for Mai Phan Loi, head of Hanoi bureau of the *HCMC Law Newspaper,*on grounds he had insulted the military. Loi had discussed the crash of a Vietnamese maritime patrol aircraft in a journalists’ group on Facebook the previous week. The post asked why the plane had “exploded into pieces.”[61](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote61sym) On June 21, Minister of Information and Communication Truong Minh Tuan warned that journalists should be considerate when using social networks. [62](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote62sym)

In a separate incident, in September 2015, journalist Do Van Hung from the state-run *Thanh Nien* newspaper was dismissed from his post as the editorial office’s deputy general secretary and later had his press card revoked by the Ministry of Information and Communications. Though the media did not publicize the official reason behind this decision, it was widely reported online that Hung was punished for a September 2 Facebook post coinciding with Vietnam’s national day celebrations. The post satirized the August revolution which preceded Vietnam’s 1945 declaration of independence from France, and leaders such as Ho Chi Minh and Vo Nguyen Giap.[63](https://freedomhouse.org/report/freedom-net/2016/vietnam%22%20%5Cl%20%22sdfootnote63sym)

Technical Attacks

Activists in Vietnam and abroad have been the target of systematic cyberattacks. When activity was first documented in 2009, the attackers used Vietnamese-language programs to infect computers with malicious software to carry out distributed denial-of-service (DDoS) attacks on blogs and websites perceived as critical of the government. Google estimated that “potentially tens of thousands of computers” were affected, but Vietnamese authorities took no steps to find or punish the attackers.

Activists today are subject to account takeovers, where spear-phishing emails disguised as legitimate content carry malware which can breach the recipient’s digital security to access private account information. In 2013, attackers seized control of a handful of important alternative blogs, including websites *Anh Ba Sam*, *Que Choa*, and blogs written by activists Xuan Dien, Huynh Ngoc Chenh, and others. It is common for sites to post a list of alternative URLs in case the current one is hacked.

Starting in 2013, attacks using malware to spy on journalists, activists and dissidents became more personal. California-based Electronic Frontier Foundation (EFF) and Associated Press journalists reported receiving infected emails inviting them to human rights conferences or offering academic papers on the topic, indicating that the senders are familiar with the activities and interests of the recipients. According to EFF’s analysis, the detection rate for the malware is very low - only one anti-virus vendor out of a possible 47 could detect it as of January 2014. In 2015, targeted, personalized attacks were reported by several internet professionals in Vietnam. While they did not receive the same publicity in 2016, they are believed to continue at the same rate.

http://www.atimes.com/article/lighter-softer-censorship-vietnam/