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Chair

Mr. Scott Reid

Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development

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• (1305)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): Order, please.

Good afternoon, dear colleagues. I welcome you to the 70th meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. Today's meeting is televised.

[English]

Today we'll be continuing our look at Vietnam, a topic that has kept our attention over a number of years.

As a witness, we're going to have Manh Hung Pham, who is here with a translator. In case you're wondering, the translator will translate both from English or French to Vietnamese, and from Vietnamese into one of our official languages, which will then sequentially be translated into the official languages by the translators here. This will cause our proceedings to be slower than they would otherwise be, particularly during the questions and answers. Unfortunately, it will reduce the amount of time we have, but I'll be asking for your generosity with regard to seeing the clock as not yet being at two, and also to sharing times so whoever has to leave early gets to do the questioning—but we'll let all that stuff wait.

In the meantime, to our witness, welcome to the committee. We're glad to have you here, and we invite you to begin your presentation.

Thank you.

Mr. Manh Hung Pham (As an Individual) (Interpretation): Ladies and gentlemen, thank you.

Today is May 12, 2015. I am here at the invitation of the human rights committee of the Parliament of Canada. It is an honour for me personally as well as for my friends who have been or are fighting for human rights and freedom in Vietnam.

Ladies and gentlemen, before going into the details of human rights issues in Vietnam, I would like to speak briefly about myself.

Because I participated along with many friends in the peaceful demonstrations in 2006 to protest against the Chinese authorities who had opened fire and killed many Vietnamese fishermen in the Parcel and Spratly Islands of Vietnam, the Vietnamese Communist Party authorities closed my computer business shop and prevented me from getting another job.

Later, I wrote the book entitled “The Truth Must be Known”, published on the Internet and printed as a hard copy book, about the historical truth in Vietnam, so I have been suppressed and hunted by the authorities.

Even when I escaped to Thailand, the Vietnamese Communist Party accused me of many false crimes that I did not commit in order to silence the truth. Lucky for me, with the help of the Government of Canada, Senator Thanh Hai Ngo, the UNHCR, and Amnesty International, I am here to tell the truth about the Vietnamese Communist Party authorities. Thank you, Canada, and thanks to all the friends who helped me overcome misfortune.

Not as lucky as me, one of my best friends who participated in the peaceful demonstrations calling for the protection of our fishermen, blogger Pham Thanh Nghien, who tried to speak out for freedom and democracy for Vietnam, received a jail sentence. After her prison term ended in September 2012, she was placed under house arrest, which is another type of jail, for three consecutive years, and she has met so many difficulties in life.

Ladies and gentlemen, there is a long list of crimes by the VCP authorities in the past that I cannot detail today due to the limited time allowed in this hearing. Here, I would like to limit it to the actions of the VCP authorities that violated human rights in the 2014 to 2015 period.

In its report on the world human rights situation in 2015, which was published on January 29, 2015, the U.S. human rights organization Human Rights Watch said that the human rights situation in Vietnam in 2014 was still alarming. Although the number of activists and bloggers who were arrested was smaller than in 2013, the state security forces have intensified their harassment and intimidation toward government critics in many forms.

In reality, Vietnam has refused to implement key recommendations such as the release of political prisoners and those detained without formal charges or trial, and legal reform to stop the politically motivated sentences aimed at those who demand basic human rights peacefully. The communist regime of Vietnam still often uses the rules of “undermining national unity policy” and “abusing democratic freedoms to infringe upon the interests of the State” to suppress dissenting political views.

Independent writers, bloggers, and human rights activists are frequently subjected to police intimidation and harassment, arbitrary arrest, and detention for several days without legal aid or family visits. Widespread police brutality, including causing death while in custody, has almost reached a rampant level. In 2014, even the state media, which are tightly controlled, often reported on the status of police violence. Many detainees said that they were beaten to force a confession even though they did not commit the violations they were accused of. Among the beaten victims were also children. In many cases, those who died in police custody only because of a small error. The police explain the cause of the deaths in custody as suicide, which is often unbelievable and a signal of a systematic cover-up.

In 2014 Vietnam still maintained the characteristics of a single-party regime, with trial verdicts politically motivated, with factory workers not entitled to full rights, with rampant police brutality, and with unfair or unreasonable land confiscation. The Vietnamese government tightly controlled freedom of speech and freedom of association.

● (1310)

Bloggers, human rights defenders, activists for the rights of workers and landowners whose property has been confiscated, as well as advocates for religious freedom and democracy continue to be harassed, intimidated, assaulted, detained without trial, and imprisoned.

Police still hinder travel to prevent people attending events related to human rights and continue monitoring the state-unapproved sections of Cao Dai, Hoa Hao Buddhists, Protestant, and Mennonite churches, including places of worship in the home. In the first nine months of 2014, at least 20 people were sentenced for participating in religious groups not approved by authorities. There is no freedom of religion; only religions that can be controlled by the state are allowed.

The independent trade union was outlawed and workers' rights seriously violated. Recently, nearly 100,000 workers demonstrated in March and April in 2015 to protest against the communist authorities for refusing to pay fair and timely worker's compensation. At the same time, the state union is the tool of the VCP to repress workers.

Ladies and gentlemen, as a blogger and a communist refugee, I would like to provide greater detail on bloggers in Vietnam. In Vietnam, we who write blogs to tell the truth in society against injustice or demand freedom and democracy will be jailed by the VCP. Previously many journalists or songwriters who wrote just one song praising patriotism were imprisoned, such as Ms. Ta Phong Tan and musicians such as Viet Khang, Tran Vu Anh Binh, etc., yet abuses to bloggers, freelance journalists, musicians of patriotic ideals still continued at a rampant pace in 2014.

Let me give some specific examples. Correspondent Anna Huyen Trang of the Saigon Redemptorists media was stopped from leaving the Tan Son Nhat airport at 21:30 on April 13, 2014. At 23:30, the security men arrived and beat her up, seized her by the neck and dragged her out in the presence of a very large crowd of people and friends of the reporter.

● (1315)

Because of the blogs exposing the corruption of public officials, the People's Court of Hanoi sentenced last March 19, writer-blogger Pham Viet Dao to 15 months in prison for abusing democratic freedoms under article 258 of the Penal Code. Pham Viet Dao, himself, worked at the department of cinematography of the Ministry of Culture and then as inspector of the department until 2007.

Mr. Dao was a member of the state's writers association and also has translated many works into Romanian. He had studied abroad and was a college graduate in literature. On Monday, June 9, 2014, the appeal court, in a secret session to review the sentence, approved the sentence, the original verdict of a 15-month prison sentence for writer Pham Viet Dao. What is even more deplorable is that the court did not inform his wife and children, so the wife and children were not present and he did not have a lawyer. He had to defend himself.

In February 2014, activists Bui Thi Minh Hang, Nguyen Thi Thuy Quynh, and Nguyen Van Minh were arrested on their way to Nguyen Bac Truyen, an activist, with the fabricated charge of obstructing traffic. These three people were sentenced in August 2014 on charges of disturbing public order, with a sentence of two to three years in prison.

The crackdown on bloggers continues. Notably, in the month of May 2014, the authorities detained prominent blogger Nguyen Huu Vinh, commonly known under the name of Anh Ba Sam, and collaborator Nguyen Thi Minh Thuy, on a charge of violating article 258. In total, at least 10 people have been convicted under article 258 in 2014.

● (1320)

Another very common and alarming situation is that human rights activists are severely beaten. For example, police-supported thugs attacked and severely wounded the former political prisoner and blogger Truong Minh Duc in the month of November 2014, resulting in his having to be hospitalized for several weeks.

At 10:30 a.m., on November 29, 2014, the investigation security agencies of Ho Chi Minh City police raided and arrested blogger Hong Le Tho and charged him under article 258. Mr. Tho was born in 1949 and was a permanent resident at 32 Cuu Long street in ward 15 of district 10 of Ho Chi Minh City. He was quite popular and was hosting a blog, Nguoi Lot Gach. He actually wrote about the social situation and problems of corruption of officials.

Writer Nguyen Quang Lap of the reputable Que Choa blog had his home searched on the morning of June 12, 2014, and was arrested at 2 p.m. the same day in Saigon. His computer was confiscated because he constantly expanded his reports on the shortcomings of society with a view that opposes the state. He was arrested under article 258, that is, "abusing democratic freedoms", but later he was prosecuted under article 88, which is the offence of propaganda against the state.

Blogger Nguyen Ngoc Gia was arrested on December 27, 2014. His real name is Nguyen Dinh Ngoc. He was born in 1966. He has written regularly for six years on the issues of prisoners of conscience, wrongly accused petitioners, and critics of the policies of the Communist Party of Vietnam. Upon his arrest, the state police website mentioned his arrest but did not specify what offence he had been charged with nor where he was.

Most recently, a young blogger, Nguyen Viet Dung, with his friends, marched peacefully in Hanoi to protest the indiscriminate cutting down of trees. They were investigated by the police agency of the Hoan Kiem district and prosecuted under article 245 of the criminal code for the offence of causing public disorder.

● (1325)

Ladies and gentlemen, there are many other incidents of repression by the VCP government on human rights and freedom of expression in Vietnam, but we can not say them all because time does not allow it. What I would like to raise here is a small part of the human rights violations of the communist authorities, and also to bring awareness to the Canadian Parliament and the human rights and democratic committees of the world, to see the urgency of the problem of human rights violations in Vietnam.

A country such as Vietnam that has joined the Human Rights Council has to respect human rights. Therefore, as a condition to increased suppression of freedom and democracy in Vietnam, I wish the Parliament of Canada and other countries, and also the United Nations, to carry out effective sanctions against the VCP authorities. Do not let the government of Vietnam join the TPP because Vietnam does not meet the human rights requirements. You also must apply pressure on the VCP government to respect freedom of speech, the press, and democracy. They must release all prisoners of conscience, abolish article 4 of the constitution, and conduct free elections.

If Vietnam continues to disrespect human rights, the Canadian government should reconsider the reduction of aid to the communist regime.

As I understand it, the human rights set out in all international declarations are the natural rights of anyone. We come here to propose to the world human rights organizations, as well as to the Canadian Parliament, that human rights in Vietnam cannot be disregarded.

We also expect the Government of Canada, and particularly the human rights committee of the Parliament of Canada, to have a delegation of independent people to monitor human rights situations in Vietnam and to identify the problem of human rights violations in Vietnam. The people of Vietnam want to have human rights and freedom in our country.

Finally, we will continue to monitor the issue of human rights violations by the communist authorities and will inform the Human Rights Council and the Parliament of Canada when there are conditions to protect the legitimate rights of the people of Vietnam.

● (1330)

Thank you very much for your attention.

The Chair: Thank you very much.

We'll go now to questions and answers. We have time for essentially four minutes per round. In the event that you get a very brief answer that means you'll get a second question, otherwise I'm afraid it will just be one each.

Mr. Sweet, please for the first start.

● (1335)

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you, Mr. Chair, and thank you, Mr. Pham, for your testimony. I have a two-pronged question so that may take up my time.

Mr. Pham, I heard of the long litany of human rights abuses and I wanted to refer to an article by Reuters, which is very current, May 11. I'll just quote from it:

Tom Malinowski said he had seen Vietnam show more restraint this year, with fewer political prisoners and no new dissident prosecutions, but gains were fragile and "very significant problems" remained.

"Vietnam has come a tremendous distance but there's still some distance to go," Malinowski, Assistant Secretary of State for Democracy, Human Rights and Labor, told reporters after an annual human rights dialogue.

First, do you agree with Assistant Secretary of State Malinowski's statement that it's getting better?

Second, do you believe that the police are being directed by the Communist Party of Vietnam, or are they working independently in these abuses?

Mr. Manh Hung Pham (Interpretation): First, I don't agree with that statement.

Mr. David Sweet: Do you believe the police are working independently, in other words arresting these people based on their own motivation, or are they being directed by the Communist Party of Vietnam?

Mr. Manh Hung Pham (Interpretation): I do not agree with that observation because the police in Vietnam are a tool of the government authority and they cannot do anything without the approval of the authority.

Mr. David Sweet: Lastly, you mentioned that there were 20 people who were in prison for practising their faith in the first few months of 2014. Is there any particular group that is persecuted primarily, or is it anyone who practises any kind of religious practice in Vietnam?

Mr. Manh Hung Pham (Interpretation): Those 20 people are not of any particular religions, but they are followers of a range of religious organizations and societies that are not approved by the government.

The Chair: That's it I'm afraid.

Mr. Marston, go ahead, please.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Thank you, Mr. Chair.

Welcome. We appreciate your testimony. I have a question that's a little different from what I would normally ask. I have been approached over the last number of years by a group, the Viet Tan. I was wondering what your view of that group is, because their reports to me are almost identical to what you were telling me here today.

•(1340)

Mr. Manh Hung Pham (Interpretation): Sir, I am an independent activist in Vietnam and my work is not related to Viet Tan at all, but in my opinion, Viet Tan is also a party that wants to fight for freedom and democracy in Vietnam.

Mr. Wayne Marston: Well, I'm pleased to hear that. That was the impression I had of them when I met them, but it was an opportunity to get a second voice.

I'm concerned because of the number of journalists and bloggers who have been arrested in recent years. Does the judiciary have independence to judge their cases, or is it totally driven by the government?

Are the judges independent of the government? Are they able to pass judgment on cases of their own merits?

Mr. Manh Hung Pham (Interpretation): My answer is that in Vietnam those judges who would like to be independent are usually not allowed to preside over the trials of the locals and the activists.

Mr. Wayne Marston: One of the things that we are seeing because of the rise of the Internet and blogging and web-based types of communication is that more traditional print media and television are being cracked down on sooner in different jurisdictions. They're playing catch-up on the Internet is my point. Is that the case in Vietnam? Because in other countries they seem to lag somewhat behind, particularly North Korea, for instance.

Have they gotten to the point where they're really interdicting directly into the Internet now? Television and all of that have been much easier to control than the Internet. I guess a better question is: are they becoming more sophisticated?

Mr. Manh Hung Pham (Interpretation): Actually, the control of the Internet has been practised by Vietnam for a long time. With the police security they have a special branch to manage and monitor the activities on the Internet. They also installed a firewall that prevents the people from getting the news from outside. They also had a government decree signed by the Prime Minister himself forbidding the people to use the Internet for spreading ideas of democracy and freedom.

•(1345)

Mr. Wayne Marston: Thank you, Mr. Chair.

The Chair: Thank you.

We'll go now to Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair, and thank you, Mr. Pham, for your testimony today to our subcommittee.

Vietnam's government continues to violate a broad area of human rights and is among the worst offenders in the world. Vietnam is ranked 174th out of 180 countries in the Reporters Without Borders 2014 "World Press Freedom Index". In 2014 authorities prosecuted at least 29 dissidents and activists and sentenced them to a total of 129 years in prison. They also arrested at least 13 other rights activists pending investigations or trial.

Mr. Pham, could you please comment on the voluntary commitments Vietnam promised to the UN Human Rights Council?

To what extent has the Vietnamese government fulfilled its voluntary commitments to the UN?

Mr. Manh Hung Pham (Interpretation): Ladies and gentlemen, before joining the United Nations Human Rights Council, Vietnam pledged and promised to do many things. It promised to carry out free elections, it promised not to punish the bloggers, and it promised freedom of expression and freedom of the press. But up until now, it has not fulfilled any of those commitments and is still not doing so, although sometimes for the sake of window-washing they would release one blogger, one dissenter, but then they would arrest three or four times more such people.

Those people have been given long prison sentences and even after being released were under house arrest, which is another form of prison, without the bars.

I would like to add that Vietnam was also a signatory of the UN convention against torture, but at the same time Vietnam continued to practice torture and even refused to allow the visit of a delegation from the commission to Vietnam.

•(1350)

The Chair: Ms. Sgro.

Hon. Judy Sgro (York West, Lib.): Thank you, Mr. Chair, and to both of you and to some of your other community representatives, welcome. It's very nice to have you. Just listening to your comments makes me very glad that you're in Canada.

One question I'd like to ask in the very short time I have concerns the issue to do with the Trans-Pacific Partnership that the government is currently discussing with Vietnam. Do you think we should tie human rights issues to that agreement?

Mr. Manh Hung Pham (Interpretation): Definitely, Madam, as I mentioned in my presentation, the question of negotiations to join the TPP has to be closely associated with the human rights issues in Vietnam. This is a view that was expressed by President Obama recently, when he mentioned that the TPP agreement must involve the independent labour unions and also questions of human rights in Vietnam.

Hon. Judy Sgro: Are there certain specific topics that the Government of Vietnam would want to restrict, as far as free comments and the exchange of ideas are concerned? Are there specific topics that the Government of Vietnam would not want you to talk about that you can talk about?

Mr. Manh Hung Pham (Interpretation): Yes, there are many things, but in my personal experience I can mention one particular issue, which concerns some facts related to Ho Chi Minh himself. He was the leader of Vietnam but he committed many crimes, and the most serious involved the land reforms in which hundreds of thousands of people were killed. I myself knew about that and I have written about it, but that issue is taboo in Vietnam.

The Chair: That is it—four minutes to the second.

Mr. Hillyer, please.

Mr. Jim Hillyer (Lethbridge, CPC): Hi.

You recommended some sanctions. One of issues that complicate sanctions is the impact they will have on the people of the country we impose sanctions upon. We usually aren't very reluctant at all to impose sanctions if we know they would only impact the people who are causing the problem, but we don't want to make life worse for the people who are being abused already.

Can you just comment on that and help us maybe walk that fine line?

• (1355)

Mr. Manh Hung Pham (Interpretation): Actually, in reality the majority of people are still living in poverty. Whatever benefits have been derived from the recent foreign assistance, foreign investment, and the economic prosperity have gone into the hands of people who are related to the Vietnamese authorities. Because Vietnam is a one-party system, they control enterprise and they control the companies. Whatever benefits there are go to them, not to the majority of the people. That's number one. So if we apply sanctions, then the Vietnamese people in general, being already in poverty, would not be seriously affected.

Number two, if we do not apply sanctions and if despite all that we continue to accept Vietnam in TPP, then they will just take it for granted that we really do not pay much attention to these issues. They will continue with their suppression of freedom, they will continue with their harassment, and deprive the people of freedom and democracy.

The Chair: Unfortunately, that's all the time we have for that round.

Mr. Benskin.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Thank you, and thank you for your testimony.

As my colleague said earlier, what you're saying is underscored by previous testimony we've had, so I thank you for that.

There are a couple of things floating around in my head, but first and foremost just to follow up on the comments you just made, according to some of the notes that I have, there are those who are saying poverty in Vietnam has been reduced from 58% as of around 1993 to 11% in 2012. Your statement just said that in fact the majority of Vietnamese are still living in poverty.

Can you expand on that a little for me, please?

Mr. Manh Hung Pham (Interpretation): What you said was 58%?

Mr. Tyrone Benskin: Yes, 58% in 1993 down to 11% in 2012.

• (1400)

Mr. Manh Hung Pham (Interpretation): There are two points to your remarks. First of all, the statistics in Vietnam are usually open to questions, and secondly, thanks to the foreign investment and the foreign assistance of many countries to Vietnam in the last few decades, GDP has increased significantly, but the distribution of wealth is deplorable. The wealth is concentrated with a small minority. When we talk about GDP per head it will be higher, but when you go into more detail there are sections of the population who would not benefit from that prosperity.

Mr. Tyrone Benskin: Thank you.

In regard to the bloggers, according to your testimony there is a clamp down. Where are the bloggers getting their feed from? How are they accessing the Internet? I'm assuming the Internet is readily available in Vietnam, or is it being brought in, or fed in, some underground way that allows bloggers to access it?

Mr. Manh Hung Pham (Interpretation): Precisely. On the point you mentioned, the Internet—as I mentioned earlier in the presentation—is severely controlled by the government. The bloggers and other people have difficulty getting the true information to the vast majority of the people. The Prime Minister of Vietnam has signed three decrees limiting the use of the Internet and subjecting the spread of information from the Internet to very severe control.

On these issues, I would like to appeal to Canada, to other countries, and to other organizations that advocate for the protection of human rights to provide more assistance to the people who would like to have a freer society and a freer means of expression.

• (1405)

The Chair: Thank you very much.

Thank you, colleagues, for being here, and thank you to our witness for coming and testifying today, and for being patient with some of the practical issues that unfortunately the language barrier has provided. We're very grateful you could be here.

Colleagues, it's now past 2 p.m., our normal adjournment time, and we are therefore adjourned.

Thank you.

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