



**COMPLAINT OF GENOCIDE & CRIMES  
AGAINST HUMANITY COMMITTED BY  
THE PEOPLE'S REPUBLIC OF CHINA**

**Submitted by Prime Minister Quan Minh Dao  
August 8th, 2018**





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AGAINST HUMANITY COMMITTED BY  
THE PEOPLE'S REPUBLIC OF CHINA**

**Enclosure:**

Claim in details

**The Plaintiff:**

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The Provisional National Government of Vietnam  
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**The Defendant:**

The People's Republic of China  
Centre of Peking, China

**Issue:**

Complaint of Crimes against Humanity  
committed by the People's Republic of China  
through the blood-thirsty hands  
of Ho chi Minh and the VN Communist Party

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**THE THIRD REPUBLIC OF VIETNAM**  
**THE PROVISIONAL NATIONAL GOVERNMENT OF VIETNAM**

PO Box 2807, Anaheim, CA. 92814

Date: August 8<sup>th</sup>, 2018

**COMPLAINT**

**of Genocide and Crimes against Humanity**  
**committed by the People's Republic of China**

Dear Mr. Prosecutor,

May we present to your Honorable the reasons why we decided on behalf of the Provisional National Government of Vietnam (PVGVN) to make a claim against the Chinese Communist leaders, the founders of what is now called the People's Republic of China (PRC) for their Crimes against Humanity of which the Vietnamese people have been the victims. This is because the Chinese inhuman actions and genocide had and have been carried on so far to the Vietnamese people through the blood thirsty hands of Ho Chi Minh (HCM) and those of the Vietnamese Communist Party.

At first, we would like to offer to your Honourable a few lines showing HCM, a vassal of the PRC:

Who was Ho Chi Minh? and Where did he come from?

**Part I:**

**Ho Chi Minh, author of the calamity of the VN people**

**1. Origin of Ho Chi Minh**

Nowadays, historical documents gave us a clear illustration of the true Ho Chi Minh (HCM). This man, as an unfailing disciple of Marxism-Leninism and of Maoism, had been entrusted by the Communist International to introduce this satanic and godless doctrine into Vietnam. In 1930 he founded the Indochinese Communist Party at Hong Kong and in 1941, the League of Vietnamese Independence (Viet Minh), which was the predecessor of the Democratic Republic of Vietnam and of what is called

today the Socialist Republic of Vietnam. In 1951, he founded the VN Labour Party at Tuyen Quang. In fact, all the political parties created by HCM took root in Communist China.

HCM was the unique leader during the period (1946-1975) in which, with the massive military as well as human aid from Communist China, HCM inflicted catastrophic defeat on the French Army at Dien Bien Phu in 1954. This dramatic event resulted in the separation of Vietnam into two: North VN and South VN as commanded by the Geneva Agreements. After HCM's death, the VN Communist Party had continued the armed struggle in compliance with its Master's aspiration until it succeeded in invading South VN in 1975.

It is in this sense that HCM had been considered by a majority of the North VN people as a national leader or even a national hero of the Indochinese and American Wars.

However, over half a century ago, through many historical studies, the version by which HCM had been a Chinese agent was finally asserted. According to Prof. Ho Tuan Hung, (a historical researcher, graduated from the Faculty of History, Taiwan University), after many years of research on HCM's life, in his work 'HCM Sinh Binh khao', (HCM's life Study) published in 1946, concluded that HCM belonged to Hakko ethnic at Mieu Lat, Dong La, China and that HCM bearing the name Tong van So, had been dead of tuberculosis in an English prison at Hong Kong (with a note of decease).

Tran Dinh, a Communist journalist who had followed HCM for many years, in his work "Den Cu" (The light "Cu", a cry of sufferings), revealed another point not less important, i.e, HCM spoke Hakko language very well, (one of the dialects spoken in Southern China) (1) and that HCM did never wish to see his brother and sister (on legal paper) named Nguyen thi Thanh (1884) and Nguyen sinh Khiem (1888) because HCM certainly did not like his identity to be revealed (1b) .

This version was approved by another author named Ngo Troc Luu in his book entitled 'Ho Chi Minh' written in Japanese. This point of view corresponded to that of the Chinese Communist local Newspaper 'Cuong Son'. The above information coincided with the report of the Colonial Information Service through the voice of a State Secretary by which the true HCM was really dead in prison in 1932 and that this man had been already condemned to death in contumacy by a local tribunal in 1929.

In other words, the true Nguyen Ai Quoc (NAQ) under the name of Ho Chi Minh (HCM), had only lived between (1890-1932), while the second half of his life (1933 -1969) was replaced by a false one, a disguised NAQ, precisely a secret agent named HO Tap Chuong, pseudonym of a Major Ho Quang of the Chinese Army who had been sent to Vietnam by the Communist International to lead the VN Communist Party. (1c); (14).

As for the VN diaspora, an opportunity came to them when in 04/1989, the VN Communist Government sent to UNESCO a petition recommending HCM as a great man of the world on the occasion of his 100th birthday. A campaign of protestation against the VC scheme organized by the Vietnamese diaspora in the US collected more than 300 000 signatures sent to UNESCO including those of Mr. Quan Minh Dao, at that time president of the New Democracy Party and those of the members representing "Le Nghia Liem Si" Association (civilities and righteousness). They came to UNESCO and in a letter denounced HCM's Crimes against Humanity for having caused deaths to more than 3 million persons during the Indochinese and American Wars. The Communist side defended its view by stating that, in 20-year wartime, the 2 opposite sides were all responsible for the killings and that, during such a long period, the number of 3 million deaths was still very small as compared with the number of victims in other Wars such as the First and the Second World Wars.

Furthermore, the participants of the above campaign also demanded the verification of the similarity between the fingerprints of HCM kept in the archives of the French Security and Information Service and those of HCM's remains embalmed in the mausoleum in Hanoi on Ba Dinh Square, VN. They also requested another verification to know if the ADN taken from HCM's remains in the mausoleum was the same as that of his father's body buried at Cao lanh, Dong thap, SVN. (8).

The VN Communist government refused this demand for various unjustified reasons. So, in 1990, HCM was not recognized as a great man of the world by UNESCO because the HCM's Communist file did not meet the criteria required. So, UNESCO refused to attend the commemoration of HCM's 100th anniversary which was supposed to be hold in Hanoi, VN. This was a dishonour on the part of Hanoi government and this was a clear proof that the remains of HCM in the mausoleum was not of Nguyen ai Quoc but of another person called Ho Tap Chuong, a Chinese spy.

## **2/ The satanic figure of Ho Chi Minh and the Vietnamese Communist Party**

The VN Communist Party and mainly HCM wanted to create a legend for himself by telling too much of what is called a 'bluff' about HCM's life.

### ***\* Deceitfulness about his date of birth***

In order to hide his identity, HCM had offered many dates of birth such as: 19/05, 15/01 or 20/09 at the same time, many years of birth such as: 1890, 1891, 1892, 1894, 1896, 1911. HCM had even let this doubt go on and didn't mind to clarify this during his lifetime. He had only mentioned his date of birth: 15/09/1911 in his application for a job which had been sent from Marseille, France and being kept in the Records of the French colonial School for mandarin training. However, HCM's official birth date admitted by the VN Communist Party was 19/05/1890, date to be commemorated each year.

### ***\* Deceitfulness about his works***

To keep his anonymity, HCM had used many pseudonyms for each period of his activities. In other words, from the birth name Nguyen Sinh Cung, he took another name like Van Ba in 1924 when he was working as sailor/assistant cook on a French ship of the Messageries Maritimes. Then he put on other names such as: Nguyen Tat Thanh in 1912, Nguyen Ai Quoc in 1920, Vuong (1925-1927), Chin (1928-1930), Tong van So (1931-1933), Ho Quang (1938-1944), etc...

He even aroused mockery laughing to the readers when he took another name called Tran dat Tien as author of a book in praise of himself.

He had used at least 173 different pen-names for his writings, articles, poems or songs, etc...

All this showed us the obscure stratagem of HCM's wicked actions.

Following the dishonest example of its leader, the VN Communist Party wanted to dedicate to HCM a personality cult as illustrated below. (2)

### ***\* Deceitfulness about his celibacy status***

HCM pretended to sacrifice his personal life to serve his country and the VN people. But according to many historical documents concerning him, HCM had married many wives during his lifetime such as Mrs. C Bière in Paris, Vera Vassileva in Moscow, Tang Tuyet Minh in Quang Chau, China, Nong thi Xuan in Hanoi, etc... (3) and the worst of all, according to the accounts told by his old comrades now in exile, he had lived in debauchery with many women like a patriarch of the past centuries. (4)

***\* Deceitfulness about his family background***

To tell about HCM's father, the Communist Party stated that HCM came from a well-educated, patriotic mandarin family and explained that HCM's father was discharged of his public function because the latter was opposing to the colonial and mandarin class. But the truth was that: HCM's father was dismissed because the latter was always drunk, so he ill-treated a prisoner of his until this man was beaten to death. He even beat his own daughter named Nguyen Thi Thanh and this woman had to leave him for Nghe an Province because she could not stay with her father. (5)

***\* Deceitfulness about his aim of going abroad***

According to HCM and the VN Communist Party, HCM went abroad to look for a way to liberate his country from colonialism. Historical documents revealed to us that HCM did go abroad only for economic reason and not for the national cause as he had pretended.

Here was the truth: when HCM's father had been laid off, his family was living in poverty. So HCM wished to find a job to earn his living. For this reason, in one letter of motivation for job signed by him dated 15/09/1911 sent from Marseille, France, he asked of the French colonial authorities a favour to be admitted in a French colonial School for local mandarin training. HCM sent another letter dated 15/12/1912 to the French Governor of Hue City requesting another favour of giving a job to his father named Nguyen Sinh Sac. Both of these requests were dismissed by the French authorities. In other words, if HCM had been given the opportunity to enter the mandarin training School, never would he have become a "radical" leader of the anti-colonial struggle. (3)

***\* Deceitfulness about his propaganda for popular union***

In his propaganda HCM always upheld the following guiding principle: *'Union, union, great union'*. In reality, he tried to use different ways to eliminate other nationalist movements. He even revealed to the French colonial authorities the names of the leaders of other nationalist parties so that these persons would be arrested and put in jail. Furthermore, HCM secretly gave order his comrades, members of the Viet Minh Communist Party to murder such VN patriots as Pham Quynh (1945), Ngo dinh Khoi (brother of President Diem), Ta thu Thau, Bui quang Chieu, Khai Hung (1947), the members of the Popular Nationalist Party (Quoc dan Dang), the followers of Cao dai religion etc... (2); (13).

We can conclude that HCM's life had been overwhelmed with bluff and cheating. Therefore, in our time, we are not surprised to find that the actual Vietnamese society conducted by the VN Communist Party is based on telling lies and cheating in every aspect of life. The monopolization of the VN Communists, an authoritarian state ruled by a single party with all its wrongdoings: corruption, inhuman treatment, arbitrary arrest and detention of persons, limits on freedom of speech and so on... has seriously infected the good conduct, civilities and righteousness of the young Vietnamese generation now and those in the future.

## **Part II.**

### **Atrocities and Crimes against Humanity committed by HCM and the VN Communist Party**

So, what were the atrocities and the Crimes against Humanity committed by HCM and the Vietnamese Communist Party of which the Vietnamese people had and have been the victims?

#### **1/ Land Reform in NVN**

- HCM carried out the democratic national Revolution with his Land Reform which lasted from 1954 to 1956. This tragic politics resulted in more than 173 000 civilians killed, according to the official Communist statistical sources (10).

But according to Nguyen van Canh, vice minister of the Ministry of Information and Spy-war of the 2<sup>nd</sup> Republic of SVN (1967-1975), based on the declaration of the VC returnees, said: The Land Reform conducted by HCM in North VN from 1954 to 1956 resulted in the murder of more than 200000 innocent victims including 40000 Communist party members.

In order to hide their crimes, in 1957, HCM and gen. Vo Nguyen Giap had to officially recognize the Land Reform of which they were the authors as a great error. (22); (23); (29)

## **2/ VC Massacre during the General Offensive of Hue, Central VN in 1968**

North VN took advantage of the truce during the lunar New Year of 1968 to launch the general Offensive of South VN and particularly of Hue City. According to the official source of the VN Communist Party, during this Offensive, the VC troops massacred 25700 persons and imprisoned 1723 persons. (6). And according to US source, from this tragic event, the casualties caused to the US, Allied and SVN troops were as followed: 44824 killed, 61267 wounded, 4511 lost, 912 captured, 416 surrendered.

In an interview with Gen. W. Westmoreland in 1998, the US general revealed that until the beginning of 1969, the North VN troops had lost more than half a million soldiers as referred to Gen Giap's, avowal. He also added that if this had been the case of an US General to let such number of soldiers under his command be killed on the battlefield like this, this General would have been dismissed by the US Army High Command right away! (27); (28).

## **3/ VC Invasion of SVN in 1975**

### **a/ Re-education camp Politics**

To help us understand the wicked propaganda and the traditional trickery of the VN Communist Party, let's go back to the past, i.e., the Paris Peace Agreement of 1973 signed between the US, SVN, NVN and NLFSVN (which was in act a puppet organization set up by NVN to cheat the peoples of the world). We can cite the most important paragraphs of the articles 11 and 15 from the Excerpts of the Paris Peace Agreement as follows: (47a)

### **Article 11**

Immediately after the ceasefire, the two South Vietnamese parties will achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal and discrimination against individuals or organisations that have collaborated with one side or the other..

## ...Article 15

The reunification of Vietnam shall be carried out step by step through peaceful means on the basis of discussions and agreements between North and South Vietnam, without coercion or annexation by either party etc...

In fact, by violating the Paris Agreement of 1973, the NVN began to launch its attacks on SVN, beginning with the Central provinces and the Highlands so that in only one month, they entirely occupied by force Southaven in April 1975.

After the fall of the SVN government, the Communist regime unlawfully put in jail from 1 to 2 million prisoners including officers, civil servants, members of political parties and religious groups etc...The US Department of Foreign Affairs and the International Amnesty gave us a number of about 165 000 dead or murdered persons in prisons. Most of the camp prisoners composed of the SVN officers and high-ranking civil servants were kept in many re-education camps set up all over the country from the northern regions of the Hoang lien son Mountains following the long chains of the Truong son Mountains in Central Vietnam and coming down to the frontier zones between Cambodia and Vietnam. The camp prisoners had to undergo sufferings, poor living condition, forced labour and they had to follow daily Communist indoctrination. At daytime, they were assigned to do very harsh and risky work such as clearing jungles, building up camps, destroying forests for wood and farming, digging canals, making roads, setting up bridges, mine field sweeping and for the working equipment's the prisoners had to fabricate themselves, etc...This was a clear proof of the Communist atrocities and genocide against its own compatriots in spite of their propaganda of national reconciliation and concord.

An American research Institute also gave us a number of 165 000 prisoners dead of harsh labour, hunger, deceases etc... in various VC re-education camps. (24); (25); (26).

### **b/Waves of boat and walk people fleeing the VN Communist regime**

According to the High Commission for refugees of the United Nations (UNHCR), about 65000 persons had succeeded in fleeing from the

Communist regime at the fall of Saigon in 1975. Until 02/1995, the number of boat and walk people came up to 929 600 persons piled up in many refugee camps in South East Asian countries such as Malaysia, Thailand and Hong -Kong... (7)

So, it was an evidence that HCM, a vassal or a spy of the Chinese Communist Party who was responsible for introducing into VN the Communist doctrine so that more than 3 million Vietnamese be killed on both sides during the Indochinese and American Wars. And the many VN generations have had to suffer until now from the aftermath of the Two Wars. (31) ;(44).

### **Part III:**

#### **Aftermath of the Wars and of the reunification of the country**

Let's go back to the past to figure out the human and economic damages from the part of France to finance the Indochinese War and from the part of the US to finance the American War so that we may see the tragic impact on the VN population facing the destruction of their country and the disappearance of their loved members.

##### **a/ - Cost of the Indochinese War**

(Source: HISTORIA (1945-1965) 20 years of history of France n°2/3).

Until 1 June 1954, Human life loss amounted to 92 000 killed, dead of disease or disappeared

This number was divided as follows:

19 000 French soldiers, 43 000 autochthone soldiers, 30 000 Legionary soldiers, 144 000 wounded

Expenses: 3000 milliard old francs

##### **b/ Cost of the American War**

As for the American war cost during 8 years of the US intervention from 1965 to 1973 (according to the US Department of Defence) including:

Human cost: 58,220 Americans dead, 153,303 wounded and 1,634 missing., more than 23 214 soldiers suffered, 10% disabled. It's estimated

that from 70,000 to 300,000 US veterans committed suicide and around 700 000 veterans suffered from psychological trauma.

Material cost: US\$168 billion (worth US\$ 950 billion in 2011)

The above colossal figure of the costs of the 2 Wars conducted by France and by the US on the battlefields of Vietnam shows us the ferocity and the immense impacts on the VN people in matter of human casualties as well as the devastation of their country. On the Communist side, of course, we had very little information concerning their commitment and their human as well as economic costs during the above Wars. This attitude showed us once again the satanic "cheating traditions" of the Communists of all times.

We are sure to impute the responsibility to the People's Republic of China for having caused this calamity by their introduction of Communism into Vietnam through the blood thirsty hands Ho Chi Minh, a Chinese spy, and those of the VN Communist Party. Therefore, the chief culprits were of course the former leaders of the People's Republic of China!

Suppose that Ho Chi Minh had not been assigned by Communist China to introduce Communism into Vietnam to conduct the VN Communist Party in fighting the above two Wars, the VN people would not have suffered from this tragedy. In other words, without suffering from the Wars during such a long period, the VN people, with their intellect and their abilities as proved actually, would have been able in the last decades to transform their country into one of the wealthy democracies in Asia like Japan, South Korea, Singapore etc...So, the People's Republic of China had to bear the full responsibility for its Crimes against Humanity that the VN people have had suffered.

## **Part IV**

### **Crimes against humanity and coming annexation of Vietnam by the Communist China**

The Chinese Communist authorities went on their intrigue of genocide and annexation of Vietnam through the current blood thirsty hands of the VN Communist Party.

Let's go back to the period of the Sino-VN frontier war conducted by China as measures of reprisal to the VN Communist military intervention in Cambodia which was lasting not for a few months as announced by

official source but for 10 years (1979-1989) by which Chinese troops of more than 620 000 soldiers had carried out their worst atrocities and genocide against the VN people. They completely destroyed 4 cities and almost entire villages near the frontier where they assassinated all the populations including children, babies and in particular they carried on murder, rape, persecution of all kinds. (16); (31a); (31b).

At the fall of the Soviet Union, the leaders of the VN Communist Party of the time were so staggered and helpless. Instead of following the good example of the ex-Communist Eastern European countries by transforming their declined regimes into a democratic one, but, for fear of losing power, in 1990, they went to Chengdu to pledge full allegiance to the leaders of the People's Republic of China.

To have Chinese aid and support, they signed the secret Treaty of which the short contents were leaked and made known to the public only in April, 2013 by the Vietnamese Intelligence Agency and revealed by Foreign Policy Magazine in which a short article gave an account of the case of the VC gen. Ha Thanh Chau who had asked for asylum in the US on the occasion of the official visit of this general. (17)

Under this secret Treaty, (11) the leaders of the VN Communist Party pledged themselves to step by step transform Vietnam into a Chinese province following the example of Tibet. The process would be carried out in 3 periods each of which was supposed to last for 20-years as explained below:

From 2000 to 2020: Vietnam will become an autonomous province

From 2020 to 2040: Vietnam will be a dependent province

From 2040 to 2060: Vietnam will put on the name of Au Lac (i.e., the name of the 2 ancient ethnics living between Vietnam and China). In this way, Vietnam will be under the control of the governor of Kouang Si.

The NVN leaders signing the secret Treaty of 1990 only complied with HCM's commitment to pay back to China for its military aid to the VN Communist Party during the Indochinese War. (15)

Under the convention of Sino-VN cooperation Treaty signed on 12 06 1953 at Kouang si, HCM promised Mao to merge the VN labour Party into the Chinese Communist Party and to transform the Democratic Republic of VN (of what is now called the People's Socialist Republic of VN) into a

vassal of the PRC following the model of the satellites of the Soviet Union under the so-called friendship cooperation with China.

## **1/ Chinese annexation process**

The frontier Sino-VN Treaty of 1990 stipulated the cession of more than 900 square kilometers (equivalent to 60% of the area of Thai binh Province including half of the surface of Ban gioc Fall and Nam Quan frontier Pass, considered as the 2 historical sites of the VN people.

Under the Sino-VN Treaty of Tonkina of 2000, the VN authorities yielded to China nearly half (44% equivalent to 16000 square kilometres) of the sea territories in the gulf of Tonkina and Truc lam beach. (18); (19).

Then it was followed by the 10 resolutions of the Sino-VN friendship cooperation Treaty of 2013 which gave opportunity to Communist China to have control over the political structure of the VN Communist government.

Accordingly, the Chinese or those who had lived long before in Vietnam and those allowed to leave Vietnam in 1978 (the first wave of boat people of Chinese origin) were trained before being permitted to return to Vietnam and then assigned by the Chinese authorities to high responsibility in almost all levels of the VN Communist institutions particularly in Police or People's Army and even up to the top functions of the state.

Actually, the President of the Socialist Republic of VN and the Vice Prime Minister Hoang Trung Hai have been considered by the VN people as vassals of Peking. The president of the VN Assembly, To Huy Rua and the Minister of Police, gen. To Lam are of Chinese origin. With the politics of employing officials of Chinese origin, the VN high-ranking officers and dignitaries with "revolutionary" spirit would be spotted and discarded from the government for not becoming potential traitors of the regime. Eventually, at least more than twenty high-ranking officers of the Army known for their anti-Chinese spirit such as: Commander in chief of the Army, Dao Trung Lich and Commander of the 2<sup>nd</sup> Military Zone, Tran Tat Thanh were killed in an airplane crash in May 1998 and the reason officially reported was because of fog. In July 2016, after only 3 months since his nomination, gen. Le Xuan Duy, commander of the same military Zone, a very important strategic one because of its neighbouring position with China and Laos, a hero of the Sino-VN war of 1979, also met a fatal death.

Gen. Phung quang Thanh met the same sort of fate because this man, a former strong supporter of China, was converted later to patriotism, i.e., anti Chinese struggle.

In 2014, another Treaty concerning a project of setting up two strategic corridors gave the Chinese the right to exploit 6 frontier provinces and Dien bien region and at the same time, it granted the Chinese the build-up of two other strategic corridors: Lao cai - Hanoi – Hai phong and Mong cai- Hai phong.

In Jan 2017, Nguyen Phu Trong, secretary general of the Communist Party went to Pekin to sign 15 agreements under which the VN Communist Party was committed to a closer Sino-VN bilateral cooperation with China in particular in the military, police and cultural fields. This kind of cooperation bound more and more subordination of Vietnam to China with a view focused on incorporating the VN Army and Police into the Army and Police of China. In other words, when this phase will have been put into operation, this will be the last step before transforming Vietnam into a Chinese province.

All of these Treaties have been implemented by economic accords permitting Pekin to send a great number of its citizens disguised under the so-called status of employees or workers in the most strategic areas of Vietnam (63). The purpose would be certainly “legitimizing” the presence of Chinese workers, engineers and experts to respond to China’s need of controlling in advance these regions in case of war.

We have to emphasize the problem that every day, thousands and thousands of so-called Chinese tourists entering either legally or illegally Vietnam did not want to return to China and they stayed at their own will by inventing wicked scheme of losing or being robbed of all their legal papers. It is estimated that around 200 000 Chinese resettled in Danang and 300 000 in Nha trang and how many other Chinese living illegally throughout the country? This situation will really be a conundrum for the future Vietnamese democratic government in matter of keeping security, resettlement and reconstruction of the country once the Communist regime shall have been dismantled.

The Chinese annexation plan was reinforced by Sino-VN bilateral accords of joint venture enterprises of which the major part of the capital came from China. The example was the case of bauxite exploitation mill set up

in the Central Highlands from which the Chinese would be able to have a control over entire Indochina.

There were other agreements with Chinese firms to exploit primitive forests in the frontier zones under which China has been able to control a major part of North VN.

Accordingly, Chinese firms got licenses to be set up along the coastline of Vietnam. Besides, the Chinese have been allowed to build up their own cities or special economic zones all over the country such as at Binh Duong or Danang in which the only language to be used is Chinese and trade exchange is based on Chinese currency "yuan".

Besides, the VN government issued other regulations favourable to Chinese: e.g., permits to the Chinese to come to Vietnam without visa, to circulate and to resettle themselves freely and anywhere they want. The Chinese can marry any Vietnamese girl and their children will systematically become Chinese. On the contrary, a visa is required to any Vietnamese who wishes to go to China. Consequently, special economic zones and many Chinese districts have been set up across the country and the worst of all, these special areas have been prohibited to the Vietnamese from entrance and this measure being applied even to the VN police officers or civil servants.

The Chinese intrigue of transforming Vietnam into one of their satellites was made evident through the latest adoption of the new Chinese national flag composed of 5 stars instead of 4 as before, on which the 5<sup>th</sup> star just added symbolically represents Vietnam, the 5<sup>th</sup> country ranked itself among the 4 others conquered in the past by China such as Manchuria, Mongolia, Tibet and Ouighour.

This new Chinese national flag appearing at the first time in 2011 used as the background of the room of the VTV official television while a spokeswoman was delivering news, did arouse such a protestation of the public that it was taken off later. However, during an official visit of the Chinese Vice President Xi Jinping of Vietnam in 2012, thousands of VN school boys and girls were seen waving this new Chinese national flag. Facing the people's opposition, the VN Communist government imputed this as an error from the makers of the flags. This show was resumed in a room where high ranking officials of VN and China had a meeting at Lao cai in 2015 and the decking of the new Chinese flags decorated with 5 stars has been actually exposed in many police offices.

... The submission of Vietnam to China has been illustrated through violent police repression of all kinds of manifestation by the VN population throughout the country such as : against the Chinese occupation of the frontier border territories of the North, against the occupation of the Paracel and Praty Islands (which historically belonged to the sovereignty of Vietnam and which have been coveted by other neighbouring countries for the rich oil deposit representing 25% of oil reserve of the world, so that the Chinese did use military power to occupy Paracels from SVN naval forces in 1974 and Praty from NVN troops in 1988) (20).

Confronted with more and more waves of the people's protestation, the VN Communist authorities arrested, mistreated and put in jail hundreds or thousands of patriots from which many of them were becoming disabled or murdered. The unlawful repression had been severely carried out for example towards those protesting against Formosa (with a Taiwanese name but its capital and its management was Chinese). (30c) ;(30d).

### **a/ Cultural submission**

Political expansion was not able to be realized without developing cultural influence on the VN population. In other words, it was the politics of Sinicization of the VN people. The Chinese had tried to erase all past anti-Chinese imprints among the VN population and to make them forget their own past history.

To achieve this, Pekin imposed to Hanoi many measures:

- Make the VN people forget the resistance period against the Chinese troops in the Sino-VN Frontier War of 1979-1989. By underrating the indignation of the VN veterans of the Northern frontier War, the VN Communist government ordered scratching the tombs of the VN soldiers killed for their national cause. On the contrary, they allowed setting up on the site a memorial in honour of Chinese invading soldiers killed for China.

- No publication of magazines, newspapers against the Chinese concerning the Frontier War of 1979 and no mention of the traces of war in history books or official documents so that many school children did not know anything about it. Consequently, the young Vietnamese would have neither idea about Chinese occupation of the Paracel and Praty Islands,

nor the recent exactions of Chinese naval troops against the VN fishing boats on the VN sea territories.

- To avoid the glorification of the VN historical figures honoured by the VN people for their fights against Chinese invaders.

In order to follow the pro Chinese politics, the VN authorities ordered the VN population to take off the heroic statues from public places even in private properties such as the case of a statue of Tran Hung Dao, the great victor of the Mongols set up in the private garden of a family at Lam Dong, Central VN.

Furthermore, it was followed by Chinese scheme of making the Vietnamese assimilate Chinese own culture by the adoption of the Chinese language. The VN Communist government wanted the young Vietnamese to learn Chinese but this language with its ideographic writing was not easy to learn, thus, learning this language might not interest them. Therefore, at the end of 2016, a decree was published making the learning of Chinese compulsory at high school education. And from now on, Chinese became the 2<sup>nd</sup> language to be studied at secondary and primary levels. At the time being, broadcasts entirely in Chinese on public radio and television have been made along with VN programs. Chinese songs intercalated with Vietnamese ones, etc....

### **b/ Destruction of VN economy**

The VN as well as Chinese Communist authorities tried to keep secret the contents of the Treaty 1990 for fear of the unanimous revolt of the Vietnamese who have been engraved in their own minds with the lessons of their Ancestors' hostility against the Chinese invaders.

To avoid being confronted with the popular protestation in the future when the VN Communist authorities shall have to declare the annexation of Vietnam by China (generally speaking, the Chinese are only interested in occupying Vietnam for the VN rich reserves of oil, bauxite and particularly its strategic position in the South East Pacific), Pekin worked out a real enterprise of genocide against the VN people in order to repopulate with people of their own.

Facing Chinese methodical intrigue of destroying the VN economy and the poisoning of all sources of life, the young Vietnamese have been forced to emigrate to find job elsewhere or even to go abroad with the hope of earning money to help their families. Those who stayed at home, suffered

from all kinds of illness and disease and many children have been stunted or deformed at their young age.

### **c/ Destruction of VN agriculture:**

More than half of the VN population lived on agriculture as compared with other sectors of activity such as aquaculture, fishery, manufacturing etc... Rice culture of Vietnam, 2<sup>nd</sup> producer of the world and the 3<sup>rd</sup> exporter became the object of Chinese envy.

The immense Mekong Delta, rice bowl of the world depended on annual alluvial deposits assuring its fertility. Since the build-up of the waterfalls of 6 Chinese dams at Yunnan upstream of Mekong River (4 other dams were supposed to come into operation, and the construction of 2 canals which pumped out a part of the water of the river for the neighbouring areas (46). The impacts on agriculture have been aggravated by the construction of the gigantic hydropower plants of Xiaowang (capacity of 15 milliard m<sup>3</sup>, 2010) and of Nuoshadu (capacity of 23 milliard m<sup>3</sup>, 2012) so that the countries living along the Mekong were helpless in facing Chinese scheme of deteriorating fluvial economy. (45); (54).

While the authorities of the neighbouring countries could not stop the Chinese from manoeuvring the flow of the river according to their will, they built up their own dams with the agreement and even the help of the Chinese who financed these projects (for example, one project as planned in Laos supposed to be one of the great provider of electricity of the region, the Xayaburi Dam on the main flow of the river of which the construction was underway, then, 2 other projects planned in Cambodia and 2 others in Thailand). The Chinese refused to participate in the talks about the environmental impacts of these projects which had been warned by the Regional Commission of Mekong. Vietnam at downstream helplessly observed these damages with the risk of devastating floods and continuous drought so that the soil of Vietnam became more and more impoverished because of lack of fertile sediments. The VN farmers in disarray witnessed salt water flooding the Mekong delta resulting from climate change, global warming and sea level rise. The level of fresh water lowered down so seriously that aquaculture people have faced the problem of the water shortage for feeding fish in the reserves. Climate change had increased the production of many insects and mushrooms which have created many diseases for cultures such as the development of the dengue destroying many harvests.

With the build-up of dams, came the destruction of mangroves (a sort of water plant) in particular in the extreme Southern regions which helped raising shrimps for exportation whereas most of the enterprises of freezing sea products have been detained by the Chinese. Without trees and plants to reinforce the soil layer, the VN coastline has been suffering from erosion and each year at least 500 acres of land has been submerged with salt water at Ca mau Cap which begins to lose its surface. (67)

Consequently, the surface of rice agriculture was becoming reduced and its yield decreased at 15% since the last decades. The economic situation of Vietnam was so deteriorated that it was predicted hunger for the years to come.

The tragedy of Vietnam was that this country had been a rice bolt of the world in the past decades, but now under the Communist regime, the VN population have had to eat imported rice from neighbouring countries. This was due to the fact that 60% of its production the farmers had to sell to the state-owned cooperatives at very low price (i.e., VN\$3000/kg instead of VN\$4500 /kg as sold on the market for exportation. Then the rice would be exported to China at the price of VN\$6000/kg). Afterwards, the Chinese merchants would resell to the Vietnamese a sort of rice of worse quality mingled with plastic grains or other toxic products!

A greater number of farmers, being exploited and discouraged by their harsh working condition because their lands became more and more arid and unproductive, they abandoned their jobs, and migrated into the cities or to the neighbouring countries and left behind them their lands to the Chinese opportunists who were rushing to buy at very low price.

The Chinese were determined to take over as many lands as possible for their colonization and repopulating the country with their own race. They have used many different tricks and stratagems to ruin the VN simple peasants and farmers, then to force them give up their lands. To work out for this scheme, Chinese tradesmen had been travelling all over the country to spot the VN peasants in difficulty and to propose them to buy for example: only the 4 hooves of their buffaloes at the price of the animal. The poor peasants would easily accept this proposal since they hoped to earn over twice once the meat of the animal would have been sold on the markets. The buffaloes have been the farmers' instrument of work. However, facing their bad working condition, they would have no other choice than accepting the proposals of the Chinese.

Another insane kind of cheating the VN farmers: Chinese tradesmen proposed to fill in the paddy fields with toxic fertilizers or pesticides (which did not respect any international norms). Then, Chinese tradesmen proposed them credit and promised them to buy with a very good price the products to be harvested. The Chinese respected their promise for a couple of times, then later on, they would refuse to buy by using as any kind of pretext as possible. Finally, the peasants had no other choice than to sell off their crops even at the cheapest price because they would not be able to wait until their products would become spoiled. Eventually, the peasants got into debt and had to yield their own lands to the Chinese or to the trade intermediaries and leave their native villages to go elsewhere.

Another example: if the harvests of certain cultures proved to be prosperous, Chinese tradesmen would propose to buy all leaves of the tubercle (e.g., those of manioc, even the plants or only the roots of the plants with a higher price than that of the crop itself). The result was that the concerned plants could not develop and die. So, the peasants would not have the seeds for the next sowing. This was one of the worst ways of destroying the VN agriculture by the Chinese.

In addition, the risk of destruction of agriculture coming from the floods generated by hydropower plants did arouse among the population a strong antipathy towards 7000 dams built up along the Mekong River which produced 40% of national electricity of which Hanoi was proud in making their propaganda by following the example of the Communist China.

What was more ironical to the world's eye: the VN Communist government licensed the implantation of Hoa Sen Steel Firm which would cause great environmental damages to Ca na, Province Ninh Thuan, South VN. Once the construction of the dam will have been finished, it will indiscriminately discharge the dumping of a great quantity of waste as much as that of the Steel mill in the Central provinces of Vietnam.

No doubt that the long coastline of Vietnam will become harmful to the people's livelihoods and the maritime economy will surely collapse. However, in their complicity with the Chinese to destroy environment, the VN Communist authorities, in spite of the people's protestation, still licensed the setting up of the Lee&Man Co. through the construction of a paper factory which was supposed to produce more than 420 000 tonnes of paper/per year on the Hau River, the greatest river nourishing the Mekong Delta. Once, the firm goes into action, it will certainly poison the

river and its environment by releasing a great quantity of kali (soude) and other toxic waste which will damage rice culture as same as aquaculture in the Delta(35a); (58); (59).

Generally speaking, almost all Chinese firms set up all over Vietnam are very polluting because of the toxic nature of their products and by the indiscriminate discharge of toxic waste in the nature, on the soil layer as well as in the waterways. Lakes and rivers of VN have been already infested with a red and black mud composed of toxic substances deposited (35). The soil impregnated with Chinese fertilizers and pesticides have contaminated the harvests. There was no doubt that the Chinese had used bribes with local Communist cadres to export their own toxic waste from China to be stored and buried in many places throughout the country (35a).

The question was: why did Formosa Hung Nghiep Steel Company discharge many quantities of toxic waste into the sea while it was not yet being in operation? (30); (32b); (34)

The aftermath of the pollution is as follows: the VN people become more terrified and helpless at observing the impacts on the environment, their livelihoods as well as their health. The air they breathe, the water they use for ablutions and washing, the food they eat, all this may kill them at any time. Fruits and vegetables are impregnated with Chinese pesticides and harmful to their health (33); (36); (37). Besides, Chinese toxic products and goods which look so fresh and nice in appearance but very dangerous to health, make the Vietnamese get diseases and in particular the young generation put on weight with many symptoms of illness.

Under the Sino-VN cooperation Treaties, Chinese alimentary products have legally and illegally as well invaded the VN markets and every day, newspapers and magazines make report about the cases of intoxication from Chinese imported products, goods as well as false medicaments such as: false rice, false eggs, false noodles, false steak, false coffee etc...all made of chemical products from China. (38); (49).

The VN population do not know if the fruits or vegetables they eat have been contaminated, the same way with beefsteak, fish they eat or fish juice coming from contaminated fish and the salt they use coming from polluted coasts of their own country. This is a clear proof of Chinese plot of exterminating the VN people. (62)

Let's read the following report: in 2015, Vietnam became the 2<sup>nd</sup> country of the world which got cancer following the evaluation of OMS based on the declaration of VN hospitals i.e., 350 cases per day and about new 130 000 cases each year and this number will go higher with the calamity resulting from Formosa (56). However, the VN authorities, accomplice of Chinese polluting actors, refused to seriously deal with this problem. They rejected all claims for water analysis. They even forbade physicians to take on exams of blood for the population living in the provinces of Central VN for fear of the "exploitation" of this tragedy by democracy activists or by the "enemy" of the regime living abroad. More than 1 million of the population along the coastal provinces of the Central VN became jobless or bankrupt and began to quit their own villages to go elsewhere (58); (59); (60). Some of them had no choice than going abroad through the "manpower hiring" politics of the VN Communist government. (61)

To stop these new waves of VN land people from illegally entering Cambodia, the Cambodian Prime Minister planned to build up a high wall along the border of Cambodia and VN, while thousands and thousands of Chinese have been allowed to come into VN for resettlement. Until now, the Chinese have occupied the best places and expropriated without any compensation the lands and houses of the Vietnamese who had inherited from their ancestors since many generations. The Vietnamese have become the victims of injustice and mistreatment in their own country by what is called the VN Socialist Republic.

#### **d/ Destruction of VN population's health:**

Based on the latest medical document of Vietnam, we can deduce that the number of the new cases of cancer amounts up to 200,000.00/per year resulting from toxic foods as well as poisonous items infiltrating from China (36); (37). Cancer problems have affected all Vietnamese population, especially children of very young age (38); (48); (49).

#### **2/ Chinese intrigue of invading Vietnam in the coming time**

The VN government refused to explain to the public why thousands and thousands of Chinese have been allowed to come freely to VN without any control from the part of the VN police. The areas yielded to Chinese have been set in the most important strategic zones of the country, surrounded by barbed wire and the entrance forbidden to all Vietnamese even to the representatives of the VN government. It seems that these sites should be used as military complex occupied by Chinese soldiers or officers disguised

as workers. (57) So, any kind of Chinese military equipments and ammunition could pass through frontier posts widely opened and certainly many secret tunnels had been dug for military use . According to a non-official source, the Chinese might have dug tunnels (big enough to be used to store tanks and military trucks) linking the Central Highlands with the Mekong delta. And in case of war, Communist China could move at any time regiments of Chinese troops across the country of VN since the Northern frontier areas of VN and the bay of Tonkina have already been under their control. In the Centre, Chinese troops had set up their compound in the Highlands as well as their military base at the deep-water port in Vung ang where they could moor their submarines and big warships. In the case of need, Chinese troops camped in the Highlands could move to the utmost South of VN since they would be reinforced in their military manoeuvres by airplanes based on the Paracel and Praty Islands. When the Chinese will put their plan in action, Chinese troops will obviously control many local airports which they have transformed into military bases. In order to encircle VN and prevent it from exterior supply for its favour by land or by sea, Chinese government made an alliance with Laos and in particular Cambodia which hired out to China for 99 years a naval military base in Sihanoukville, from which China may be able to control a major part of the Indo Pacific. And in case of US military intervention in Indochina, Chinese troops can deploy a wide range of sophisticated sol-air missiles on the Paracel and Praty Islands, not far from the coast of VN. All Chinese military preparations at the time being only pave the way for their plan of invading South East Asian countries in the near future.

To prepare public opinion, on web site of the Chinese Army of which an article published on 5 09 2008, then on 20 12 2014, explained how China would be able to occupy Vietnam in the coming time without any difficulty. However, the Chinese did learn a good lesson from the Sino-VN War of 1979 when they invaded North VN by force. For the time being, they only use military power in case of need. The Chinese in applying the method of stifling Vietnam by step to step expansion are determined for the success of their own strategy, the same way as using the device called "silkworms erosion" by which the Chinese will reach to their goal through gnawing little by little as the silkworms eventually do with a great quantity of whiteberry leaves. Unfortunately, the VN people are helpless in facing this invasion threat because they are being between China's hammer and VN Communist Party's anvil.

At the moment, in matter of financial management, the VN Communist regime risks going bankrupt with the actual debt of 167 milliard USD, equivalent to 62% of its GDP, its banks are almost empty since more than 617 milliard USD stolen from the VN people by the VN Communist leaders have been transferred one way or the other to the US and more than 200 milliards USD transferred to Switzerland (64). The Panama papers revealed that: only in 2011, 92 milliards USD were illegally sent out of VN for foreign banks. In order to conceal the reality of their corruption, the VN communist leaders continued their wicked propaganda by making boast of the "success" of the politics of what is called by them "New life Era" and they went on sending money and the members of their families to the US or European countries either under the status of students, tourists or by false marriage. This is another way of transferring money abroad. Such are the hypocrisy and the "well-known" cheating of the VN Communists of all times.

### **3/Total estimated compensation claimed**

Having suffered the abovementioned Crimes against Humanity committed by the PRC through the blood red hands of HCM and the VN Communist Party, the VN people have the right to demand justice and reparations for themselves. We believe that the VN population are entitled to recover all the damages they had and have suffered so far. Therefore, on behalf of the PNGVN, we would like to ask the Court to award them the adequate amount for their pains and their sufferings. Besides the human loss, we have to take into consideration the material loss such as: the destruction of the country: its agriculture, businesses, industries abandoned, a larger part of its countryside disrupted by bombing, defoliation of its forests and its lands covered with land mines, its cities and, towns and villages heavily damaged, etc...

The overall compensatory amount claimed for the VN people is illustrated in the following Recapitulative Table which is composed of sections, each of which will be in turn explained in details in order to present the composition of the amounts of the actual damages and in particular the basis for these compensatory amounts. It is evident that we did rely on the figures mentioned in the Report of the UNHCR, Encyclopadia Britannica, or the historical works of some well-known historians or journalists etc...as basis of our calculation.

#### 4- Recapitulative Table of estimated Compensation

<b>Designation</b>	<b>Quantity</b>	<b>Unit</b>	<b>Sub Total</b>
Number of persons killed in Indochinese and American Wars	3.5 million	US\$ 5 million	US\$ 17.5 trillion
Number of POW	1 million	US\$ 10 million	US\$ 10 trillion
Dead in Communist re-education camps	165,000	US\$ 10 million	US\$ 1.65 trillion
Dead on sea	500,000	US\$ 5 million	US\$ 2.5 trillion
Boat people	900,000	US\$ 1 million	US\$ 0.9 trillion
Democide 1975- 1987 (Rummel )	540,000	US\$ 5 million	US\$ 2.7 trillion
Recovering illegal oil exploitation by China			US\$ 1 trillion
Treatment of pollution - soil - coastline - waterways - air - replanting forests - protect Mekong delta - control floods from dams Treatment of VN people's health - cancer - mental illness - the disabled, handicapped deformed etc...		US\$ 300 billion US\$ 200 billion US\$ 150 billion US\$ 50 billion US\$ 50 billion US\$ 150 billion US\$ 100 billion  US\$ 300 billion US\$ 200 billion US\$ 250 billion	US\$ 1 trillion         US\$ 750 billion
Total estimated Compensation			US\$ 38 trillion

Following is the explanation of the basis of the amounts claimed

Let's start with each item in order:

1/ Concerning the number of deaths during the Indochinese and American Wars, according to the Source Britannica: during the Indochinese and American Wars: it was estimated 2 million civilians killed on both sides + 1.1 million NVN and VC fighters +b/w 200000 and 250000 SVN soldiers killed. Roughly speaking, we count 3.5 million killed.

As for the compensation for human loss per head, as a starting criterion of our calculation, let's use the case of a patient who got \$US 9.8 million awarded in wisdom tooth removal suit for malpractice in the US in Oct 17 2012 as reported by Journal News, NY by Supreme Court in Bronx in 2008 (21) or the case of the compensatory damages awarded of US\$417million by Los Angeles Jury to a victim of talc made by Johnson & Johnson in iconic baby powder (21a), (21b). So, as for the life of a human being like a Vietnamese killed during the above Wars, we only claim a compensatory amount of US\$5million/per head (e.g.,1/2 of the sum awarded for a wisdom tooth removal by malpractice). This seems very logical and even under evaluated as compared with the amounts awarded above. Say, US\$5million paid for each Vietnamese killed, the estimated compensation will be:

3.5 million persons killed x US\$5 million/per head, the result will be:  
US\$ 17,5 trillion

2/ Concerning the camp prisoners, according to the Report of UNHCR, the number of camp prisoners estimated of more than 1million and the number of deaths in prison was 165,000 victims.

We have to emphasize the fact that the Communists always used trickery with the VN population so that at the fall of the SVN government, they made their well known wicked propaganda of the so-called national reconciliation with the SVN population to prevent them from any kind of resistance or revolt against the new regime. So at that time, through media either by radio or television, they claimed former officers and civil servants of the SVN government to bring with them the belongings for 1 or 2 weeks for political course. In fact, it was a method of deceiving the population for brain washing to keep them in detention by which each camp prisoner was detained at least from 2 years for those with the shortest period up to 17 years for those with the longest one. We think

that, without the negotiation of the US government with the Communist authorities, a great number of them would have never been released and they would have been staying longer in prison or even for life.

By the Communist inhuman treatment towards the prisoners, we decided to claim US\$10 million for each detainee as well as for each prisoner murdered in camps. So, if we impute the amount of US\$10 million as compensation for each camp prisoner it seems very reasonable and even too small as compared with \$US 9.8 million awarded for only one wisdom tooth removal suit for malpractice in the US. The compensation of US10 million claimed for each camp prisoner is also far behind the record amount of \$US417 million awarded by Los Angeles Tribunal which ordered Johnson&Johnson Company to pay out for the victim of the talc in the iconic baby powder produced by the Company itself (21a). In this case the compensatory amount will be:

**1 million camp prisoners x US\$ 10 million = US\$10 trillion**

As for the number of prisoners' dead in camps, say: 165,000 deaths. We claim the same compensation, i.e., US\$10 million/per head. In this case, the compensatory amount will be:

165 000 prisoners dead x US\$10 = US\$1,65 trillion

3/ Concerning the number of boat people let's read the following Report by UNHCR:

According to the Report of the United Nations High Commissioner for Refugees related to VN boat people-Death Tolls-Casualty statistics/14 03 2012: 1/3 VN boat people died at sea by killing, storms, illness and food shortage. Out of a total mixture ages of men, women and children.

- Orange County Register (29 04 2001):

1 million persons sent to camps and 165,000 died

- Elizabeth Becker (When the war is over, 1986) cites the 250,000 boat people died at sea, 929,600 reached asylum

- The 20 July 1986 San Diego Union Tribune cites UN Refugee Commission: 200 000 - 250 000 boat people died since 1975

-The 3 August 1979 Washington Post cites: the Australian Immigration Minister's estimate that 200 000 refugees had died at sea since 1975

- Rummel

VN democide: 1 040 000 deaths (1975-87)

Executions: 100,000

Camp death: 95,000

VN boat people: 500,000 deaths

Forced labor: 48,000

Other cases: 297,000

Most of research documents gave us a number of more than 900,000 boat people reaching the asylum, so we claim a compensation of only US\$1million for these persons because they had left everything behind them such as houses, properties, families to look for freedom at the risk of their lives even that these people would have received reward of being accepted as refugees by other countries. The amount of compensation will be:

900,000 persons x US\$1million= US\$0,9 trillion

Deaths on sea:

500,000 x US\$5million = US\$2,5 trillion

4/ Democide: this new term created by R.J. Rummel, prof of political science is used to explain mass murder by a government and in our case, by the VN Communist authorities. Prof. Rummel gave us a number of 1 042 000 victims minus the number of deaths on sea already deducted, the result will be: 540 000.

So if we impute the compensation of US\$5million for each of this category, the sum will be:

540,000 victims x US\$5million = US\$ 2,7 trillion

If we add all these compensatory sums on account of human loss, the total will be:

17,5 + 10 + 1,65+ 0,9 +2,5 +2,7= US \$35,25 trillion

#### 5/ Recovering illegal oil exploitation by Chinese

Besides, we must recover for the VN people the amount of crude oil so far illegally exploited by Communist China with the complicity of the VN Communist authorities through the corrupt hands of what is called VN oil Company of which Trinh Xuan Thanh , a former polit. bureau member, concurrently member of the Company Management had denounced in an open letter to the VN diaspora when this man escaped from Vietnam in 2016 and travelled across other countries before coming to Germany to ask for asylum. Based on the denunciation of this man, we have the basis to impute the corrupted amount of the VN oil Company of US\$32 billion/ per year from which we can deduce the quantity of oil illegally extracted by Chinese Companies would total US\$100 billion per year and for the last 10 years, the overall quantity of oil illegally exploited by the Chinese would total US\$1 trillion. ( 65)

The VN people also require compensation for the reparations of the above damages, in particular, the treatment of the following fields:

- Pollution of soil throughout the country especially at Vung Ang where Formosa Hung Nghiep Steel Company was built up in 2013 and the bauxite exploitation Mill in the Central Highlands of VN of which the compensatory amount estimated of about US\$300 billion. (42a); (42b).

This estimated compensation has been roughly calculated as based on the great damages caused by Chinese firms which destroyed VN ecosystem with incidents like the mass death 70 tonnes of fish washed up along Vietnam's central coastline by Formosa Plastics which discharged a dumping of toxic waste containing cyanide and carbonic acids into the surrounding water as explicated in (Cf.35a). The toxic waste has not been discharged by only one firm like Formosa but by many other Chinese firms set up throughout the country. Up to 10 03 2016, more than 1606 projects have been licensed to be set up in 54 provinces out of a total number of 64 provinces of the whole country. So, we can see the degree of gravity of pollution caused by Chinese factories. We are convinced that the compensation of US\$300 billion claimed for the treatment of pollution is quite justified. (58); (59); (68).

The same reasoning with the treatment of other fields.

- Pollution along the coasts of Ha tinh Province, the nearby provinces and all the coastline up and down the country by the discharge of great quantity of toxic waste into the sea in addition to the toxic oil spills from damages tankers and oil&gas platforms, for which the compensatory amount estimated of about US\$200 billion (57).

- Pollution of waterways and water sources infected in particular from the above polluting sites demands about US\$ 150 billion for reparations (45); (54).

- Pollution of air throughout the country of which the treatment will require a compensation estimated of about US\$50 billion.

- Replanting forests which have been destroyed (at least more than 20 000 square kilometers of forests destroyed in the last 10 years), in particular the forests and agricultural lands for coffee and tea farming. Using measures of planting trees or exploiting industrial plants to return nature to nature. All this requires a compensation of about US\$50 billion (52).

- Measures to protect the Mekong Delta from invasion of salt water, the estimated compensation about US\$150 billion (67)

- Security for dams with neighbouring countries along Mekong river to avoid resulting floods for population living downstream will need a compensation of about US\$100 billion (46)

The overall compensation for the treatment of environmental damages is estimated of about US\$1trillion

Finally, last but not the least is the taking care of the VN population's health. Until now, the health of the VN population has been seriously affected by pollution and by using toxic products and poisonous goods from China . We can treat the health problems of the VN people by dealing with various aspects of which the most important are:

Treatment of cancer needs a compensation of US\$300 billion (36); (49); (38); (62).

Treatment of the disabled, deformed and handicapped resulting from aftermath of the wars and of pollution requires a compensation of about US\$200 billion (66).

Treatment of the people with mental illness needs a compensation of US\$250 billion. (48)

The compensatory amounts for the taking care of these persons will come to US\$750 billion.

In short, the overall estimated compensation required by the VN people to the People's Republic of China for justice and the reparations of the damages they have suffered totalling US\$38 trillion.

We are convinced that the total estimated Compensation we claim from the People's Republic of China for the reparations of their Crimes against Humanity has been carefully studied and calculated on good basis because if we divide this sum by the total number of the VN population up to now, let's say: 96 million persons, the average compensatory amount per head will be:

US\$38 divided by 96 million, the result will be: US\$395.833; roughly speaking, around \$US400,000.00/per head.

If we refer to the US War cost published by the Department of Defence, US\$168 billion in the entire war including 111 billion on military operation (1965-1973) and 28.5 billion on economic and military aid to Saigon regime (1953-1975), at that rate, the US did spend approximately US\$160 000 for an "enemy killed" according to US source. The compensatory amount we claimed for the Vietnamese is only US\$400,000/per head.

If we compare the average amount of US\$400 000 to that of US\$633,000 awarded as compensation for the nerve damage of only a wisdom tooth by malpractice decided by the Florida Tribunal in 2015 (40), or to the compensation of US\$985,569 for nerve damage award as decided by the Washington Tribunal in 2015 (41), or to another lawsuit in Los Angeles against Johnson & Johnson for the talc in the Company's iconic powder and this company had to pay to a victim a record award of US\$417 million (21a);(21b), we are convinced that the estimated compensatory amount we claimed for each Vietnamese i.e., US\$400,000. is very far behind and quite reasonable.

Moreover, the amount of US\$400,000 per head we claimed to be paid off by the Communist China will be used not for killing any Communist Chinese nor any Communist Vietnamese but to help the Vietnamese heal the wounds of the wars, reconstruct their country, especially to be used for the in-depth treatment of the environmental pollution and the taking

care of the VN population whose health has been so far seriously affected. In other words, the People's Republic of China should be accountable for the compensation of US\$38 trillion to be awarded to the VN people. Once again, this method of calculation seems to us very logical and based on reliable data.

## **CONCLUSION**

The North VN people, after having suffered 70 years of Communist oppression, and the South VN people after more than 43 years of Communist domination, began to realize the dangers of Communism, the wicked propaganda of the VN Communist regime, its atrocities, its violations of Human rights and its Crimes against Humanity. Until now, the many books, articles, essays written about this heart-breaking tragedy, many accounts by ex prisoners of VC re-education camps are innumerable. For the limited context of the complaint file, we only quoted some of them which we consider as of reliable historical value to support our argument and being used as referenced documents. We can resume the very long period of the Communist inhuman dictatorship on the VN population as follows:

*Atrocities, genocide, waste of human resources, destruction of national heritage, destruction of national traditions and destruction of the VN society.*

All this calamity had and has been carried on by Ho Chi Minh, a Chinese secret agent and the VN Communist Party but the chief culprits were of course the leaders of the People's Republic of China who had exploited the blood thirsty hands of the VN Communist Party in order to respect their guiding principle:

*"If the lips are not well closed, the teeth risk to be hurt of cold".*

(In other words, the word "lips" here means Vietnam and teeth means China. So never does China want to grant Vietnam an independent state which may escape from their exploitation and their domination.)

In conclusion, the Vietnamese people deserve justice and reparations for the Crimes against Humanity committed by the Communist leaders of the People's Republic of China through the satanic hands of Ho Chi Minh and the VN Communist Party.

By signing this complaint, I certify to the best of my knowledge and belief that this complaint is not being presented for an improper purpose and that the factual contentions will have evidential support after a reasonable opportunity for further investigation or discovery to be conducted by your International Crime Court.

Thank you

*Following are the Notes used to explain the ideas related to each specific context and Documents used as reliable support to clarify our viewpoints and at the same time to reinforce our argument. The figures in the Report of UNHCR have been used as data basis for the calculation of the overall estimated compensation claimed.*

## **Notes & Documents attached**

(Page 37 – 207)

### **Notes:**

**(Cf. 1)** Tran Dinh, journalist, communist Newspaper “Su that” (The truth) , Memoirs on HCM, his work “Den Cu” (The light Cu, the cry of sufferings), 2014

**(Cf.1b)** Tran duc Thao (1917-1993), philosopher, his work : ‘Les regrets de Tran duc Thao au crépuscule de sa vie (Tran duc Thao’s regrets at the twilight of his life), 1993

**(Cf.1c)** Tran viet Bac, Dong chi Nguyen ai Quoc va toi (Comrade NAQ and me)

<http://www.geocoties.ws/xoathantuong:tvbhcmdongchi.htm>)

**(Cf.2)** Tran gia Phung, historian, prof. Danang Community Univ., resettled in Canada, his work ‘Lot tran huyen thoai HCM’, 2012 (Unmasking HCM’s legend)

**(Cf.3)** Bui Tin, colonel of NVN Army, refugee in France, his works: Following HCM, The Memoirs of a NVN Col. 1995, The betrayal of a Revolution, victims of a discredited doctrine, ‘Tam tinh voi tuoi tre’ (Confidence with the youth), 2006, ‘.Su that ve HCM, tieu su va su nghiep’, (The truth about HCM, biography and work) Nha xuất bản Su that, Hanoi

**(Cf.4)** Dao van Nghe, col of NVN Army, member, VN Central polit. Bureau, in exile

**(Cf.5)** Nguyen The Anh, historian, rector, Hue Univ., prof. Harvard Univ., director CNRS (National Centre of Scientific Research), France, his work: 'Le chemin révolutionnaire de HCM, (HCM's Revolutionary road)

**(Cf.6)** Nhung su kien lich su Dang (Historical events of the VN Communist. Party), Editeur de l'Information de Hanoi, 1985

**(Cf.7)** Revue Dinh Huong N° 8 1995,

**(Cf.8)** Documents from the PNGVN

**(Cf.9)** Biography of Dao Minh Quan, PM/PNGVN

**(Cf.10)** The Economic History of VN 1945-2000, Institute of Communist Economics.

**(Cf.11)** Dang Chi Hung, Witness of the sale of VN to China in the blog: Sinicization of Indochina concerning the Agreement named the Sino-VN cooperation signed on 12 06 1953 at Quang Tay China between Ho and Mao

**(Cf.12)** See War prisoners 1979-1989, Phan Ba 's Blog24/2/2017

**(Cf.13)** Concerning HCM (Erasing HCM's legend)

<http://www.genocities.ws/xoathantuong/tvb/hochiminhdongchi.htm>.

**(Cf.14)** Thuy Khe, Nguyen ai Quoc, lai lich va van ban trong Vinasia.org. (Nguyen ai Quoc, biography)

**(Cf.15)** Dang chi Hung, Proof of selling Vietnam by the VN Communist Party to China in blog. Sinicization of Indochina

<http://namviet.net/blog-hanhhoa/p=657>

Agreement entitled 'Sino-VN cooperation remembrance' (VT/GU-0212) signed on 12 06 1953 at Quang Tay, China

The forests in VN occupying 43 % of total surface of the country 14,3million hect., as compared with the total surface of the country, say, 332.679km<sup>2</sup> . But in 2010, the Communist counted only 313.568km<sup>2</sup>. The difference of 19,111km<sup>2</sup> should be yielded to China.

**(Cf.16)** Sino-VN frontier War of 1979-1989)

(<https://phanba.wordpress.com/2017/02/24/tu-binh-chien-tranh-viet-nam-trung-quoc-1979-1989>)

(Prisoners of Sino-VN frontier war 1979-1989)

**(Cf.17)** Kerby Anderson Nguyen

<http://vantholacviet.com/tuong-cong-san-viet-nam-ha-thanh-chau-da-xin-ty-nan-chinh-tri-tai-hoa-ky-va-tiet-lo-am-muu-ban-nuoc> concerning Communist gen. Ha thanh Chau asked for asylum in the US

**(Cf.18)** Mat dat by Truong nhan Tuan : Viet nam co mat dat mat bien (Did Vietnam lose its lands and its sea?)

<http://nhantuantruong.blogspot.fr/2013/11/viet-nam-co-mat-dat-mat-bien.html>.

**(Cf.19)** Vinh Bac viet chi con 45 % thay vi 53 % nhu da cong bon (The gulf of Tonkina has only 45 % of its surface instead of 53 % as officially announced)

**(Cf.20)** VN's sovereignty over the Paracels and Praty Islands .Theo Dai phat thanh tieng noi nhan dan Trung quoc, Tau cong cong khai tuyen bo TS,HS la cua Viet nam nhung da duoc CSVN nhuong cho Tau do cong ham Thu tuong Pham van Dong ky ngay 07 06 1958, do do, Trung quoc co tu cach khai thac dau khi cua VN

(According to the Radio :The voice of the Republic of China broadcast in Vietnamese, the Communist China recognized that the Paracel and Praty Islands belonged to VN, but these islands had been yielded to China through the official letter signed on 07 07 1958 by PM Pham van Dong . Therefore, China has been qualified to exploit oil on the sea territories of VN)

<https://www.youtube.com/watch?v=RCL1svpRNhg>).

**(Cf.20a)** Brantly Womack, VN &China in an era of uncertainty, The Asia pacific Journal, 9/2009, translated by Ngo Bac : VN ban 70 % san luong cao su cho Tau nhung lai nhap san pham che tu cao su tri gia gap 3 lan so voi gia cao su ban ra.

(VN sold 70 % of its rubber production to China at very low price but bought rubber products from China with a price 3 times higher) .

**(Cf.21)** <https://eu.usatoday.com/story/news/nation/2012/10/17/wisdom-tooth-lawsuit/1639923/>

Patient got US \$9.8 million in wisdom tooth suit

By Erik Shilling, The (Westchester, N.Y.) Journal News Published 10:11 p.m. UTC Oct 17, 2012

WHITE PLAINS, N.Y. -- A dentist whose temper brought him Internet infamy now has something else to stew about -- a jury awarded a former patient \$9.8 million for a botched wisdom tooth extraction.

The dentist, William Moody, performed the extraction on Harold Hagins in February 2007 but apparently left some of Hagins' last remaining wisdom tooth still inside the 49-year-old's mouth. Subsequent oral surgery elsewhere did not fix the problem, and

Hagins suffered from "extensive oral nerve damage, chronic pain, a fractured jaw, memory loss, migraines, permanent loss of taste, fear, anxiety, and depression," according to court papers.

Hagins sued Moody along with another dentist, Michael Miller, in New York Supreme Court in the Bronx in 2008. The case was later moved to White Plains, where a six-week trial concluded earlier this month. According to a lawyer for Hagins, the jury found that Moody and Miller were liable for Hagins' injuries, and neither had obtained his informed consent for the procedures.

Moody had a brush with Internet infamy in 2009 when a video of him pushing a woman to the ground during a so-called "parking rage" incident made the rounds online. He was sentenced to three years' probation in the case.

But before that, Hagins said he first came to Moody complaining of a toothache, according to court papers.

Two days later Hagins came back for the extraction, later leaving the dentist's office under the assumption that Moody had completely extracted his wisdom tooth. But Moody had not, testifying that he stopped the extraction after being told that the tooth was fused to the bone. Hagins left the office but admitted himself to a hospital emergency room later that night in severe pain and with facial swelling. He later had oral surgery to extract the remaining portions of the tooth.

That surgery set off months of further pain and hospital visits, according to court papers. Just a month after the surgery Hagins went to the New York University College of Dentistry, where he complained of facial swelling and an inability to open his mouth. A week later Hagins went to Bellevue Hospital, where he told doctors that he could no longer feel on the left side of his tongue, in addition to shooting pains and difficulty eating. Another surgery was performed.

Finally, in July 2007, Hagins went to New York Medical College, where a neurologist performed brain surgery to help alleviate Hagins' constant pain. Court papers show that surgery seemed to help, and the next year Hagins, who now lives in Virginia, filed suit.

"He's the nicest man who really wants to work," said Jennifer Amicucci, a lawyer for Hagins. "But he can't."

Neither Max Gaujean, a lawyer for Moody, nor David A. Roemer, a lawyer for Miller, returned calls for comment.

Published 10:11 p.m. UTC Oct 17, 2012

**(Cf.21.a)** Lawsuit against Johnson&Johnson for iconic baby powder  
Michael Balsamo, The Associated Press  
Published Monday, August 21, 2017 2:47PM EDT  
Last Updated Monday, August 21, 2017 10:26PM EDT

LOS ANGELES -- A Los Angeles jury on Monday ordered Johnson & Johnson to pay a record US\$417 million to a hospitalized woman who claimed in a lawsuit that the **talc** in the company's iconic baby powder causes ovarian cancer when applied regularly for feminine hygiene.

The verdict in the lawsuit brought by the California woman, Eva Echeverria, marks the largest sum awarded in a series of talcum powder lawsuit verdicts against Johnson & Johnson in courts around the U.S.

Echeverria alleged Johnson & Johnson failed to adequately warn consumers about talcum powder's potential cancer risks. She used the company's baby powder on a daily basis beginning in the 1950s until 2016 and was diagnosed with ovarian cancer in 2007, according to court papers.

**(21.b)** *Liebeck v. McDonald's Restaurants*,<sup>[1]</sup> also known as the McDonald's coffee case and the hot coffee lawsuit, was a 1994 [product liability lawsuit](#) that became a flashpoint in the debate in the [United States](#) over [tort reform](#). Although a [New Mexico](#) civil [jury](#) awarded \$2.86 million to plaintiff Stella Liebeck, a 79-year-old woman who suffered third-degree burns in her pelvic region when she accidentally spilled hot [coffee](#) in her lap after purchasing it from a [McDonald's](#) restaurant, ultimately Liebeck was only awarded \$640,000. Liebeck was hospitalized for eight days while she underwent [skin grafting](#), followed by two years of medical treatment.

Liebeck's attorneys argued that, at 180–190 °F (82–88 °C), McDonald's coffee was defective, claiming it was too hot and more likely to cause serious injury than coffee served at any other establishment. McDonald's had refused several prior opportunities to [settle](#) for less than what the jury ultimately awarded.<sup>[2]</sup> The jury damages included \$160,000<sup>[3]</sup> to cover medical expenses and [compensatory damages](#) and \$2.7 million in [punitive damages](#). The trial judge [reduced](#) the final verdict to \$640,000, and the parties settled for a confidential amount before an [appeal](#) was decided.

The case was said by some to be an example of [frivolous litigation](#);<sup>[4]</sup> [ABC News](#) called the case "the poster child of excessive lawsuits",<sup>[5]</sup> while the legal scholar [Jonathan Turley](#) argued that the claim was "a meaningful and worthy lawsuit".<sup>[6]</sup> In June 2011, [HBO](#) premiered [Hot Coffee](#), a documentary that discussed in depth how the *Liebeck* case has centered in debates on tort reform

**( Cf.22)** From Lam Thanh Liem, "Chinh sach cai cach ruong dat cua Ho Chi Minh: sai lam hay toi ac?" in Jean-Francois Revel et al., *Ho Chi Minh: Su that ve Than the & Su nghiep* (HCM:biography and work) (Paris: Nam A, 1990), pp. 179-214. This excerpt is from pp. 200-5.]

Ho Chi Minh's Land Reform: Mistake or Crime?

By Lam Thanh Liem

... The Result of the Land Reform

The 5-phase land reform resulted in a bloodbath all over North Vietnam. Unfortunately, because of the techniques of falsification and censorship under the "closed door" policy implemented by Ho's regime from 1954, the world was completely unaware of this catastrophe. Genuine information related to this land reform is extremely scarce, and even inaccurate and vague. As a result, it is almost impossible to establish a clear picture of this internecine massacre.

A recent memoir by Hoang Van Hoan – a former member of the Hanoi communist Politburo who fled the country in September 1979 and is presently in exile in China – partly uncovered the disastrous situation the government had created for the population. Like the Vietnamese Communist Party's other leaders, Hoang Van Hoan dwelt lightly on the "errors" and "deviations" of the lower levels. He never revealed the real number of victims who suffered in this reform campaign or the number of innocent people wrongly accused by people's tribunals and later executed.

In 1987, the Institute of Marxist-Leninism in Hanoi published a book entitled *Ho Chi Minh: The Era of 1954-7* (simultaneous with the progression of the land reform). However, the book failed to provide anything useful and only touched on the incident briefly in 2 pages.

Vo Nhan Tri, at the request of the Hanoi government, wrote a book, *Croissance économique de la République démocratique du Vietnam (Economic Growth in the Democratic Republic of Vietnam)*. Having been given this task, the author was allowed to access the documents in the Prime Minister's archives, where he "found and read a top-secret report on the number of communist cadres falsely accused and executed: 15,000." Ho Chí Minh, in an attempt to hide the truth, reduced this number to 10,000 when he addressed an assembly of Party members, confessing to having killed a number of "innocent victims." "Of course, this number of so-called 'innocent victims' would be much greater," according to Vo Nhan Trí.

In South Vietnam, Nguyen Van Canh, a former Deputy Minister of the Ministry of Information and Amnesty (1969-70), sought an answer to this problem by interviewing

returnees from Chieu Hoi programs and interrogating POWs, including communist cadres, soldiers, and officers from the North. These interviews and interrogations produced a great deal of valuable and reliable information. Ultimately Nguyen Van Canh was able to generate an estimate of 200,000 victims, which he divided into 2 main categories:

— 100,000 accused and murdered during the period before 1955, excluding another 40,000 victims who were sent to various concentration camps in the mountain areas. Here most of them died of malaria or other epidemic diseases. Those who were able to survive and were released became crippled mentally as well as physically. They have led a dog's life ever since.

— 100,000 killed during phase 5, the last phase of the reform campaign, known as the Dien Bien Phu General Offensive, which ended in summer 1956. Thousands of others, most of them rich farmers and land owners, were sent to concentration camps for "reeducation."

Of more than 200,000 victims executed, 40,000 (20%) were communist cadres, according to Nguyen Van Canh.

During work visits to the Mekong Delta (assigned by Ho Chi Minh City's agriculture department), we had opportunities to talk to a number of Northern cadres working in scientific and technological areas as part of the "agricultural collectivisation policy" in 1978-9. The discussions eventually touched on the land reform campaign in the North. Two of the cadres admitted that they were participants in the campaign in 1955-6.

— One estimated that 120,000 victims were falsely accused and executed. This number included 40,000 communist cadres.

— The other gave a larger figure: 150,000-160,000 victims killed, among them 60,000 communist cadres.

In general, the conclusions and estimates are similar; especially the number of communist cadres, which ranged from 20-30% of the total number of victims. Though the numbers of victims falsely accused may be different, the acceptable figure is 120,000-200,000 (including cadres and Party members).

According to official statistics, the outcome of the land reform was an award of more than 800,000 hectares of land and rice paddies, plus 100,000 cows and water buffalo, redistributed to 2 million farmers. Nearly 150,000 houses and huts were allocated to new occupants. These estates had been in the possession of people classified as "indigenous oppressors, reactionaries, or traitorous elements." These figures are quite

significant in relation to the number of murdered victims. Another estimate for the period 1952-6 was about 150,000 victims (of which 30% were communist cadres and Party members).

Let us note how Hoang Van Hoan described the situation in that period:

unjust and false verdicts imposed on the victims were concealed and were never brought to light for verification. Those who had been erroneously classified and accused were never exonerated. Grievances against the Party accumulated during the reform campaign have taken root in everyone's heart and have remained intense to this moment.

**(Cf. 23)** *50 Years On, Vietnamese Remember Land Reform Terror*

BANGKOK—Vietnam this year marks the 50th anniversary of a little-known political campaign known by the innocuous-sounding name of “land reform,” in which hundreds of thousands of people accused of being landlords were summarily executed or tortured and starved in prison.

The land reform was a massacre of innocent, honest people, and using contemporary terms we must say that it was a genocide triggered by class discrimination.

More than 172,000 people died during the North Vietnam campaign after being classified as landowners and wealthy farmers, official records of the time show.

Former Hanoi government official Nguyen Minh Can, who was part of the campaign to change direction following the terror, said it amounted to “genocide.”

“The land reform was a massacre of innocent, honest people, and using contemporary terms we must say that it was a genocide triggered by class discrimination,” he told RFA’s Vietnamese service.

Hundreds of thousands died

“Suddenly they implemented a land reform by sending groups of officials to the countryside, and giving them the freedom to classify and accuse people as landowners at will. An additional number of 172,000 people became victims,” he said.

“I am talking about the number of wrongly tried victims that were seriously depressed and furious to the extent that they had to commit suicide. This number was in fact not small. In my opinion this consequence was very serious. It has given a terrible fright to the people,” Can added.

But official figures leave out summary executions of those accused of membership of the National People's Party, however. Unofficial estimates of those killed by Ho Chi Minh's Vietnam Labor Party, which later become the Vietnamese Communist Party, range from 200,000 to 900,000.

Former Communist Party official Nguyen Minh Can. Photo: RFA

In the political rhetoric of the time, the victims were "dug to the core and destroyed to the root," as enemies of the people. Some were committed communists, who cried out "Long Live the Communist Party" before being killed.

Writer Tran Manh Hao witnessed the land reforms, which prompted the evacuation of most of his family to South Vietnam.

"I saw the extreme horror, and I wondered what kind of regime this was, that had no other method than to repress and annihilate people," he said. "It took them to 'people's courts' and shot them on the scene without a fair trial and even without any evidence."

Some say 'genocide'

"The land reform campaign was a crime of genocide like that of Pol Pot," Hao said.

And another writer, Duong Thu Huong, recalls seeing bodies as a child of eight when he went out to water vegetables.

"Right in front of my house was a hanged man in the year of the land reform. When I was eight years old, I had to accompany the students to public locations where landowners were dishonored and tortured," he said.

"In the back of my house lay another dead man who had been wrongly classified as a landowner. He cut his own throat by laying it on the railway track. At my age of eight when I went to water the vegetables, I witnessed such tragic deaths with my own eyes. They greatly horrified and scared me," he said.

Tran Kim Anh's father, uncle, and grandfather were all staunch supporters of the revolution in the northern province of Thai Binh. They belonged to the National People's Party, which became a designated enemy organization during the land reform period.

"My father was determined to deny his being a member of the National People's Party. He was then tortured by having his two toes tied by two ropes that hung him to the ceiling. The ropes were pulled up. This hurt him badly, so he cried hard and asked them to pull down the ropes. Down he was pulled. However, he still cried wildly due to his great pain. They then stuffed cloth into his mouth," Anh said.

No political rationale

Later, he took food and water for his father and grandfather.

"I used a makeshift scoop made of a coconut crust hung by two wires to give some drinking water to my father. A soldier spilled half of the water. Then he urinated into it and shouted: 'We give this shit for you to drink so that you will open your eyes, and get rid of ideas of exploiting and bullying the people.'"

The official history of the time characterized the period from 1952-56 as having committed serious leftist errors, as the number of wrongly classified landowners was "too high."

"To set [the] ratio at 5.68 percent of the population as landowners is 'far too high to compare with the actual situation,'" according to an official publication, *The History of the Vietnamese Economy, Vol. 2*, edited by Dang Phong of the Institute of Economy, Vietnamese Institute of Social Sciences, and published in 2005.

The book describes eight phases of mass mobilizing and five phases of land reform launched in 3,314 communes with a total population of 10 million. It says 700,000 hectares were confiscated from landowners and distributed to about 4 million farmers: a total of 44.6 percent of total cultivated land.

No official remorse

It says 71.66 percent of victims were wrongly classified.

It also cites the official *Land Reform Internal Journal* published at the end of February 1956, which quotes communist leader Ho Chi Minh as saying torture was prohibited.

"But at that time, the frenzy seemed to become uncontrollable in the countryside...and too many leftist measures were implemented."

Vu Thu Hien, a self-described idealistic youth at the time, said he later tried to find out the political rationale behind the land reform campaign but failed.

"After a thorough study and investigation we found something wrong. It was the fact that the land reform had not been a real one because if it had been a real one, there would have been a survey of the people's cultivated lands in advance. I still remember that at that time I could not read any official survey of the situation of cultivated lands in Vietnam at all," he told RFA.

“This meant that the communists did not actually need a real land reform, that is, they did not want to re-distribute the lands in reasonable and legitimate ways. Instead they wanted a form of political struggle.”

Others who lived through that time described arbitrary methods of classification, such as “multiplication,” which was used to arrive at abstract numbers of landlords for a given area, regardless of whether the families concerned met the criteria.

Apart from a hasty correctional campaign organized by the Communist Party in the late 1950s, which referred to the land reforms as “horrible,” little is now said or written on this period of intensive mass killing in Vietnam’s history, according to former Party official Can.

“In my opinion so far we haven’t seen any clear remorse. There hasn’t been any official proclamation that the policy that aimed at provoking hatred out of differences in social classes was not a right one,” he said.

“While people’s minds and hearts have been apparently calm and peaceful for 50 years, the nourishment of hatred isn’t over yet.”

*Original reporting in Vietnamese by Phuong Anh, Nguyen Anh, and Viet Hung. RFA Vietnamese service director: Diem Nguyen. Translation copy-edited by Stefanie Carr. Produced for the Web in English by Luissetta Mudie. Edited by Sarah Jackson-Han.*

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**( Cf. 24 )** *Communist Re-education in Action*

June 18, 2007, Matt Hadro,

Communism may be dead in Eastern Europe, but its influence is alive and well in various areas of the world, even though intellectuals in and out of the Ivory Tower would rather not talk about it.

“Why do they kill so much?” Dr. Richard Pipes, Professor of History at Harvard University, asked the audience at the Heritage Foundation. “Yes, they desire to stay in power, but they also have no value of human life.”

“Real humans are created by the Communist society.” On the same panel with Dr. Pipes, Tran Tu Trinh, a former political prisoner in Vietnam labor camps, recounted his horrifying experiences in the camps under the Communist regime there. Many of the South Vietnamese left behind in the Vietnam War were subject to brutal subjugation by the Communist victors.

Forced labor, re-education, and inhumane treatment were the staples of such a society, to trample on the defeated, squeeze their humanity out of them, and reform them into Communist followers. "There was no open bloodbath," Trinh said, "but rather inhuman torture behind walls."

"It was the most fiendish way to destroy the human spirit and intellect without killing." At least 65,000 Vietnamese died in the hard labor camps.

Starvation was the chief method of execution. "Hunger turns humans into animals," remarked Trinh.

After one month of hunger, inmates would eat anything including rodents, snakes, and leeches. The starvation and inhumane torture was meant to beat the Communist ideology into the people and set an example for any dissidents.

However, the chief base for Communism today exists in the People's Republic of China. Harry Wu, prisoner in China's labor camp system, the Laogai, for 19 years, addressed the audience about China's situation today. China is at a crossroads, he noted, with its economic growth opening options for its power gain.

Money, trade, and technology transfer have constituted the popular opinion lately on how China can be humanized and changed from the outside. He proceeded to explain just what the trade and technology is supporting.

The PRC is not a bastion of freedom, nor is it a wealthy country from top to bottom, and it is certainly not a supporter of the free world. Wu presented his case with examples of Communist agenda in China today.

No one can freely give birth, as government permission must be obtained. There may be no second child in any family. The media, as well as any religion, is controlled by the state. No labor union exists in China. However, an oppressive agenda must also be instituted for the government to retain control.

Thus, the Laogai system is fully operational in China. According H.R. 294, a U.S. Congress condemnation of the Laogai in 2005, there are over 1,000 prison camps in the system. The labor camps exist to punish and re-educate political prisoners, forcing them to accept socialist and Communist Party beliefs.

The "criminals" are forced to labor under appalling conditions, under threat of torture. In 2005, over three million prisoners were incarcerated in the Laogai, and fifty million people have been subjected to the system since it began.

The bodies of executed prisoners are used for harvesting of human organs, with over 1,000 such instances per year. About 8-10,000 people, according to Wu, are executed each year, making China easily the world's leader in state executions.

Many citizens enter the prison camps without a trial or process of law, and convicted summarily or through torture. Prisoners range from internet dissidents and pro-democracy activists to religious believers and ethnic patriots from Tibet and Mongolia.

The Chinese people are subjected to various violent and inhumane policies set in place by the government, to force a Communist agenda upon them. However, the Communist leader of China has been a welcome guest in the White House, the only Communist leader in recorded history to be treated so.

"Why?" Wu asked. "Because he rules 1.3 billion strong workers." Goods produced by the forced labor camps in China and by cheap Chinese labor have been exported to the world, and the Chinese government has relied on this labor camp system as a vital aspect of the country's economy.

When asked where most of the wealth comes from to fuel the growing Chinese economy, Wu answered "from here [America]."

"The question I ask, is 'Why do we deal differently with them than with the USSR?'"

*Matt Hadro is an intern at the American Journalism Center, a training program run by Accuracy in Media and Accuracy in Academia.*

**(Cf. 25)** *Hidden Horrors of Vietnam's Re-Education Camps*

"So whatever happened to the losing side in the Vietnam War?"

Re-Educations were where the winners of the party would perform atrocious acts of revenge on its citizens. They were executed, tortured, and numbed through brutal beatings.

The Vietnamese victims only escaped years later by flocking to America. They now survive by hard labor with humiliation and sickness. Many purposefully inflict pain upon themselves to try to forget the past.

"Their stories are backed up by the findings of scholars, government officials and human rights groups across the United States, Europe and Asia."

The Vietnamese government admits that the camps existed and they believed that they had the right to punish the "enemies" and war criminals. However, the

government denied that the prisoners were tortured. Yet years later, information and news on this negated their claims.

- Executed thousands of its vanquished opponents

- Consigned as many as 500,000 people to extended stays in the camps

- Subjected prisoners to intense political harangues and forced them to write detailed confessions of their supposed crimes

- Some inmates said they were forced to betray other prisoners for imaginary crimes in order to prove their sincerity

- List of torture techniques included ripping out fingernails with pliers, whipping prisoners with live electric wires, hanging inmates from the ceiling and beating them and forcing prisoners to drink water and then jumping on their bloated stomachs

- Disciplined prisoners by locking them in metal storage boxes called connexes, where the temperature often soared above 120 degrees

- Water was sometimes denied as punishment, and some former prisoners said they drank their own urine

- Others reported that some prisoners were chained so long that maggots grew in the wounds on their wrists or ankles

- Forced inmates to perform hard labor while providing only the most rudimentary food and medical care

- Many prisoners starved to death, while others were left to die a lingering, painful death from disease

The only way for them to be released was after all the torture. As a condition of release, prisoners had to promise never to reveal the cruel actions forced upon them. Nevertheless, after years of their release or escape they finally shared their horror stories.

" The communists did not want to re-educate us. They wanted vengeance."

" The communists practised a form of genocide."

" Often I wished I could die to end the pain."

"They would beat prisoners at night. They made noise to keep us awake. We all knew they could come for us at any time, and our sleep was always uneasy."

After the United States government discovered the information, they did little about it until 1987. They demanded the release of the prisoners and when Hanoi finally agreed, Hanoi stated that they have done nothing wrong.

"It is Vietnam's right to punish these criminals as the European countries did with the elements who had cooperated with Hitler. It is the legitimate right of all states to protect their national rights." – Hanoi

Link: [http://vietfacts.com/VF\\_RECamp/hidden-horrors-of-vietnams-re\[1\].htm](http://vietfacts.com/VF_RECamp/hidden-horrors-of-vietnams-re[1].htm) -  
Simone Chin

**(Cf. 26) *Re-Education In Vietnam***

Submitted by [Jonathan Wilde](#) on Mon, 2006-05-01 08:45

Following the fall of Saigon in 1975, the communist regime which gained control of South Vietnam ordered the "re-education" of thousands of people. The goal was the re-habilitation of the individual through labour and education. The Ministry of the Interior oversaw the re-education camps which were considered separate from the prison system. Specifically, targeted social classes included intellectuals, students, religious figures, merchants, political opponents, and even some Communists. Estimates for the number of people who were victim to re-education range from 500,000 to 1 million out of a population of 20 million. [1]

As with labor camps in other communist nations, conditions were often inhumane. Malnutrition, poor sanitation, disease, and torture was common. A letter by a camp prisoner with the pen-name of Ho Khanh describes the rampant hunger. [2]

In my forced labor camp in the highlands, the event that dominates everything is the experience of hunger. We are hungry permanently. All we can think about, day and night, is eating! During the first days of the harvest season we are allowed almost our fill of corn and manioc roots. But that lasts only a few days. During these days there are shining eyes and smiles. But very soon the camp administration shuts up the eating. The shining eyes and smiles disappear. We feel hungry again, so hungry that we think of nothing else. Many of us catch lizards to eat, knowing they provide proteins. Very soon the lizards of the whole area were exterminated. I know of a prisoner who one night caught a millipede on the ceiling, hid it under the mat, and in the morning roasted it on a fire and ate it. He said it was as good as a roast shrimp. There are those who are very clever to invent devices to catch mice and birds; they will roast and eat them while others watch with envy. Others catch grasshoppers and crickets. Whenever someone catches a snake, that is a feast. In our conversation, we only talk about eating and how to find things to eat. When we do not talk about eating, we

silently think about eating. As soon as we finish lunch, we begin to imagine the supper awaiting us when we return from the fields: The food put into the mouth is like one breath of air blown into a vast empty house. What little food is given is chewed very slowly. Still, it makes no difference -- we feel even more hungry after eating. Even in our sleep, our dreams are haunted by food. There are those who chew noisily in their dreams...

Such food as mice, rats, birds, snakes, grasshoppers, must be caught and eaten secretly. It is forbidden, and if the camp guards learn about it, the prisoners will be punished.

I was assigned to carry sand and pebbles from the stream to the camp so that other prisoners can make bricks. I balanced two baskets with a stick across my shoulder. One day, by digging in the sand, I saw a beautiful white egg. I bent down, used my hand as a spade, and unearthed fifteen of these eggs. On my way back to the camp, I shared them with some of the younger prisoners. Everyone believed they were tortoise eggs. After boiling them, we discovered small reptiles already formed inside. They were hard to swallow, but we all tried to eat to get some protein in our body. During the period of my assignment to carry sand and pebbles I had the opportunity to try different kinds of young leaves. There are young leaves of yellow color, I chewed them and had the feeling that they possessed some protein. I also found the tips of some bamboo right on the edge of the spring. Bamboo has a sour taste. Even so, I ate many of these, hoping that they might provide some vitamin C.

As conditions worsened, desperation ensued among prisoners. The following testament was orally "signed" by forty-eight prisoners, memorized, and circulated by word of mouth among the re-education camps of Ho Chi Minh City.[3]

We, workers, peasants, and proletarians, believers, artists, writers, and patriotic intellectuals interned in different prisons across Vietnam, wish first of all to express our debt of gratitude to: progressive movements throughout the world, workers' and intellectual struggle movements, everyone who over the last ten years has supported the fight for human rights in Vietnam and supported the struggle for democracy and the freedom of oppressed and exploited Vietnamese citizens ...

The prison system of the old regime (which was itself widely condemned by international opinion) was quickly replaced by a more subtly planned system that is far harsher and crueller. All contact between prisoners and their families is forbidden, even by mail. The families of prisoners are kept in the dark about the fate of those in prison, which adds to the suffering and anguish. In the face of these humiliating, discriminatory procedures prisoners keep quiet, fearing that any objections they raise might result in further punishment for their relatives, who could be killed at any moment without their knowledge ...

Conditions inside the prisons are unimaginably bad. In the Chi Hoa prison, the official Saigon prison, 8,000 people under the old regime were kept in conditions that were universally condemned. Today there are more than 40,000 people in the same prison. Prisoners often die from hunger, lack of air, or torture, or by their own hand . . .

There are two sorts of prison in Vietnam: the official prisons and the concentration camps. The latter are far out in the jungle, and the prisoner is sentenced to a lifetime of forced labor. There are no trials, and hence no possibility of using a legal mechanism in their defense ...

If it really is the case that humanity at present is recoiling from the spread of Communism and rejecting at last the claims of the North Vietnamese Communists that their defeat of American imperialism is proof of their invincibility, then we, the prisoners of Vietnam, ask the International Red Cross, humanitarian organizations throughout the world, and all men of goodwill to send us cyanide capsules as soon as possible so that we can put an end to our suffering ourselves. We want to die now! Help us to carry out this act, and help us kill ourselves as soon as possible. We would be eternally in your debt.

Vietnam, August 1975-October 1977

Imagine, for a moment, just how intolerable life in the camps must have been such that the goal of the letter -- meticulously memorized in detail and spread via underground networks -- was not to seek rescue or petition for aid, but rather to ask for suicide pills.

Though many of the harsher camps were closed in 1986 when Nguyen Van Linh became the General Secretary of the Communist Party of Vietnam, reform has been slow, and it is uncertain what the state of prison camps is in Vietnam today.

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fn1. Courtois et al. [\*The Black Book of Communism\*](#). Harvard University Press.1999.

fn2. [A Form of Torture: Food Deprivation](#) by Cao Ngoc Phuong. The Indochina Newsletter. Burlingame, CA. Feb-March 1982, Issue No. 24.

fn3. Originally from [The Vietnamese Gulag](#) by Doan Van Toai and David Chanoff.

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[Thank you, Johnathan. My](#)

Submitted by [Minh-Duc](#) (not verified) on Tue, 2006-05-02 02:45.

Thank you, Johnathan. My father survived one of those camp. Thank to people like you their stories are heard. And thanks to President Reagan (May he rest in peace) intervention, my father was able to unite with me in the US.

May it never happen again.

**(Cf. 27)** *The World Should Know – Tet Mau Than Massacre – Hue 1968*

[March 26, 2016 English Version, Tài Liệu](#)

*wPaper presented at the 6<sup>th</sup> Triennial Vietnam Symposium at The Vietnam Center, Texas Tech University. March 14, 2008*

By Michael Do, BA, BS, MS

The following is Michael Do's illustration to his slide show.

Thank, Dr. Reckner, for your kind introduction. I was here at Lubbock two times (in 2001 Conference and 2002 Symposium). This time, I will talk about the Mau Than Massacre at Hue in 1968.

Even right after the Mau Than event, the American mass media ignored the massacre of thousands of innocent people committed by the Communists but portrayed our military victory as a defeat.

During the last 40 years, lot of information on this crime has been revealed. But it seems that people don't care anymore.

I am here today to ring the bell to call for this heinous crime not to be erased. We get to do something to keep it remembered and to avoid such act would happen again.

Dr. Reckner has just introduced me. So I will skip this slide to save our time.

*Slide 4:* In the second half of the 20<sup>th</sup> century, in a remote country half way of the globe, called Vietnam; our people have suffered these major crimes by the Vietnamese Communists:

1.- The Land Reform Campaign (from 1953 to 1956) killed 50000 people who simply owned a piece of land, no matter how large. The campaign affected hundreds of thousands people of the land owners' families. (Nixon's news conference of July 27, 1972, that appeared the following day in the New York Times. 50,000 had been executed and 500,000 had died in slave labor camps)

2.- Tet Mau Than General Offensive in January 1968 that resulted to the death of 130000 soldiers of both sides and innocent people. (30,000 South Vietnamese soldiers and civilians, 100,000 NVA and VC Killed in Mau Than General Offensive)

3.- After the Communists took the South, they sent 500000 South Vietnamese servicemen and women to concentration camps (from 3 to 20 years or more). This included civil servants, priests, businessmen... Tens of thousands died of starvation, illness, torture, execution in prison.

4.- At the same time, there were hundreds of thousands people fled the country to seek to for freedom in other countries. Half of those people vanished on the high sea or in the dense forests.

5.- Today, Thousands of young women have been sold to the neighbouring countries. A great number ended up in whorehouse. Tens of thousands have been sold to be some kind of hard labor slaves.

*Slides 5:* In this presentation, I will focus only on the Massacre at Hue. This happened on the Mau Than New Year Eve and the following 4 weeks.

To our Vietnamese people, the New Year is the most important holiday of the year. It is the day of family reunion. It is indeed a sacred celebration. People from all over country will come back to their home village. In at least one week, people celebrate the new year, clean and decorating the grave yard and honor the dead.

*Slide 6:* The Battle of Hue was part of the Communist Winter-Spring campaign of 1967-68. (see map)

*Phase I:* Oct. to Dec. 1967. (fairly large, set-piece battles against important fixed installations or allied concentrations. The battles of Loc Ninh in Binh Long Province, Dak To in Kontum Province, and Con Tien in Quang Tri Province, all three in the mountainous interior of South Vietnam near the Cambodian and Lao borders, involving NVA)

*Phase II* From Jan. to March, 1968. Independent fighting methods. (large numbers of attacks by fairly small units, simultaneously, over a vast geographic area and using the most refined and advanced techniques of guerrilla war. Involving both NVA and Viet Cong). Tet offensive (80,000 troops attacked 36 of South Vietnam's provinces and 6 major cities, 72 district towns and the capital Saigon)

*Phase III , Second Wave, From April to June, 1968, In reality, there was no Second Wave, because the phases 1 and 2 failed. (The siege of Khe Sanh in late summer.)*

Mr. Trinh Quoc Thien will talk about the battle. I only mention that the Tet Offensive is part of phase 2 of the Winter Spring Campaign of the Communist army.

*Slide 7:* Here is the map of Vietnam during the Tet Offensive. Hue is the old capital of Vietnam, located about 80 kilometers south of the DMZ.

*Slide 8:* Although we did not fight a conventional war, we always respected the truce to cease fight during the holidays as agreed upon by both sides. At the end of the

lunar year, the Communists suggested a 7 day cease fire. South Vietnamese government agreed only 3 days since in the past, the Communists did not respect the truce.

That's why, the military authorities allowed a rotation of 50% of the force to go home with family.

On the New Year Eve, January 29, 1968, while the residents of Hue people were preparing for the new year celebration, 12000 NVA and VC soldiers left their hideout west of the city, and suddenly attacked the city from 4 directions. After 4 days of fierce combat, the NVA and Vietcong occupied the city, except for the Headquarters of the 1 Infantry Division, MAC-V Compound, Thua Thien Sector Headquarters, and the Radio Station.

The South Vietnamese troops with the support of the US Marines, fought in 24 days to retake the city. On March 2, the last resistance of Vietcong was silenced.

*Slide 9:* Just in Hue battle, there are about 2500 VC and NVA troops killed, another 2500 might be killed as they retreated; 89 were captured.

The American lost 216 soldiers, and 1609 wounded

South Vietnam lost 421 soldiers, 2123 wounded and 31 MIA's.

Of 140,000 Hue residents, more than 5800 killed and 116,000 left homeless after the battle.

***Slide 11:*** Since Hue was the center of the Buddhist Church and the Anti-Government movements, the Communists could easily infiltrate and recruit their secret cadres. Most of them were college students and professors. These moles helped the NVA to make a list of South Vietnamese soldiers, and civil servants, and arrested and executed them during their occupation. There are some figures that we should not forget: Le Van Hao, the brothers Hoang Phu Ngoc Tuong and Hoang Phu Ngoc Phan, Nguyen Dac Xuan, Nguyen Dinh Chi, Nguyen Doa... They had been professors or students of Hue University who turned to be executioners in this horrible event.

***Slide 12:*** Not only South Vietnamese soldiers and civil servants and low ranking cadres, victims of Viet Cong Massacre includes students, professors, High school teachers, Catholic priests, Buddhist monks, young men at the age of military draft, foreign doctors, and foreigners who worked for humanitarian organizations, and American contractors; and even ordinary people, young women and children.

The North Vietnamese Communists assumed their victims as those who had blood debt to the Revolution, collaborators with Americans. To those who did not have any contact with South Government, the communists considered them as "having bad attitude towards Viet Cong.

*Slide 13:* Communists intended that their prisoners should be re-educated and returned, but with the turnover, matters passed from his control." *Sometime within the following several weeks, the communists decided to kill the individuals under their control.*" (Douglas Pike)

During the NVA withdrawal from Huế the NVA summarily executed anyone in their custody who resisted being taken out of the city or who was too old, too young, or too frail to make the journey to the camp. (Manhard, a U.S. Senior Adviser who was taken to a [POW camp](#) by the [North Vietnamese Army](#) (NVA) and held until 1973.

The planned execution of government officials and their families, [political](#) and civil servants, and [collaborators](#) with Americans; and those civilians not connected to the government who ran from questioning, spoke harshly about the occupation, or the occupiers believed "displayed a bad attitude" towards the occupiers ([Don Oberdorfer](#) and Paul Vogle, an American English professor at the local Huế University by interviewing witnesses of the North Vietnamese and Viet Cong occupation.) Oberdorfer reported that in the [Catholic](#) area of Huế, Phucam, virtually every able bodied man over the age of 15 who took refuge in the [cathedral](#) was taken away and killed.

In an interview with Ho Ty, a Viet Cong commander who took part in the advanced planning of a general uprising, Oberdorfer reported Ty's statement that the Communist party "was particularly anxious to get those people at Phucam... The Catholics were considered particular enemies of ours."

*Slide 14:* On the very first day in Hue, the NVA and Viet Cong established the People's Committee with the involvement of the local pro-communist members. They began to call the South Vietnamese soldiers and agents to report to the committee. These people were released with promise of safety. Viet Cong did this 2 or three more times to get more people reported. Finally, when they think there would be no more people in hiding. They kept their victims and began the slaughter.

*Slide 15:* In some first mass graves within the city, we found that people were tied back to back in every 2 using the electric wires, or telephone cables even with barbed wires. They were buried alive. Some had their head blown or shot in the head.

The group of more than 400 people taken from a Catholic church was tied in bundles of 20. They were led to the forest 20 kilometers west of Hue and were killed with all

types of guns and grenades. Some groups were ordered to stand on land mines, and the Communists simply ignited.

*Slide 16:* To this day, we don't know exactly how many people were killed. The number is estimated 7600. Of them about 5800 confirmed dead. There are 1173 killed due to accident of the battle. There are 1800-1900 missing still unaccounted.

Wounded (hospitalized or outpatients) with injuries attributable to warfare: 844

Estimated civilian deaths due to accident of battle: 1173

Bodies discovered immediately post battle, 1968: 809  
(Gia Hoi HS Yard: 170; Tang Quang Tu Pagoda: 67; Bai Dau 77; Cho Thong 100; Imperial Tomb Area 201; Thien Ham 200; Dong Gi 100)

Bodies found from March-July (including Sand Dune) 1969 (est.): 428

Bodies found at Da Mai Creek (Nam Hoa district) September, 1969: 428

Bodies found at Phu Thu Salt Flat, November, 1969 (est.): 300 – 1000?

Miscellaneous finds during 1969 (approximate): 1946

Total yet unaccounted for: 1900

Total casualties and wounded in Hue: 7600

*Slide 17:* To the Communists, whoever didn't support them would be considered reactionary elements and thus, their enemies. At the Paris talks, Viet Cong delegation denied that it had not been the work of Communists but of "*dissident local political parties*". Broadcasting on Hanoi's Liberation Radio (April 26, 1968), North Communists said "Victims were only "*hooligan lackeys who had incurred blood debts of the Hue compatriots and who were annihilated by the Southern armed forces and people in early Spring.*" Ex-Colonel Bui Tin recently stated that the Viet Cong tried to get rid of people as they retreated from the battle.

In their words, they called these people "Hooligan lackeys who had incurred blood debt of the Hue Compatriots."

Others believe that when the Communists could not hold the city, they wanted to eliminate the witnesses.

*Slide 18 & 19: Hanoi Radio on February 4: "After one hour's fighting the Revolutionary Armed Forces occupied the residence of the puppet provincial governor (in Hue), the prison and the offices of the puppet administration... The Revolutionary Armed Forces punished most cruel agents of the enemy and seized control of the streets... rounded up and punished dozen of cruel agents and caused the enemy organs of control and oppression to crumble... "*

The Hanoi official party newspaper, Nhan Dan, echoed the theme: *"Like a thunderbolt, a general offensive has been hurled against the U.S. and the puppets... The U.S.-puppet machine has been duly punished. The puppet administrative organs... have suddenly collapsed. The Thieu-Ky administration cannot escape from complete collapse. The puppet troops have become extremely weak and cannot avoid being completely exterminated."* There are some reasons of the killing:

Elimination of witnesses, for both the prisoners and Viet Cong are Hue residents and may know each others and killing these witnesses reduced future problems for Vietcong

Revenge killing in the name of the Communist party or settle old scores.

Many Hue residents believe that the execution orders came directly from Ho Chi Minh. More likely, however, the Communists simply lost their nerve. They had been led to expect that many South Vietnamese would rally to their cause during the Tet onslaught. That did not happen, and when the battle for Hue began turning in the allies' favor, the Communists apparently panicked and killed off their prisoners (The Massacre at Hue, *Time Magazine*, October 31, 1969)

The last phase began when it became evident that the communists could not hold the city and was designed to "leave no witnesses". Anyone who could identify individual VC members who participated in the occupation was to be killed and their bodies hidden

(source: [http://en.wikipedia.org/wiki/Massacre\\_at\\_Hu%E1%BA%BF](http://en.wikipedia.org/wiki/Massacre_at_Hu%E1%BA%BF))

*Slide 20:* Although the level the Hue Massacre is quite enormous, very few foreign correspondences broadcasted it. They are mostly British, French men. Such as:

Times (London, UK). Article by Stewart Harris on front page accused the mass killing at Hue, and confirmed the burial sites'

Minute (A French Weekly Magazine): Article by Yves Gautron stated that no one on this planet could forgive the heinous act of killing people by Communist troops.

## Demonstration of the French Youth at Ternes Square (Paris – France)

Of 354 U.S. news reporters in Vietnam, only 40 reported the battle but did not mention the massacre. Even they distorted the information to make the 68 Offensive a defeat of our troops. This reflected the bias of the media during the rise of the anti-war movement in the U.S. They tend to favor the public as said by NBC producer Robert Northshield: *"The public perceived it as a defeat, and therefore it was a defeat"* Robert Northshield, NBC's executive producer.

*"In a sense, newsmen and their editors may have been as mentally unreceptive to reports of the Hue massacre as was much of the U.S. public later to reports in 1969 of the My Lai massacre."* Peter Braestrup, Washington Post

*Slide 21:* Some reasons the Mauthan Massacre was ignored: Communist Propaganda, Bias American Mass Media, American Public and the Anti-War Movements, US Congress Approaches to withdraw the troops and the Tendency to End the War

Please, compare the Mau Than and My Lai massacres to see how we have suffered from the bias US media.

*Slide 23:* VC casualties: 85,000 during the Winter-Spring Campaign (killed or permanently disabled). In Hue: 2500 killed during battle. Estimated 2500 killed while retreating beyond Hue.

After Tet Mau Than: VC Infrastructure in South Vietnam was almost totally destroyed.

Allied Forces suffered 357 KIA's in the battle of Hue

After Mauthan, we witnessed a Declining of US Casualties: from 15000 in 1968, to 9414 in 1969 and 4221 in 1970'

Also the increasing of South Vietnam Government's control of the population:

Before 1968: 42% , in 1969: 70%, 1970-1971: 90% (estimated by Ambassador Bunker)

Many Communist sympathizers switched their side. Pro-Communists became pro-government.

*Slide 24:* Almost every family in Hue has at least one relative, close or remote, who was killed or still missing.

Besides more than two thousand persons whose deaths were confirmed after the revelation of the mass graves, the fate of the others, amounted to several thousands, are still unknown.

Exhumed bodies showed teenagers and women as victims of this horrible massacre.

A great number of pre-68 anti-war activists, pro-communists people took side with South Vietnamese government.

After April 30, 1975 when South Vietnam fell into the hand of the Communist Party, it seems that the number of boat people of Hue origin takes up a greater proportion among the refugees than that from the other areas.

*Slides 25 – 38: Images can speak more than words*

*Slide 39:* After taking Hue in 1975, the Communists tried to move the Hue residents to the remote New Economic Villages and filled the empty houses with their people from Northern provinces.

For years, Hue still mourns their relatives who were victims of the massacre. They mingle the massacre with the New Year celebration to cheat the Communist authorities.

Assuming more than 50% of population had been born after the War who know nothing about the massacre, Communists celebrated Mau Than Offensive as their victory, distorted the true history, indifferent to the misery of their people.

This year, to mark the 40<sup>th</sup> anniversary of the Mau Than Offensive, the Communists celebrated it as their victory; disregard the misery of their people.

Fearless the revenge of local Communist authorities, relatives of the victims built a Memorial at Da Mai, where more than 400 bodies were found. This year, someone dared to secretly conducted a rite to pray for the dead and wrote a slogan to accuse the Communists of killing innocent people

*Slide 40:* Of course, many of you already know about the Mau Than Massacre. You may know more than I do. But I still think it is not enough if we do not bring this issue in to light to make everyone on earth know it.

**(Cf. 28)** *Massacre at Huế*

From Wikipedia, the free encyclopedia

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The Huế Massacre ([Vietnamese](#): *Thảm sát tại Huế Tết Mậu Thân*, or *Thảm sát Tết Mậu Thân ở Huế*, lit. translation: "[Tết Offensive](#) Massacre in Huế") is the name given to the [summary executions](#) and [mass killings](#) perpetrated by the [Việt Cộng](#) (VC) and [People's Army of Vietnam](#) (PAVN) during their capture, [occupation](#) and later withdrawal from the city of [Huế](#) during the [Tết Offensive](#), considered one of the longest and bloodiest [battles](#) of the [Vietnam War](#).

The [Battle of Huế](#) began on January 31, 1968, and lasted a total of 26 days. During the months and years that followed, dozens of [mass graves](#) were discovered in and around Huế. Victims included women, men, children, and infants.<sup>[2]</sup> The estimated death toll was between 2,800 and 6,000 [civilians](#) and [prisoners of war](#),<sup>[1][3]</sup> or 5–10% of the total population of Huế.<sup>[4]</sup> The [Republic of Vietnam](#) released a list of 4,062 victims identified as having been either murdered or abducted.<sup>[5]</sup> Victims were found bound, tortured, and sometimes [buried alive](#). Many victims were also clubbed to death.<sup>[6][7][8]</sup>

A number of U.S. and [South Vietnamese](#) authorities as well a number of journalists who investigated the events took the discoveries, along with other evidence, as proof that a large-scale [atrocity](#) had been carried out in and around Huế during its four-week occupation. The killings were perceived as part of a large-scale [purge](#) of a whole social stratum, including anyone friendly to American forces in the region. The Massacre at Huế came under increasing press scrutiny later, when press reports exposed that South Vietnamese "revenge squads" had also been at work in the aftermath of the battle, searching out and executing citizens that had supported the communist occupation.<sup>[9][10]</sup>

## Contents

### Executions during the course of the Communist occupation

The Viet Cong set up provisional authorities shortly after capturing Huế in the early hours of January 31, 1968. They were charged with removing the existing [government administration](#) from power within the city and replacing it with a "[revolutionary](#) administration." Working from lists of "cruel [tyrants](#) and [reactionary](#) elements" previously developed by Viet Cong [intelligence officers](#), many people were to be rounded up following the initial hours of the attack. These included [Army of the Republic of Vietnam](#) (ARVN) soldiers, [civil servants](#), [political party](#) members, local [religious](#) leaders, schoolteachers, [American](#) civilians and other international people.<sup>[11]</sup> Cadres called out the names on their lists over loudspeakers, ordering them to report to a local school. Those not reporting voluntarily were hunted down.<sup>[12]</sup>

## Communist preliminary occupation plans and orders

### Burial of 300 unidentified victims

The communists' actions were based on a series of orders issued by the High Command and the [PRG](#). In a 3500-page document issued on January 26, 1968, by the [Tri-Thiên-Huế](#) Political Directorate, the political cadres were given specific instructions:[\[13\]:28](#) 'Operating in close support of the regular military and guerrilla elements, the political cadre were to: destroy and disorganize the Republic of Viet Nam's ([RVN](#)'s) administrative machinery "from province and district levels to the city wards, streets, and wharves;" motivate the people of Huế to take up arms, pursue the enemy, seize power, and establish a revolutionary government; motivate (recruit) local citizens for military and "security" forces .. transportation and supply activities, and to serve wounded soldiers . . . ;" "pursue to the end (and) punish spies, reactionaries, and "tyrants" and "maintain order and security in the city".

Another section, dealing with Target Area 1 ("the Phu Ninh ward") read: ""Annihilate all spies, reactionaries, and foreign teachers (such as Americans and Germans) in the area. Break open prisons. Investigate cadre, soldiers and receptive civilians imprisoned by the enemy. Search for tyrants and reactionaries who are receiving treatment in hospitals"[\[13\]:29–30](#) The orders for Target Area 2 ("the Phu Vinh ward") were similar; "Annihilate the enemy in the area...Rally the Buddhist force to advance the isolation of reactionaries who exploit the Catholics of Phu Cam".[\[13\]:30](#) The orders for Target Area 3 ("the wharves along the An Cuu River and from Truong Sung to the Kho Ren Bridge") followed the same pattern; "Search for and pursue spies, tyrants and reactionaries hiding near the wharf...Motivate the people in the areas along the River to annihilate the enemy."[\[13\]:30](#) For Target Area 4 (the district including Phu Cam and the Binh Anh, Truong Giang, Truong Cuu and An Lang sections) the orders were; "Search for and pursue spies and reactionaries in the area...Destroy the power and influence of reactionary leaders..."[\[13\]:31](#) For Area 1, Cell 3 was assigned the job of "Annihilation of tyrants and the elimination of traitors."[\[13\]:32](#)

In June 1968, American 1st Cavalry troops captured PAVN documents that included a directive written two days before the battle began. It included the following instructions: "For the purpose of a lengthy occupation of Huế, we should immediately liberate the rural areas and annihilate the wicked GVN administrative personnel.

Specific Mission .... We must attack the enemy key agencies, economic installations, and lines of communications. We must also annihilate the enemy mobile troops, reactionary elements and tyrants."[\[13\]:113](#)

On February 1, the provincial administration, having taken control of Huế, issued a directive that ordered the troops, in part,[\[14\]](#):193 "To wipe out all puppet administrative organs of the puppet Thiệu-Kỳ (President [Nguyễn Văn Thiệu](#), Vice President [Nguyễn Cao Kỳ](#)) clique at all levels in the province, city and town down to every single hamlet."

On the same day, the Liberation Front radio announced, "We tell our compatriots that we are determined to topple the regime of the traitorous Thiệu-Kỳ clique and to punish and annihilate those who have been massacring and oppressing our compatriots ... we ask our compatriots to ... help us arrest all the U.S.-puppet cruel henchmen."[\[14\]](#):195

### Course of the occupation

[Foreign Service Officer Douglas Pike](#) wrote that according to Viet Cong documents captured during and after the siege, members of the provincial administration were to be taken out of the city, held and punished for their "[crimes against the Vietnamese people](#)". The disposition of those who were previously in control of the city was carefully laid out, and the lists were detailed and extensive. Those in the Saigon-based-state police apparatus at all levels were to be rounded up and held outside the city. High civilian and military officials were also removed from the city, both to await study of their individual cases.[\[13\]](#):33

Ordinary civil servants who worked for "the Saigon enemy" out of necessity, but did not oppose the communists, were destined for [reeducation](#) and later employment. Low-level civil servants who had at some point been involved in [paramilitary](#) activities were to be held for reeducation, but not employed. There are documented cases of individuals who were executed by the Viet Cong when they tried to hide or otherwise resisted during the early stages of Huế's occupation.[\[15\]](#)

Within days of the capture, [US Marine Corps](#) (USMC) and [US Army](#) as well as ARVN units were dispatched to counterattack and recapture the city after weeks of fierce fighting, during which the city and its outlying areas were exposed to repeated shelling and bombing. It was reported that during the USMC and ARVN attack, North Vietnam's forces had rounded up those individuals whose names it had previously collected and had them executed or sent North for "reeducation".[\[16\]](#)

A large number of people had taken sanctuary from the battle in a local church. Several hundred of these people were ordered out to undergo [indoctrination](#) in the "liberated area" and told afterwards they would be allowed to return home. After marching the group south 9 kilometers, 20 of the people were separated, tried in a [kangaroo court](#), found guilty, executed and buried. The others were taken across the river and turned over to a local Communist unit in an exchange that even included written receipts.

Douglas Pike notes that, while "It is probable that the [Commissar](#) intended that their prisoners should be reeducated and returned, but with the turnover, matters passed from his control." Sometime within the following several weeks, the communists decided to kill the individuals under their control.[\[17\]](#):49

### Eyewitness accounts

Searching – Bits of tattered clothing, sandals and slippers are examined by South Vietnamese women who lost relatives in the 1968 Tet massacre. The latest mass grave discovered in Huế yielded remains of 250 victims

Nguyễn Công Minh, daughter of the Deputy Mayor of Huế at the time, reported that her father, who was of old age, was arrested at his home in the beginning of the Communist occupation, 3 days after he ordered his children (incl. Nguyễn Công Minh) and wife to flee via the back of their house when Communist troops first came knocking at their home. Upon telling the troops that he was Deputy Mayor of Huế who was set to retire in one year (1969), he was ordered to report to a camp for reeducation, and pack clothing and food sufficient for 10 days. He was never seen again, nor were his remains recovered. She recalled that in the search of her father's remains, she witnessed that many of the bodies she came across in the mass graves were found to be in a fetal position, with their hands tied behind their backs, and the back of the heads/skulls were smashed, indicating that they knelt on the ground prior to their deaths and they died due to [blunt-force trauma](#) to their heads.[\[18\]](#)

In 1971, journalist Don Oberdorfer's book, *Tet!*, documented some eyewitness accounts of what happened in Huế during the PAVN/VC occupation. Pham Van Tuong, a part-time janitor for the Huế government information office who made it on the Viet Cong list of "reactionaries" for working there, was hiding with his family as the VC hunted for him. When he was found with his 3-year-old daughter, 5-year-old son and 2 nephews, the Viet Cong immediately gunned them all down, leaving their bodies on the street for the rest of the family to see.[\[12\]](#)

[Don Oberdorfer](#) spent five days in late 1969 with [Paul Vogle](#), an American English professor at [Huế University](#), going through Huế interviewing witnesses of the North Vietnamese and Viet Cong occupation. Oberdorfer classified all the killings into two categories: the planned execution of government officials and their families, political and civil servants, and collaborators with Americans; and those civilians not connected to the government who ran from questioning, who spoke harshly about the occupation, or who the occupiers believed "displayed a bad attitude" towards the occupiers.

Oberdorfer reported that on the 5th day of the Viet Cong occupation in the [Catholic](#) district of Huế, Phủ Cam, all able-bodied males over age 15, approximately 400 boys

and men, who took refuge in [Phủ Cam Cathedral](#) were taken away and killed .[\[12\]](#) Some had been on the VC's blacklist, some were of military age and some just looked prosperous.[\[12\]](#) Oberdorfer interviewed Ho Ty, a VC commander who took part in the advanced planning of a general uprising. He reported that Ty recounted that the Communist party "was particularly anxious to get those people at Phủ Cam... The Catholics were considered particular enemies of ours." It was apparently this group whose remains were later found in the Da Mai Creek bed.[\[12\]](#) The murders of 500 people at Da Mai were authorized by PRG command "on grounds that the victims had been traitors to the revolution."[\[13\]](#):85[\[15\]](#)

An American veteran who was in the Huế area has written an account of his unit's march to the discovery of the bodies at Dai Mai Creek. He corroborates the information that the discovery was predicated on information revealed by three communist defectors who had witnessed the massacre. His unit provided security for the authorities who investigated and recovered the remains, and they were honored by the citizens of Huế for their efforts.[\[19\]](#)

Three professors, Professor Horst-Günther Krainick, Dr. Alois Alteköster, and [Dr. Raimund Discher](#), who taught at the Huế University's Faculty of Medicine and were members of the [West German](#) Cultural Mission, along with Mrs. Elisabeth Krainick, were arrested and executed by North Vietnamese troops during their invasion of Huế in February 1968. On April 5, 1968, the bodies of the executed professors along with many Vietnamese civilians also executed, were discovered in mass graves near Huế.[\[12\]](#)[\[20\]](#)

Philip W. Manhard, a U.S. senior advisor in Huế province, was taken to a [POW camp](#) by the PAVN and held until 1973. Manhard recounted that during the PAVN's withdrawal from Huế, they summarily executed anyone in their custody who resisted being taken out of the city or who was too old, too young, or too frail to make the journey to the camp.[\[21\]](#)

Two French priests, Fathers Urbain and Guy, were seen being led away and suffered a similar fate. Urbain's body was found buried alive, bound hand and foot. Guy, who was 48, was stripped of his cassock and forced to kneel down on the ground where he was shot in the back of the head. He was in the same grave with Father Urbain and 18 others.[\[12\]](#)[\[22\]](#)

Captured in the home of Vietnamese friends, American Stephen Miller of the [U.S. Information Service](#) was bound and shot in a field behind a Catholic [seminary](#).[\[20\]](#) [Courtney Niles](#), an American civilian working for [NBC](#) International, was killed during an attack by communist forces while in the presence of U.S. soldiers.[\[12\]](#)[\[23\]](#)

[Alje Vennema](#), a Dutch-Canadian doctor who lived in Huế and witnessed the battle and the massacre, wrote *The Viet Cong Massacre at Huế*<sup>[14]</sup> in 1976. He recounts numerous stories of murders. A 48-year-old street vendor, Mrs. Nguyen Thi Lao, was "arrested on the main street. Her body was found at the school. Her arms had been bound and a rag stuffed into her mouth; there were no wounds to the body. She was probably buried alive."<sup>[14]</sup>:131 A 44-year-old bricklayer, Mr. Nguyen Ty, was "seized on February 2, 1968...His body was found on March 1st; his hands were tied, and he had a bullet wound through his neck which had come out through the mouth."<sup>[14]</sup>:136 At Ap Dong Gi Tay "110 bodies were uncovered; again most had their hands tied and rags stuffed in their mouth. All of them were men, among them fifteen students, several military men, and civil servants, young and old."<sup>[14]</sup>:137 "Sometimes a whole family was eliminated, as was the case with the merchant, Mr. Nam Long, who together with his wife and five children was shot at home." "Mr. Phan Van Tuong, a laborer at the province headquarters, suffered a similar fate by being shot outside his house with four of his children."<sup>[14]</sup>:141

Vennema listed 27 graves with a total of 2,397 bodies, most of which had been executed.<sup>[14]</sup>:129–141 He cited numerous eyewitness accounts of executions by PAVN and VC troops and described the condition of bodies found in the graves. Many had their hands tied behind their backs. Some were shot in the head. Some had rags stuffed in their mouths and had no evidence of wounds, apparently having been buried alive. Some had evidence of having been beaten. A few were identified as PAVN or VC troops killed during the battle.<sup>[14]</sup>:129–141

Some graves were found purely by accident. A farmer working in his field tripped on a wire sticking out of the ground. He pulled on it to remove it and a skeletal hand popped out of the ground. Other graves were found when people noticed suspiciously green grass in sandy areas. The Da Mai Creek massacre was discovered after three VC [defected](#) and told authorities about the murders.<sup>[24]</sup> An ARVN soldier on patrol south of Huế noticed a wire sticking out of the ground. Thinking it was a booby trap, he very carefully worked to uncover it. He discovered the body of an old man, his hands tied together with the wire. Two days later 130 bodies had been uncovered.<sup>[25]</sup>

In another case,

...a squad with a death order entered the home of a prominent community leader and shot him, his wife, his married son and daughter-in-law, his young unmarried daughter, a male and female servant and their baby. The family cat was strangled; the family dog was clubbed to death; the goldfish scooped out of the fishbowl and tossed on the floor. When the Communists left, no life remained in the house.<sup>[26]</sup>

An eyewitness, Nguyen Tan Chau, recounted how he was captured by Communist troops and marched south with 29 other prisoners bound together, in three groups of

ten. Chau managed to escape and hide in the darkness just before the others were executed. From there he witnessed what happened next.

The larger prisoners were separated into pairs, tied together back to back and shot. The others were shot singly. All were dumped into two shallow graves, including those who had been wounded but were not dead."[\[17\]](#):57

Communist documents confirming the massacre

Captured Viet Cong documents boasted that they "eliminated" thousands of enemy and "annihilated members of various reactionary political parties, henchmen, and wicked tyrants" in Huế.[\[27\]](#):72–78 One regiment alone reported that it killed 1,000 people. Another report mentioned 2,867 killed. Yet another document boasted of over 3,000 killed. A further document listed 2,748 executions.[\[27\]](#):73–74 A captured Viet Cong enemy document, which numerous writers cited, including [Guenter Lewy](#) in his 1980 book *America in Vietnam*, and Peter Macdonald's 1993 book *Giap*, recorded that the Communists "*eliminated 1,892 administrative personnel, 38 policemen, 790 tyrants*" – 2720 politically-persecuted persons in all, during the Communist occupation of the city.[\[12\]](#)

The translation of an official Vietnamese campaign study of the Tet Offensive in Thừa Thiên–Huế province released by the Communists recognized that Viet Cong cadres "hunted down and captured tyrants and Republic of Vietnam military and government personnel" and that "many nests of reactionaries [...] were killed." Hundreds of others "who owed blood debts were executed." Another official history from the Communist side, "The Tri-Thien-Huế Battlefield During the Victorious Resistance War Against the Americans to Save the Nation", recognized the widespread killings but claimed they were done by civilians who armed themselves and "rose up in a flood-tide, killing enemy thugs, eliminating traitors, and hunting down the enemy... The people captured and punished many reactionaries, enemy thugs, and enemy secret agents."[\[12\]](#) However, the word "eliminate" may be a mistranslation of the word "dét", and instead actually mean "destroy" or "neutralize" as in neutralizing their administrative function and eliminating of their political influence through detention, as opposed to physical liquidation.[\[28\]](#)[\[29\]](#)

When [Trương Như Tảng](#) was appointed Viet Cong justice minister soon after Huế, he understood this to be a critical position because the massacre had, "left us with a special need to address fears among the Southern people that a revolutionary victory would bring with it a [bloodbath](#) or [reign of terror](#)." [\[30\]](#) This was because, "large numbers of people had been executed" including "captured American soldiers and several other international people who were not combatants." According to Tảng, "discipline in Huế was seriously inadequate" and "fanatic young soldiers had

indiscriminately shot people, and angry local citizens who supported the revolution had on various occasions taken justice into their own hands...."[30] The massacre was, "one of those terrible spontaneous tragedies that inevitably accompany war." [30]

On February 4, Radio Hanoi announced, "After one hour's fighting the Revolutionary Armed Forces occupied the residence of the puppet provincial Governor (in Huế), the prison and the offices of the puppet administration . . . . The Revolutionary Armed Forces punished most cruel agents of the enemy and seized control of the streets . . . rounded up and punished dozens of cruel agents and caused the enemy organs of control and oppression to crumble." [17]:54 On Feb 14th, the Thừa Thiên-Huế People's Revolutionary Committee issued a statement that read in part,

Concerned over the country's survival and their own fate, on 31 January 1968, the Thừa Thiên-Huế people rose up holding weapons in their hands, smashed the puppet ruling apparatus from the provincial to the village and hamlet levels, and completely liberated the rural areas and the city of Huế. The enemy has suffered disastrous defeats. A number of ringleaders of the puppet administration have surrendered to the people or have been arrested and have been detained by the revolutionary forces. Except for some localities and scattered guard posts which have not yet been liquidated, the Thừa Thiên-Huế puppet administration has basically disintegrated. [14]:196–197

An entry in a captured communist document dated Feb 22nd stated, "Troop proselyting by the VC/PAVN forces was not successful because the troops had to devote themselves to combat missions. Moreover, they were afraid of being discovered by the enemy. It was very difficult for them to handle POWs so they executed the policy of "catch and kill." [13]:114 A February 25 captured communist document detailed some of the successes of the Special Action Company of the PAVN 6th Regiment. "We captured and exterminated thousands of people of the revolutionary network. From province to village we broke the enemy's administrative grip for the people to rise." [13]:115

A report written immediately after the battle by a political officer of the People's Revolutionary Party listed 2,826 "administrative personnel, nationalist political party members, 'tyrants' and policemen that were killed by their troops." [13]:7

Another document, undated, written by a senior political officer and marked "ABSOLUTE SECRET", entitled "Information On the Victory of Our Armed Forces in Huế from 31 January to 23 March 1968" was captured by the US 1st Cavalry Division on April 25, 1968. [27]:212 – note 15 It reported on the results of the political operation.

We also killed one member of the Dai Viet Party Committee, one Senator of South Viet-Nam, 50 Quoc Dan Dang party members, six Dai Viet Party members, thirteen Can Lao Nhan Vi Party members, three captains, four 1st lieutenants, and liberated 35 hamlets

with 32,000 people...We eliminated 1,892 administrative personnel, 38 policemen, 790 tyrants, six captains, two first lieutenants, 20 second lieutenants, and many NCOs. [27]:74[31]

The same document contained a passage that read

The people joined our soldiers in their search for tyrants, reactionaries and spies. For instance, Mrs. Xuan followed our soldiers to show the houses of the tyrants she knew, although she had only six days before given birth to a child. [27]:72

In March 1968, in the official Hanoi press, the North reported,

Actively combining their efforts with those of the People's Liberation Armed Forces and population, other self-defense and armed units of the city of Huế arrested and called to surrender the surviving functionaries of the puppet administration and officers and men of the puppet army who were skulking. Die-hard cruel agents were punished. [14]:191

A March 6 document written by a VC sapper unit commander recounted that his unit "participated in the killing of tyrants and the digging of trenches"[13]:112 A March 13, 1968 entry in captured documents reviewed the successes of the attack on Huế. "Enormous victory: We annihilated more than 3,000 tyrannical puppet army and government administrative personnel, including the Deputy Province Chief of Thừa Thiên." [13]:115–116 A report written by the commander of the 6th Regiment on March 30 stated that they had captured thousands of "local administrative personnel, puppet troops, and cruel tyrants" and successfully "annihilated members of various reactionary political parties, henchmen, and wicked tyrants." It also stated that they had "killed 1,000 local administrative personnel, spies and cruel tyrants." [27]:73

On April 26, 1968, Hanoi, reacting to the discovery of graves in Huế, announced that the people murdered by their troops were, "hooligan lackeys who had incurred blood debts of the Huế compatriots and who were annihilated by the Front's Armed Forces in the early spring of 1968." [14]:191 On April 27, 1969, Radio Hanoi criticized authorities in Huế and South Vietnam, stating,

In order to cover up their cruel acts, the puppet administration in Huế recently played the farce of setting up a so-called committee for the search for burial sites of the hooligan lackeys who had owed blood debts to the Tri-Thien-Huế compatriots and who were annihilated by the Southern Armed Forces and people in early Mau Than spring. [14]:191–192

A cadre diary captured by 1st Cavalry Division troops contained an entry that read:

The entire puppet administrative system from hamlet to province was destroyed or disintegrated. More than 3,000 persons were killed. The enemy could never reorganize or make up for his failure. Although he could immediately use inexperienced elements as replacements, they were good for nothing. [27]:73

In December 1968 the Huế City People's Revolutionary Party Central Committee released a summary of the Party's accomplishments during Tet. The summary included the following statement: "Thousands of tyrants were killed. Many reactionary factions and organizations were exterminated."[\[13\]](#):7

That same month, Don Oberdorfer reported,

Ho Ty was arrested by the government police on Sept. 4 this year. At the time of his arrest, he was party secretary for a section of Huế city...Ho Ty reported that the part of the plan from higher headquarters was to destroy the government machinery of Huế and the people who made it work.....He said the killings were planned and executed by a separate group in charge of security.[\[32\]](#)

In 1987, at a Hanoi conference to discuss the history of the Tet offensive, Colonel General [Tran Van Quang](#), one of the commanders of the Huế operation, assessed the strengths and weaknesses of his forces, citing as one of their strengths:

We resolutely carried out the orders and fulfilled the requirements set out for us by the High Command. We motivated our cadre, soldiers, and the civilian population through the use of the slogans, 'Tri-Thien fights for Tri-Thien and for the entire nation,' and 'Heroically and resolutely conduct attacks and uprisings.'[\[33\]](#)

In February 1988 Vietnamese Communist leaders admitted "mistakes" were made in Huế. [Col Nguyen Quoc Khanh](#), commander of part of the forces that took over Huế stated that "There was no case of killing civilians purposefully.....Those civilians who were killed were killed accidentally, in cross fire." But he admitted "some rank and file soldiers may have committed individual mistakes."[\[34\]](#) However, in an internal document discussing the 1968 Tet offensive in Hue, General (Tổng) Hồ Trung wrote, referring to the Giá Hơi section, that "These forces hunted down and killed enemy thugs, reactionaries, and puppet policemen" and that they "cleaned out....nests of Catholic reactionaries."[\[35\]](#)

## Discovery

Label on the shrouded remains of a Tet Offensive victim describing teeth, color of hair, footwear, and other possessions found with the body.

A first summary was published for the U.S. Mission in Vietnam by [Douglas Pike](#), then working as a [Foreign Service Officer](#) for the [U.S. Information Agency](#) in 1970. Pike identified three distinct phases for the executions in Huế. In a report published in 1970, *The Viet Cong Strategy of Terror*, the U.S. Information Agency analyst Douglas Pike wrote that at least half of the bodies unearthed in Huế revealed clear evidence of "atrocious killings: to include hands wired behind backs, rags stuffed in mouths, bodies contorted but without wounds (indicating burial alive)."[\[12\]](#)[\[17\]](#):47 Pike concluded that

the killings were done by local VC cadres and were the result of "a decision rational and justifiable in the Communist mind".[\[12\]](#)[\[17\]](#):52 The three phases are as follows:

Phase one was a series of kangaroo court trials of local ARVN officials. The highly publicized trials lasted anywhere from 5 – 10 minutes and the accused were always found guilty of "crimes against the people".[\[17\]](#):54–55

Phase two was implemented when the communists thought that they could hold the city long-term, and consisted of a campaign of "social reconstruction" along [Maoist](#) dogmatic lines. Those who the communists believed to be [counter-revolutionaries](#) were singled out in this phase. Catholics, intellectuals, prominent businessmen, and other "[imperialist](#) lackeys" were targeted in order to "build a new social order".[\[17\]](#):55–58

The last phase began when it became evident that the communists could not hold the city and was designed to "leave no witnesses". Anyone who could identify individual VC members who participated in the occupation was to be killed and their bodies hidden.[\[17\]](#):58–60

After the Battle of Huế, between 1968 and 1969 a total of almost 2,800 bodies were recovered from mass graves, with 4 major mass grave finds.[\[12\]](#)

A few months after the Battle, about 1,200 civilian bodies were found in 18 hastily concealed mass graves.[\[12\]](#)

A second major group of graves were discovered In the first 7 months of 1969.[\[12\]](#) In February 1968, a list of 428 names of people identified from the recovered bones was released by local authorities.[\[12\]](#)

In September 1969, three Communist defectors confessed to the 101st Airborne Division intelligence officers that they witnessed several hundred people being killed in a 100-yard area at Da Mai Creek bed (about 10 miles south of Huế).[\[12\]](#)

In November 1969, another major mass grave were found at Phu Thu Salt Flats, near the fishing village of Lương Viên, Vinh Hưng commune, Phú Lộc provincial district, 10 miles east of Huế and halfway between the cities of Huế and [Đà Nẵng](#).[\[12\]](#)

Many later authors relied on Pike's account such as Vietnam historian [Stanley Karnow](#) in *Vietnam, A History* and [Michael Maclear](#) in "The Ten Thousand Day War". Other early sources include [front line](#) reporters serving under a code of reporting conduct imposed by U.S forces and agencies.[\[36\]](#) According to [Stanley Karnow](#), "Balanced accounts have

made it clear, however, that the Communist butchery at Huế did take place—perhaps on an even larger scale than reported during the war."[\[37\]](#)

## Dispute

In [Bùi Tín](#)'s 2002 memoir, *From Enemy to Friend: a North Vietnamese perspective on the war*, the former PAVN Colonel acknowledged that executions of civilians did occur in Huế. However, he added that under the intensity of the American bombardment, discipline of the troops disintegrated. The "units from the north" had been "told that Huế was the stronghold of feudalism, a bed of reactionaries, the breeding ground of Cần Lao Party loyalists who remained true to the memory of former South Vietnamese president [Ngô Đình Diệm](#) and of Nguyễn Văn Thiệu's Democracy Party."[\[38\]](#) Tín explained that over 10,000 prisoners were taken at Huế, with the most important of them sent to North Vietnam for imprisonment. When U.S. Marines launched their counterattack to retake the city, Communist troops were instructed to move the prisoners with the retreating troops. According to Tín, in the "panic of retreat," the company and battalion commanders shot their prisoners "to ensure the safety of the retreat."[\[12\]](#)[\[38\]](#)

[Marilyn B. Young](#) disputes the "official figures" of executions at Huế. While acknowledging that there were executions, she cites freelance journalist Len Ackland, who was at Huế, who estimated the number to be somewhere between 300 and 400.[\[12\]](#)[\[39\]](#)

Ngo Vinh Long claims that 710 people were killed by the communists. In an interview he stated, "Yeah, there was a total of 710 persons killed in the Huế area, from my research, not as many as five thousand, six thousand, or whatever the Americans claimed at that time, and not as few as four hundred as people like some of the people in the peace movement here claim...."[\[40\]](#)

The Italian journalist [Oriana Fallaci](#) reported that "In the last few days the Vietcong lost their heads and did nothing but make reprisals, kill, punish". But citing a French priest she spoke to in Huế, she also claimed that the death toll of up to 8,000 included deaths due to American bombardment, and at least 200 people, and perhaps as many as 1,100, who were killed following the liberation of Huế by the US and ARVN forces.[\[39\]](#)[\[41\]](#) Stanley Karnow wrote that the bodies of those executed by South Vietnamese teams were thrown into common graves.[\[39\]](#) Some reports alleged that South Vietnamese "revenge squads" had also been at work in the aftermath of the battle, searching out and executing citizens that had supported the communist occupation.[\[9\]](#)[\[10\]](#)

Historian [David Hunt](#) posited that Douglas Pike's study for the U.S. Mission was, "by any definition, a work of [propaganda](#)". In 1988 Pike said that he had earlier been engaged in a conscious "effort to discredit the Vietcong".[\[42\]](#)

In a letter to the editor of the [New York Times](#), historian [Gareth Porter](#) stated that there was little evidence that the Communists carried out more than "several hundred" political executions and revenge killings in Huế, with only U.S. official assertions identifying all of over 2,800 bodies found as "victims of Communist executions". He alleged that the site of one set of mass graves was also the site of a major battle in which some 250 Communist troops were reported killed in U.S air strikes, and that Saigon's minister of health, after visiting burial sites, said the bodies could have been Communist soldiers killed in battle. He dismissed Douglas Pike's claim that there were Communist blacklists of students and intellectuals to be killed as unsupported by interviews and captured Communist documents.[\[43\]](#)

Historian James Willbanks concluded that "We may never know what really happened at Huế, but it is clear that mass executions did occur".[\[12\]](#)

## Legacy

Reports of the Massacre had a profound impact on the South Vietnamese for many years after the Tet Offensive, with an anticipation of a bloodbath following any North Vietnamese takeover, like the one in Huế. Novelist James Jones, in a *New York Times* article wrote, "Whatever else they accomplished, the Huế massacres effectively turned the bulk of the South Vietnamese against the Northern Communists. In South Vietnam, wherever one went, from Can Tho in the delta to Tay Ninh to Kontum in the north, and of course in Huế, the 1968 Tet massacres were still being talked about in 1973."[\[44\]](#)

Anticipation of a bloodbath was a major factor in the widespread panic and chaos across South Vietnam when North Vietnam executed their [1975 Spring Offensive](#), and the panic culminated in the disintegration and defeat of South Vietnamese military forces, and the [fall of the Republic of Vietnam](#) on April 30, 1975.[\[12\]](#) Today, the Massacre remains unrecognized and entirely ignored in the Vietnamese communist government's [War Remnants Museum](#) in [Ho Chi Minh City](#).[\[11\]](#)

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**(Cf. 29)** *Annotated Bibliography: "The Blood-Red Hands of Ho Chi Minh," by John G. Hubbell*

Written in 1968, John G. Hubbell provides invaluable documentation of the crimes against humanity that Ho Chi Minh committed on the people of North and South Vietnam throughout the Vietnam War. As explained by Hubbell, these massacres perpetrated by both the regular forces in the North, and the Viet Cong guerillas in the South, were not isolated incidents, but actually part of Ho Chi Minh's official policy. The brutality of these actions resulted in countless bloodbaths, and, as the author will illustrate, is nothing short of genocide.

Under Ho's command, the Viet Cong unleashed a wave of slaughter on the people of South Vietnam. The Viet Cong guerillas, oftentimes assisted by the regular Northern forces, conducted a massive terror campaign against the Republic of Vietnam, subjecting the people of the South, both soldiers and innocent civilians alike, to the most barbaric forms of torture and killing.

At the hands of the communists, entire Southern villages were raided, their inhabitants rounded up and systematically executed in the most primitive and brutal of ways. In some cases, the villages themselves were burned to the ground by the VC. Families of Southern soldiers and government officials were kidnapped, tortured, mutilated, and often killed, either to intimidate, or as retribution against the breadwinner for their political ties. The communists slaughtered indiscriminately, not only killing adult men, but also women, children, the elderly, and even pregnant women and their unborn. At the end of 1967, according to Hubbell, the communists had orchestrated "at least 100,000 acts of terror against the South Vietnamese people."

In the North, regular communist forces carried out savage political purges against their own population. Beginning in 1954, with the consolidation of power by Ho Chi Minh, "virtually every North Vietnamese village" was met with "strong-arm squads" who rounded up the populace for show trials and executions. The first victims were the landowners, but eventually grew to include intellectuals, civic leaders, businessmen, teachers, and others who the communists viewed as potential threats. Beheading, bludgeoning, shooting, stoning, and live burials, were only some of the gruesome forms of killing that the communists imposed on the North Vietnamese population. It is estimated that between 50,000-100,000 people died in these massacres during that time.

On March 13, 1959, the leaders in North Vietnam resolved to act against the South. It was from there that VC violence was amped up significantly in South Vietnam, becoming widespread throughout the country. Ho Chi Minh and the North wanted to dismantle the Republic of Vietnam, and sought to do so through terror and violence. Using the VC wing of his communist forces, the Northern dictator authorized those heinous terrorist acts against the people of the Republic of Vietnam, in hopes of breaking the Southern will. However, as the author explains, these atrocities would only push the people closer to the arms of the South. Those whom the communists believed would "rise and fight" alongside them against the Saigon government did "just the opposite," fighting "like tigers" against Ho Chi Minh's invading forces at Hue in 1968. Moreover, the institutions that the communists aimed to dismantle, such as the education system of South Vietnam, as well as the voting polls, would only become stronger, growing rapidly as the population presses on and perseveres in defiance of communist brutality.

During the war, South Vietnam was heavily criticized for its counter-terrorism measures, which the biased left-leaning U.S. media deemed as harsh and repressive. These characterizations were ill-informed, lacking in context, and heavily in favor of the communists. Understanding the true and horrific nature of the communist terror policy, as Hubbell's report helps to accomplish, one gains some key perspective on the reasons why South Vietnam was so heavy-handed in dealing with the VC in the South. South Vietnam was facing a major terrorist problem, and had to implement tough countermeasures to effectively defend the state and its citizens from communist terror attacks.

Hubbell's source brings to light those countless cases of communist barbarity, and doing so in great detail. The vivid accounts given by Hubbell illustrates clearly the criminal governance of the dictator Ho Chi Minh, who, as shown, is responsible for the deaths of hundreds of thousands of innocent Vietnamese people, in the North and the South. These deaths were not collateral damage, but the explicit results of the actions

performed by the man and his totalitarian state. In addition, Hubbell's report offers some valuable insight on life in the South, such as the nation's democratic values and emphasis on education, things that the communists were trying so hard to destroy.

**(Cf.30)** *Formosa steel plant in Vietnam restarts after toxic spill*

HANOI (Reuters) - Formosa Plastics Group's steel plant in Vietnam restarted on Monday after its operations were halted for causing one of the country's worst environmental disasters, local media reported. [Mai Nguyen](#)

FILE PHOTO: Formosa steel factory is seen in Vietnam's central Ha Tinh province March 31, 2017. Photo taken on March 31, 2017. REUTERS/Stringer

In April last year, the \$11 billion Formosa Ha Tinh Steel plant accidentally spilled toxic waste that polluted more than 200 km (125 miles) of coastline, devastating sea life and local economies dependent on fishing and tourism. Taiwanese-owned Formosa paid \$500 million in compensation.

Formosa has met requirements to test-run its first blast furnace, local media quoted Deputy Environment Minister Nguyen Linh Ngoc as saying.

Authorities will closely monitor the furnace and the initial result of the run will be available in 24 hours, while waste samples will be taken every five minutes, local media quoted senior environmental official Hoang Duong Tung as saying.

Formosa has addressed 52 out of 53 violations identified, Tung said, adding the company was expected to put in place a dry coking system by 2019 to replace the current wet coking system, which is cheaper but dirtier.

FILE PHOTO: Formosa steel factory is seen in Vietnam's central Ha Tinh province March 31, 2017. Photo taken on March 31, 2017. REUTERS/Stringer

The Formosa incident is a sensitive topic for the Vietnamese government as it balances political stability, environmental protection and foreign direct investment, one of its key economic growth drivers. Formosa is one of Vietnam's biggest foreign investors.

Last year's spill, and the delay in addressing it, triggered rallies and an outpouring of anger not seen in four decades of Communist Party rule. People in the central provinces have continued protesting to demand more compensation.

Formosa in March said it would boost investment by about \$350 million in the project to improve environmental safety measures with the hope of starting commercial production by the fourth quarter of this year.

Reporting by Mai Nguyen; Editing by Edmund Blair and Mark Potter

Our Standards: [The Thomson Reuters Trust Principles](#).

**(Cf. 31)**

Vietnamese Boat People - Death Tolls and Casualty Statistics  
Vietnam, post-war Communist regime (1975 et seq.): 430 000

Jacqueline Desbarats and Karl Jackson ("Vietnam 1975-1982: The Cruel Peace", in *The Washington Quarterly*, Fall 1985) estimated that there had been around 65,000 executions. This number is repeated in the Sept. 1985 *Dept. of State Bulletin* article on Vietnam.

*Orange County Register* (29 April 2001): 1 million sent to camps and 165,000 died.

*Northwest Asian Weekly* (5 July 1996): 150,000-175,000 camp prisoners unaccounted for.

Estimates for the number of Boat People who died:

Elizabeth Becker (*When the War Was Over*, 1986) cites the UN High Commissioner on Refugees: 250,000 boat people died at sea; 929,600 reached asylum

The 20 July 1986 *San Diego Union-Tribune* cites the UN Refugee Commission: 200,000 to 250,000 boat people had died at sea since 1975.

The 3 Aug. 1979 *Washington Post* cites the Australian immigration minister's estimate that 200,000 refugees had died at sea since 1975.

Also: "Some estimates have said that around half of those who set out do not survive."

The *1991 Information Please Almanac* cites unspecified "US Officials" that 100,000-boat people died fleeing Vietnam.

*Encarta* estimates that 0.5M fled, and 10-15% died, for a death toll of 50-75,000.

Nayan Chanda, *Brother Enemy* (1986): ¼M Chinese refugees in two years, 30,000 to 40,000 of whom died at sea. (These numbers also repeated by Marilyn Young, *The Vietnam Wars: 1945-1990* (1991))

Rummel

Vietnamese democide: 1,040,000 (1975-87)

Executions: 100,000

Camp Deaths: 95,000

Forced Labor: 48,000

Democides in Cambodia: 460,000

Democides in Laos: 87,000

Vietnamese Boat People: 500,000 deaths (50% not blamed on the Vietnamese government)

### **Thai Pirates vs Vietnamese Refugees**

As a girl in Vietnam, Hue was so cheerful that her mother would look at the smile and say, " Rain or shine, the flower blooms."

Now she is 35 and finds it difficult to smile. She avoids human company, preferring to spend her time alone in the backyard of their small Sunnyvale house. The exotic birds, the goldfish ponds, the Asian statuary - all are shrines to sweet memories, handholds on the past that keep her from sinking into the sorrow of the present. But the garden is a refuge only during the day. At night, she has no place to hide from the dreams that invade her sleep and leave her screaming.

The screams echo back to an evening in May eight years ago, when Thai pirates raped her with a savagery uncommon even on the Gulf of Thailand. That night turned Hue's life from a joy into a burden.

"I get very depressed," she said. "It makes you feel so ashamed. You feel you want to disappear."

Hue is not the only Vietnamese woman who feels that her life was irreparably damaged while crossing the gulf. There are an estimated 70,000 Vietnamese in Santa Clara County, and while no data exist on how many fled by boat or how many were attacked, all available statistics suggest that several thousands may fall into that category.

What the children feel is often a mystery. Their solemn faces often are the only clue to thoughts and feelings sealed off inside and rarely, if ever, expressed. Many are like the two sons of a friend of Hue who - at ages 10 and 11 - watched their mother being gang raped seven years ago.

"They never smile," she said.

That Hue can smile, albeit with difficulty, is a tribute to the strength that made her one of the first women to captain a refugee boat. Her boat was 20 feet long and crowded with 33 refugees. The first two days of their voyage were uneventful, but at dusk on the third day, a large fishing boat appeared like a sinister shadow on the horizon and then bore down on them without a flag or lights. As they turned to avoid the boat, Hue ordered the women to smear their faces with engine oil and fish sauce to diminish their appeal. The ploy proved futile. The fishing boat easily caught up with them, and the first thing its crew did was demand that the women bathe. After bathing, the women were fed. After eating, they were searched. After being robbed, they were raped. Most of the crew members were dark skinned and curly haired. One who spoke English told Hue they were Cambodian, but she says that she did not believe him, that she thinks they were Thai. Their boat was distinctively Thai, and most of the pirates wore sarongs and headbands but no shirts, a common uniform for Thai fishermen.

Hue shudders with disgust as she recalls the first man who raped her as 10 others clapped and cheered in a circle around them. His head was shaved, and the knife he held to her throat slashed her chin when she turned her head and clawed at his face. In retaliation, he and several other pirates clawed and bit her body with such force that she recently underwent surgery to reconstruct her mutilated breasts. The pirates then turned on a petite 16-year-old virgin and began to rape her as her father looked on. Unable to accommodate their brutality, the girl began to hemorrhage. As she slowly bled to death, they continued to rape her. After she died, they covered the upper half of their body with a sheet and raped her some more.

By the time the pirates were finished with the girl, her father's eyes had seen more horror than his mind could handle. He had gone insane.

Temporarily sated, the pirates decided to keep four women, including Hue, and let the other refugees continue their voyage. Only by leaping onto the refugee boat as a pirate cut the rope that bound it to the fishing boat did Hue manage to save herself. But what she saved, she said was only part of what she had been.

" I used to be such a happy person," she said. "I used to laugh and like to be with friends. Now I am quiet and prefer to be alone. Friends ask me to go out with them, but I don't feel like it. I go to weddings sometimes, but I only stay an hour or so and then leave. Some people say to forget about it, but you can't forget about it very easy."

Added to the humiliation of her own abuse, Hue said, is guilt over the disappearances of the other three women, all of whom were her friends and all of whom she had coaxed into coming along.

"I think about them all the time," she said. "I still don't know where they are. Sometimes their families write to me and ask where they are, and I say they are somewhere in America but I don't know where. I have to lie because I am afraid to tell them the truth."

Hue married an older man five year ago but says the marriage has never been consummated because the attack left her with an aversion to sex that she cannot overcome. She said she tried to commit suicide four years ago but was found before the overdose of sleeping pills took full effect. She no longer feels like killing herself, Hue said, but she feels she has little to live for except helping other women who suffered similar ordeals. "Some girls were much younger than me, and some had a harder time," she said. "One girl watched her two brothers get killed when they tried to stop the pirates from raping her. Later, she had a pirate's baby. She was 15.

San Jose Mercury News, 1990.

Thousands of Vietnamese women refugees were raped and then murdered in front of their relatives in the sea. Many young girls were unable to accommodate their brutality and was slowly bled to death. In many cases, even after the victim died, the pirates covered the upper half of their body with a sheet and raped them some more. Among those who survived the rape, they were kidnapped to brothels to work as sex slaves, likely to earn tourists' dollars for Thailand. To this day, their fates still remain unknown, and the Thai government has made no effort to free them.

### **Horrible Statistics of Thai Pirates vs Vietnamese Refugees**

In the 1980s, hundred of thousands of Vietnamese refugees, while escaping from Vietnam, were massacred in the sea by Thai fishermen turned pirates. The way they killed these refugees, which has been documented, was abnoxiously barbarous, and was certainly far more brutal than that of the Nazis or Pol Pot's clans. In many cases, Thai pirates used hammer, machete, gun to kill the entire boat, including children and women; some were simply dumped to the sea to die slowly. At the time, while Western governments sent navy ships to rescue refugees and combat these pirates, the Thai government took no action and was even obstructive to the rescue mission. None of these murderers were ever brought to face the weight of justice. The Thai government makes no attempt to even prosecute them.

On April 27, 1983, a boatload of 31 men, women, and children fled Vietnam. Several days later, as they crossed the Gulf of Thailand, pirates robbed the vulnerable party and then attacked a second time with grievous consequences. Three women, aged 25, 26, and 30 were abducted. Twelve of the group were clubbed, knifed, and thrown into the sea. Another 12 drowned; their boat sank as the pirates attempted to tow it. This one boat, these 31 disfigured or lost lives, are but one episode in a continuing story.

Since 1975, more than 575,000 Vietnamese have fled their homeland by sea. An unknown number have died or been kidnapped on the open water, never to be heard from again. Although today fewer people attempt to escape Vietnam by boat than in past years, an average of 2700 per month still land in asylum countries of Southeast Asia. These people are attacked by pirates with staggering vehemence and frequency; half of the refugee boats that arrived in Thailand in 1983, as well as a smaller but still significant number that landed in Malaysia, had been victimized.

These pirates are not of the swashbuckling variety; rather they are common thugs and murderers on the high sea. They hurt people, almost casually, with women experiencing the worst of the violence. In recent months, some of the most heinous piracy attacks have occurred. In October 1983, pirates repeatedly raped 23 of 25 Vietnamese girls and women aboard a boat during a two-day attack. Some of the victims were hospitalized in critical condition.

Piracy on the open sea is not a new problem; it is not unique to Southeast Asian waters. Nor it is exclusively or even primarily a "refugee problem." However, in the waters off of Thailand and Malaysia, pirate attacks against boat people have justifiably become an issue among those concerned about refugees. Though Thailand currently receives a relatively small percentage of total boat arrivals in Southeast Asia, the persons who flee to that country are most subject to attack. In this continuing tragedy, the factors causing people to flee their homeland, the reception they receive in nearby countries of first asylum, and the long-term prospects of resolving their political-legal status have merged with age-old questions of how to deal with opportunism and gangsterism.

Among refugee protection issues worldwide, piracy is unique in one respect. Here, the danger to refugees is not posed by hostile or repressive government authorities or by ideological conflicts among nations. To the contrary -- those governments most in a position to eliminate the violence are allies in a Cold War context. The

victims may ultimately become fellow citizens of the same Western democracies, which, with their Asian allies, can create a climate in which piracy can be controlled.

Those charged with protecting and aiding refugees - national governments and international agencies alike -- have taken steps to combat piracy and to draw broader attention to the problem. These efforts -- from arranging the logistics of surveillance to urging governments to contribute needed funds and resources - are complex, and the complexities cannot be ignored.

But neither can they be used to excuse the limited success anti-piracy efforts have had to date as evidenced by the continuing high level of violence. Some crimes are so heinous that failure of authorities to come to grips with them amounts to dereliction. Piracy against Vietnamese boat people is such a crime.

This paper examines piracy in the Gulf of Thailand and measures that have been taken to stem it, focusing largely on Thailand. It concludes with recommendations for improving those measures. The paper incorporates information for improving those measures. The paper incorporates information from interviews carried out by staff of the U.S. Committee for Refugees (USCR) on a recent fact-finding trip to Thailand and Malaysia and reflects investigations by other private as well as government parties since that trip. Statistics are based on reports of the United Nations High Commissioner for Refugees (UNHCR).

INTRODUCTION Piracy has been a part of life throughout the waters of Southeast Asia for hundreds of years, despite nations historical resolve to combat it. "It was an evil so old, so widespread, and with so many facets," writes D.G.E. Hall in his *History of South-East Asia*, "that it baffled efforts (to suppress it) for many years, for it was an honourable profession which was connived at, promoted, or even directly engaged in the highest potentates and nowhere else in the world is geography so favourable to piracy."

In the early 1980s, the Dutch and the English, prominent powers in the region formally resolved to protect their shipping from attacks, off the coast of Malaysia. The U.S. shared the concern over pirate attacks, and its first commercial treaty with the Kingdom of Siam (Thailand), signed in 1833, contains provisions relating to piracy. Since the 1800s, the international community has recognized piracy as a crime. In recent years, it has been formally outlawed under various conventions; the most recent one, the UN Convention on the Law of the Sea 1982, states in Article 100 that "all nations shall cooperate to the fullest extent possible in the repression of piracy on the high seas

In modern times as in the past, nations have concerned themselves primarily with piracy against commerce - the robbing and scuttling of oil tankers, for example. Such attacks persist in Southeast Asia at a June 1983 convention of the International Maritime organization, the waters off of Singapore were cited as one of two areas in the world most significantly affected by piracy against commercial shipping. But another form of piracy is also characteristic of the waters of the region - small-scale poaching wars among and between Thai and other nationals. It is into this context of personalized piracy that Vietnamese boat people have entered.

In the environs of Songkhla city in Southeast Thailand, the present-day pirates are generally fishermen or immigrant farmers from northern Thailand who fish part-time. The massive Thai fishing fleet - 40,000 to 50,000 small boats - allows anonymity to the pirates, and the hundreds of islands in the area provide hiding places.

Thailand has not been able to regulate its fishermen effectively, unlike Malaysia just to the south. There, authorities longstanding fear of communist infiltrators and resultant commitment of money and resources have brought fishermen under a well-run registration program, and they have been banned from carrying weapons. In contrast, some Thai fishing vessels are better armed equipped than the small patrol craft used by the Royal Thai Navy or marine police in their anti-piracy efforts.

Perhaps the most important factor that permits piracy to flourish is the social fabric of southern Thailand. The area is semi-independent of control from Bangkok, and uneasy relations between its large ethnic-Malay and Muslim minority population and the ethnic-Thai Buddhist majority, as well as other political, ethnic, and religious factors, make even the administration of usual government programs difficult. Lawlessness is chronic - stores are stocked with contraband, smuggling is commonplace, and country roads are the sites of nighttime hold-ups by roaming gangs or dissident groups.

In the setting, piracy has a firm niche, and international laws against such activity seem almost irrelevant.

### Boat People As Victims

Attacks on boat people occurred as early as the first boat escapes in 1975. Their frequency increased as the number of boats multiplied and word spread along the southern Thai coast of boat people coming, often with their remaining resources converted into gold or hard currency. In 1981, 77 percent of the boats, which left

Vietnam and eventually landed in Thailand were attacked. In 1982 and 1983, the percentages were 65 and 56, respectively. Though the trend is downward, the viciousness of attacks has not abated, and any level of such violence is unacceptable.

Motivated by the promise of booty or centuries-old racial antagonism between the Thai and the Vietnamese, the pirate attacks take a variety of savage forms. Hundreds of victims have died, having been shot, knifed, beaten, or rammed; some have committed suicide under duress. If victims survive the first attack, a second is virtually certain: the average number of attacks per boat has almost consistently exceeded two since 1981 and has reached over three in some times periods. Children have told of being beaten or terrorized by pirates wielding hammers and knives. They have watched as their mothers were raped or abducted. Girls as young as six years of age have been sexually assaulted.

Clearly, young girls and women are victimized in disproportionate measure. Over a period of almost three years ending in November 1983, most of the nearly 500 persons reported as kidnapped were female. Of that number, fewer than half have been found; abductees are often simply thrown overboard. Some women are sold prostitution by their captors.

Pirate Attacks on Boat People Arriving in Thailand 1981-1983

No. of Persons arrived	15,095	5,913	3,171
No. of Deaths from Attack **	571	155	43
No. of Abductees ***	243	157	89
(No. Traced)	78	92	35
No. of Rape Victims ***	599	179	85
No. of Persons Missing	n.a	443	153
No. of Boats Arrived	455	218	138
No. of Boats Attacked (%)	352 (77%)	141 (65%)	77 (56%)
No. of Attacks	1,149	381	173
Average No. of Attacks Per Attacked Boat	3.2	2.7	2.3

Source: UN High Commissioner for Refugees. Note: These statistics are based solely upon reports by boat people. \* Through November 1983. \*\* Includes only piracy-related deaths, eg. Shooting, knifing, beating, ramming and suicide under duress. Accidental deaths or deaths due to sickness or starvation are not included. \*\*\* Abductees are generally, but not always, also rape victims. Abduction and rape

figures here are mutually exclusive. A person who is both an abductee and a rape victim is counted only as an abductee.

In 1982, almost 53 percent of the boats were subject to rape/abduction attacks. Between January and November 1983, abductions and rapes were occurring at almost the same rate as in the preceding year. The figures are thought to understate the extent of the crimes, as they are based solely on accounts of boat people known to UNHCR, and many are reluctant to report rapes to outsiders. The statistics also do not reflect usually also rape victims.

Aside from the physiological problems caused by rape, the women experience long- lasting psychological and emotional problems. These include depression and anxiety over possible pregnancy, loss of esteem by family and friends, and what their experiences will mean for their chances of a happy marriage.

Few services are available to the women at Songkhla camp, the main camp for boat arrivals in southern Thailand. There is no counselling for rape victims, and abortions are not available. Even in the camp, women remain vulnerable; security is weak and allegedly has been violated.

The boat people put up little resistance to the attacks, although some survivors have said they tried to defend themselves. Nearly all travel unarmed, as it has been difficult to obtain unauthorized weapons in Vietnam since 1975, especially for those considered suspect by the government.

In any event, the boat people believe that weapons would probably be useless as a defense against pirates. Often, violent attacks occur after the voyagers have been at sea for many days and are exhausted from their widely held belief that resistance will mean death for children or for everyone aboard in retribution. Also, boat people know that pirates can communicate by radio with confederates and bring reinforcements.

**Piracy One of Several Dangers** Piracy is but one of the dangers the boat people must consider as they plan their escapes. Typically unskilled at piloting, they must depart in secrecy, often poorly provisioned and lacking navigational aids. Boats fit for travel are harder than ever to come by in Vietnam, as the supply has been depleted by illicit escapes since the 1970s. Serious overcrowding of the small craft is common; boats seldom exceed 30 feet in length and were designed primarily for river travel, not for crossing the high seas.

Further, concerned over the loss of boats from their fishing fleets and of manpower for their army, Vietnamese officials are trying to discourage escapes by imposing

jail terms or sentences to a re-education camp on those who try to exit surreptitiously. Boat people landing Thailand estimate as many as 80 percent of those attempting escape are caught.

It may be that the hazards of the journey have affected recent levels of boat flows. The number of boat people arriving in asylum countries has declined over the last years; 33,000 landed between October 1982 and September 1983, compared to 49,000 for the same period a year earlier. But the decline may also be attributable to slightly improved conditions for some in Vietnam, harsher policies of Thailand and other nations toward asylum seekers, and the introduction of a program of legal emigration from Vietnam. There is no certainty that another mass exodus of boat people is expanded, illegal departures will decline still further.

It is certain that the threat of piracy alone is not enough to deter escape attempts. While word of the attacks consistently has reached Vietnam, either through Voice of America and Radio Australia broadcasts or letters from relatives, some victims simply do not believe what they hear or read. One young girl dismissed as "just talk" a report from a friend that she had been raped 70 times. She, herself was subsequently abducted and held for 12 days, raped repeatedly, and dumped into the sea. Some victims thought they could avoid pirates: some who landed in Thailand told USCR that they had set their sights for Malaysia, currently the preferred landing point of boat people, in part because the waters are safer. However, their poor navigational abilities; the weather; or theft of their boat motors, leaving them adrift, kept them from succeeding.

Programs to Combat Piracy Two formal programs have been undertaken to combat piracy against Vietnamese boat people. A bilateral American/Thai effort, backed by \$2 million in U.S. funds, was in effect from February through September 1981. It equipped the Royal Thai Navy with two spotter aircraft, money for the construction of a patrol boat, and operating resources. As a new initiative, it led to some convictions of pirates, but attacks continued.

When the bilateral program expired, the U.S. and Thailand could not agree on a continuation of their initial effort. The major obstacle apparently was Thai insistence that \$30 million in resources was needed in order to curb attacks.

Largely on the ground that the piracy was occurring on the high seas and thus cause for world concern, UNHCR subsequently negotiated the start of an international funded anti-piracy program to be administered by the Thai government.

Begun in July 1982, this broadened effort drew donations for one year's operation from 12 countries. \$2 million from the U.S.; and a total of \$1.7 million from Australia, Canada, Denmark, France, Germany, Italy, Japan, Holland, Norway, Switzerland, and the United Kingdom.

Along with the new money, the Thai received more hardware. Three patrol craft, three support trawlers, and three decoy boats were made available to the Royal Thai Navy, which again undertook responsibilities for surveillance. Funds were also set aside for the Harbor Department and marine police.

The navy's assignment was a difficult one: it had 18,000 square miles of water to patrol - as far west as the continental shelf of Thailand, south to the Malaysian border, and north to a point midway between Thailand and Vietnam. With aircraft of limited capabilities, its efforts were constrained. Rarely would actual attacks be seen from the air, as only about one-third of the patrol area would be covered in a day's surveillance was not conducted. Even if an attack was sighted, there was little that could be done immediately, as the naval planes were not equipped to land on the water. Positive identification of suspects - a key element in bringing piracy suspects to trial - was also elusive, as pilots flew equipped only with a simple hand-held 35mm camera to photograph events.

The aircraft was intended to work in tandem with surveillance teams on the water. Three such teams consisted of a decoy boat, a fishing trawler, and a patrol craft. Normally one unit was placed in the general area of the air patrols, which the other two were left in port for overhaul or use in training exercises.

Like their counterparts in the air, the boats were of limited effectiveness. The patrols did not operate at night, and the craft were not capable of venturing out in rough weather. If notified of an attack by a spotter plane, a patrol boat might need several hours to reach the site of an attack, enough time for pirates to have their way and to escape.

Other problems hobbled legal aspects of anti-piracy efforts. For example, in August 1982, a group of fishermen boarded a decoy boat and were arrested. Though Thai officials suspected them of intending to rob the boat, the intruders could not be punished for that intention because Thailand does not have a conspiracy law. Ultimately, the men were released because they had not been observed to commit any act of piracy and officials did not consider it a sufficient deterrent to prosecute them for a lesser crime, such as trespassing. Further, few boat people themselves are inclined to press charges or provide crucial identification of suspects. Their

reluctance derives from several factors: distrust of Thai authorities, fear of reprisal from pirates, UNHCR's limited ability to ensure physical protection, and worry that involvement might interfere with their hopes of resettlement. Too, women victims and their families often tend to want to forget their trauma and fear being stigmatized by court proceedings.

### Thai Administration Criticized

In the spring of 1983 as Thailand braced for a seasonal upsurge in boat arrivals, the internationally supported program was producing meager results. No suspected pirates had been arrested, let alone convicted, while two-thirds of the Vietnamese boats landing in Thailand were still being attacked.

The navy's effort was flawed. The decoy boats, for example, were docked in plain view at the harbour in Songkhla and, when on patrol, were manned by young naval personnel who could hardly be mistaken for boat people. But critics conceded that patrolling the Gulf was not easy, and they largely wrote off obvious errors to inexperience. Instead, most of the criticism was directed toward the Thai's administration of the program.

The government had formed a high-level group, the Royal Thai Government Committee on the Suppression of Piracy, to coordinate Thai involvement. But it met only once during the first ten months of the internationally funded program. Meanwhile, Thailand's National Security council (NSC) became the de facto coordinator and administrator. To the NSC fell such essential tasks as distributing program funds to various Thai agencies, monitoring their needs and progress, and providing UNHCR with reports about how the effort was proceeding.

No full-time personnel were assigned to deal with piracy issues for the NSC, and the group was ineffective in implementing initiatives. It failed, for example, to push the Harbour Department to set up a computerized registration of Thai fishing boats, for which it had been given \$160,000 and technical assistance; in ten months, the department managed only to draw up a contract to design the project. NSC reports to UNHCR in Bangkok on anti-piracy efforts were late and superficial: in March 1983, UNHCR received a report that covered the period from October through December 1982; surveillance activities were described in four lines.

The poor administration of anti-piracy activities may simply have reflected bureaucratic problems endemic to the Thai government. Interagency efforts at national and local levels are difficult in most developing countries, and Thailand's NSC, in particular, lacked the wherewithal to coordinate the complex of tasks.

The Thai may also have been acting out their consistently held belief that the international community must take responsibility for fighting piracy. Thailand alone could not do so, some have suggested, especially when faced with such other pressing concerns as controlling drug smuggling, dealing with military insecurity on its eastern border, and fighting bandits and local insurgents in south Thailand.

### The suffering of the Vietnamese Boat people

When the Americans lost the Vietnam War there were many who did not wish to stay in Vietnam. Those with influence were airlifted out by the Americans but many had to make do with crowding onto leaky boats and making the journey from Vietnam to the gulf of Thailand. In doing so they unwittingly wrote themselves into modern pirate history.

Conditions were perfect for piracy. The local fishermen were poor and were looking for an easy means to supplement their income. The Vietnamese government did not care about them and the Thai government was not anxious to receive large boatloads of refugees. No one cared about the fate of the boat people so allegations of piracy were often ignored. It was only when the incidents became more shocking that pressure was brought to bear on the Thai government by maritime interests led by the Americans. By then thousands had been robbed, raped and murdered. What follows are some examples:

In the early eighties an American, Ted Schweitzer, landed on a pirate island and heard how 238 refugees had been shipwrecked there. Eighty had been killed and the women were raped and forced to dance naked. Schweitzer tried to stop this but was knocked unconscious. He was lucky to live. When he awoke he found dismembered limbs and evidence of cannibalism.

Nguyen Phan Thuy booked a passage out of Vietnam with her mother, aunt and younger sister. After ten days at sea the boat was stranded and without food or water. They were attacked by pirates, who shot her aunt. An old man's gold teeth were ripped out of his mouth with pliers and a woman's baby was thrown into the sea. The survivors were made to strip and then landed on the beach and their boat was sunk. The women were lined up and Phan and a girl called Lien were selected and taken on board a fishing boat. Over the next three weeks both girls were repeatedly raped. Lien could not stand it and in the end the pirates could not stand her. She was thrown overboard. Phan was sold to a village brothel - "The Paradise Massage Parlour". She became

pregnant but the baby was aborted with a bamboo stick. Eventually she escaped and was handed over to the UN.

In 1989 a boatload of 84 refugees were attacked by pirates. The women and children were transferred to the boats and never heard of again. The men were kept in the hold and brought up one by one to be clubbed to death. Eventually they panicked and tried to rush the pirates. The pirates rammed the boat to sink it. Some managed to escape but were pushed under water by poles. Thirteen survivors managed to escape by swimming away under cover of darkness.

In April 1989 seven pirates armed with a gun knives and hammers attacked 129 Vietnamese. The women were raped and all of them were slaughtered save one, Pham Ngoc Man Hung (seen pictured identifying the pirates), who survived by clinging onto a raft made out of three bloated corpses.

Eventually the Thai government was forced to take measures. Fishing boats had to be registered with a prominent number displayed on its prow. Boats were also photographed going in and out of port. This deterred many but those pirates who remained became more brutal and ruthless, ensuring there were no witnesses to identify them.

Pirate incidents petered out at the end of the eighties as the number of refugees decreased. It is fashionable nowadays for historians to assume that the barbarity of pirates was overrated and that pirates were basically career criminals. These more recent accounts are almost certainly not exaggerated and so it seems likely that many of those stories in the past were equally true.

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The Trauma Caused by the Vietnam War

Imagine yourself on a small boat travelling across the Pacific Ocean. Not knowing where you're going. Not knowing whether or not your family, the family you just left behind in your home country still lives. Not knowing whether or not tomorrow you will be alive or dead. Your stomach is growling, you haven't eaten anything for three days, the boat has run out of supplies and the only water left is the seawater that surrounds the boat. You lie at the bottom of the boat, unable to move. You're helpless! Questions wander through your mind. Will you be saved? Will you reach a refugee camp? Will a storm erupt or will pirates invade the boat? people of South Vietnam. These are the people whom I believe have been forgotten about, yet they are probably the ones most effected by this conflict!

The Vietnam War - a conflict that lasted from the mid 1950's - 1975. A conflict that went on for 20 years. 20 years of fighting! The Communists against the anti-Communists. Russia, China and the Viet Cong - the Vietnamese communists against the South Vietnamese, America, Australia etc. And the battle ground for this conflict? South Vietnam. It was because of this conflict that there are Vietnam refugees today. But why all the refugees?

The year's 1975 on the 30<sup>th</sup> of April, the Communists have won the war. Over 2 million South Vietnamese, dead! 58 thousand Americans, dead! 504 Australians, dead! Three times the amount of bombs dropped in

WW2 have been dropped in this one conflict. This is when the refugees start to run! Why? They're scared. The Communists are capturing all those who were involved with the South Vietnamese Government, the army, the navy and the air force. If you were captured then you left your family to go to prison. The South Vietnamese believed that they had to escape in order to give their families a future. How did they escape? By boat of course. Boat People was a term used to describe all the refugees who fled after the Vietnam War.

The process of this escape however was very time consuming and could take 2 years. The refugees had to sell all their valuables in order to obtain money to buy equipment. The boats would normally be only 3 by 10 metres and of wood and yet they had to fit up to 100 people. The escaping night was very frightening. The refugees had to move to the boat in small groups of 3-5, so that they wouldn't look conspicuous for if the Viet Cong did spot them they were either imprisoned or shot. Once the refugees had all met up they boarded the boat. Now, don't think it was relaxing in that boat like it is on a Caribbean Cruise. It was probably one of the worst experiences these refugees ever had. They were packed in like sardines. This means that when they got sea sick, where do you think they vomited? Right where they were of course. They needed to go the toilet, where did they go? Right where they were. If that wasn't enough, there was the fear of Thai pirates. They would invade the boat, steal all the supplies and kidnap the young women to be either raped or sold! The others would be left on a deserted island to die. Other fears was that a huge thunderstorm would erupt or the boat would run out of supplies and everyone starved to death. If the boat was lucky then it might be saved by the French and German ship called 'Cape D'amour' or reach one of the refugee camps.

So now it's the present one again, one million of these boat people are dead and the others live in countries like Australia leading basically normal lives. But what about all the soldiers and people of South Vietnam that were unable to escape? What happened

to them? Well, the soldiers were kicked out of the hospitals they were in and sent to prison. All these soldiers still wounded from the war. Their families left to support themselves. When they were released, if they were released they were sent to the jungle to live. Forbidden to enter the city. They couldn't get jobs, couldn't support their families and couldn't give their children an education, the education that we all take for granted. This is the suffering that the South Vietnamese veterans still in Vietnam went through and are still going through today. The Australian veterans were supported and are now national heroes, the Americans are heroes, and even the Communists are heroes to their people. But what about the soldiers of South Vietnam living in Vietnam today? They have practically been forgotten and yet they are the biggest heroes of them all! Not only for defending their country in this devastating war but also for putting up with everything that the Viet Cong put them through.

So now your journey ends, you have seen the traumatic journey the Vietnam refugees had to go through. You have heard about the devastating lives the South Vietnamese veterans in Vietnam are leading. I ask you not to forget these forgotten soldiers. And the conflict between the North and South that caused millions of people to die, thousands of bombs to be dropped and what did it accomplish? A country that used to be filled with smiling people in cultural dress everywhere you went now replaced by Viet Cong policemen.

### **Fate of the "Boat People"**

By Don Hardy

Galang Island rests quietly in the calm sea, indistinguishable from thousands of other green Indonesian islands near the Equator south of Singapore. But for tens of thousands of Vietnamese "boat people," the United Nations refugee camp on this island represented a single, thin ray of hope. For most of those who boarded small, rickety boats to escape Vietnam after the war in search of new and happier lives, Galang will not be what they hoped to find.

Laying a thick trail of oily diesel smoke low across the glassy sea, our noisy boat violates nature's tranquillity as it slices toward the wooden dock on this tiny, emerald isle. One would never suspect this forested point of land protruding unassumingly from the warm ocean was be home, at any one time, to nearly 20,000 desperate people who had no idea what their futures would hold. They risked everything in the belief that their new lives, or the lives they hoped to live someday in another country, would prove better than those they left behind.

The people who arrived on Galang already passed a difficult test. They rolled the dice on a dangerous ocean voyage and won. Many others lost that gamble. Pirates troll the seas in search of easy prey, and often find it. Many Vietnamese were robbed, killed or raped shortly after they gathered their meager possessions and set off in the cloak of darkness in search of freedom and opportunity. A small shrine on the island pays tribute to three women who, after suffering the humiliation of rape during their journey, took their own lives.

My seven Congressional staff colleagues and I were greeted warmly by camp staff and U.N. workers whose difficult job, beyond providing meager shelter, rations and minimal health care, was to determine which of those people arriving would qualify for refugee status and possible resettlement in other countries.

Those unable to prove themselves political refugees under United Nations definition -- or with no close relatives in other countries to sponsor them -- faced a bleak future. Some eventually returned to Vietnam, some remained for years in the camp, hoping against hope to someday be "saved." During my visit, most did not qualify for resettlement. Still, few of those rejected voluntarily returned to the conditions that forced their exile.

At a briefing, the camp commander revealed that Galang was established at the end of the Vietnam war and built to house only a quarter of the population living there. At that point, the United States had accepted 82,060 of those who survived their ordeal and qualified for resettlement.

As of my visit in 1991, Canada became home to 13,516 people, followed by Australia's acceptance of 6,470. Other countries had not stretched their arms as widely. Japan accepted only 113 people. Spain, Italy, Argentina and Ireland took fewer than 20 each. Meanwhile, scores of people continued to arrive from the open sea on overloaded vessels. An additional 50 were being born in the camp each month.

The difficulties for Galang refugees intensified as many nations strengthened their resolve not to accept any more "boat people." Often, the overloaded boats arriving in countries throughout southeast Asia were simply pushed back out to sea.

After our briefing, a security truck, red light flashing, led our caravan of four jeeps on a tour of the camp -- two camps, actually. Two camps, and a cemetery on the side of a hill known as Camp Three.

Light rain fell as we stopped to talk with people and take pictures of small roadside shops. Other than money brought with them, or funds sent by relatives, the refugees

were without financial resources and very limited opportunity to earn money. But the prospect of minimal sales to each other and to island visitors maintained a few tiny food stands and small, wooden stores carrying basic supplies.

There was the hollow expression of resignation and sadness on some of the older faces, but not the children's. Excited by the parade of visitors, they eagerly posed for pictures and hesitatingly tried out English phrases they learned in school. Giggled calls of, "Good morning, sir," or "Nice afternoon, sir," rang out recognizably from the noisy chatter as we shuffled conspicuously and self-consciously along the small road. Returned greetings met a reaction of giggles and laughter.

Nearby, under a small open-air shelter, the serious business of casting fates was being conducted. A United Nations' employee, in this case a pleasant and caring attorney from Washington, interviewed each person who arrived, soon determining whether an applicant's qualifications for resettlement could be met -- whether the individual was to be "screened in" or "screened out."

That crucial decision made all the difference for tens of thousands of people. With the passage of time since the war, increasing numbers of applicants were found to be economic migrants, technically not refugees, and therefore they did not qualify for resettlement in the United States. The interview sometimes lasted more than an hour. Eighty percent of the time, in 1991, the decision rendered was unfavourable.

As we milled about and through interpreters spoke with people whose fates would soon be known, I spotted a pretty young girl in a clean white dress standing quietly by herself. She backed away as I approached, but before long agreed to a photo with me. Her voice was soft and quiet. She didn't smile.

She was a small seven years old. I asked if her parents were also in the camp. She didn't answer immediately, finally speaking quietly and unemotionally. The interpreter hesitated, then said, "This little girl doesn't know where her parents are." My throat tying in a knot, I tried not to speculate on their fate. When I looked down at the innocent little face and started to ask another question, my words won't come out.

Walking slowly down the dirt road, I pondered and cursed the distant political forces that brought the little girl, and the thousands of other people, to this place. I recalled a note pinned to flowers at the funeral for victims of the air disaster in Scotland several years earlier. Before that flight departed, a man waiting to board a different plane had met some of the passengers. After the crash he sent the note to an impromptu memorial. It said, "To the little girl in the red dress....you didn't deserve this." The little

girl in the white dress that I had just met didn't deserve her fate either, but nobody even knew about her.

Our little caravan wound its way through the rest of the camp and past the place where a fifteen-foot boa constrictor had been dragged from a small river by excited young men. A few minutes later we arrived back at the small pier. In a place where every person's prayer is to someday leave, I feel guilty that we, people who already had so much freedom and opportunity, would be the only passengers on the only boat departing that day.

After formalities and handshakes with camp official, the boat's motor belched to life and we slowly pulled away. Standing on the deck, I strained to see the main camp. But it was behind the hills and hidden from view, just as the pain of the people who lived there was hidden from world view.

As the island disappeared into the horizon, my long wave went unseen. Finally, as it slipped from view, I pondered the lives of the thousands of people who felt driven to literally cast their fates to the wind, not knowing whether Galang Island will be their first stop on the road to freedom, or their last.

I often think about and am haunted by Galang and the camp that is now closed. Eventually, some people's dream of resettlement on other countries came true. Others were repatriated back to Vietnam and the lives they tried to escape.

Most haunting is my memory of the quiet little dark-haired girl in the white dress. Just before our group left the processing center that day I spotted her again, walking down a dirt path. She stopped and we looked at each other without expression for a long moment. Just as she turned to walk away, a hesitant smile crossed her face as she raised her right hand in hesitant wave.

I could never forget that wet, hilly place at the opposite point on planet earth from where I sometimes fail to appreciate all my freedoms. I think often of that quiet little girl and try to imagine what became of her. It pains my mind and heart that I can never learn her fate, because I never even knew her name.

There are events in life that must be seen and felt by the heart to be truly absorbed -  
- and once fully understood have the power to fundamentally and forever change us.  
For me it is Galang, a distant island of burning hope -- and bitter de-----  
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**(Cf. 31a)** The Enemy of my Enemy: The Sino-VN war of 1979 and the evolution of the Sino-American covert Relationship , Thesis , by Sam Brothers 1é May 2014

**(Cf.31b)** Journal of North East Asian Studies Sept,1995, vol.14, Issue 3, pp.68-88 The Limits of coercive diplomacy. The 1979 Sino-VN border War by James Mulveron.

**(Cf.32)** *Mekong Delta—Vietnam's Rice Bowl—Threatened by Rising Seas*

Reporting from Ben Tre in the Mekong Delta, Kit Gillet wrote in The Guardian, "The vast, humid expanse of the delta is home to more than 17 million people, who have relied for generations on its thousands of river arteries. But rising sea water caused by global warming is now increasing the salt content of the river water and threatening the livelihoods of millions of poor farmers and fishermen. [Source: Kit Gillet, The Guardian, August 21, 2011:]

A one-metre rise in sea levels. Such a rise could leave a third of the Mekong Delta underwater and lead to mass internal migration and devastation in a region that produces nearly half of Vietnam's rice. "If there was a one-metre rise, we estimate 40 percent of the delta will be submerged," says Tran Thuc, director general of the Vietnam Institute of Meteorology, Hydrology and Environment. "There is also the threat of cyclones and storms linked to climate change. The people in this area are not prepared for any of this."

"Already affected by regular flooding, those who live in the low-lying delta are focusing on the rising salt content of water in land that has for thousands of years been used for rice paddies, coconut groves and other crops which locals rely on for their livelihood. Government officials and international observers are predicting significant lifestyle changes for the delta's population, which will be forced to adapt to survive.

Dao Xuan Lai, head of sustainable development at the United Nations Development Programme in Vietnam, said: "Rising sea waters will cause inundations to the Mekong and will require drastic changes in lifestyles for the people. They will be forced to switch crops and innovate. People close to river banks and river mouths have already had to find different ways to make a living in fresh water." Tough decisions are going to become more common for Mekong residents in the years ahead as the environment changes around them. "Even if we stop all emissions worldwide now, the water will still rise 20 to 30 centimetres in the next few decades," said the UN's Lai. "At the moment the prediction is a rise of 75 centimetres by 2050. People in this region are still very poor and will need help from the international community to survive this.":

Salt Intrusion in the Mekong Delta

Reporting from Ben Tre in the Mekong Delta, Kit Gillet wrote in The Guardian, "Sitting amid buckets of rice in the market, Nguyen Thi Lim Lien issues a warning she desperately hopes the world will hear: climate change is turning the rivers of the Mekong Delta salty. "The government tells us that there are three grams of salt per litre of fresh water in the rivers now," she says. "Gradually more and more people are affected. Those nearest the sea are the most affected now, but soon the whole province will be hit." [Source: Kit Gillet, The Guardian, August 21, 2011:]

According to the Ben Tre department of agriculture and rural development, salt water at four parts per thousand has, as of April, reached as far as 35 miles inland, causing significant damage to crops and livestock, with rice production particularly affected. "Salination will become higher and higher and the salt season will last longer and be worse," predicts Thuc. The city of Ben Tre, one of the gateways to the Mekong, is inland, on one of the many tributaries of the Mekong river where the waters are still only partially affected by the increased salination. But further downriver, the effects are more pronounced. "I have to travel five hours upstream by boat to fetch water for drinking, washing and cooking," says Vo Thi Than, 60, who cannot afford the prices charged by those who travel down the river selling fresh water from upstream.

"Than lives beside a dock and runs a little restaurant on the small delta island of Cu Lao Oc, home to approximately 6,000 farmers and coconut growers. "A long time ago, there was no salty season at all. Now, five months a year the water is salty," she says. "We grow oranges, mandarins, lemons and coconuts, but these trees cannot survive if it is salt water only. During salty seasons, the trees bear less fruit and smaller fruits, and if there was only the salt season, nothing would grow."

John Ruwitch and Ho Binh Minh of Reuters wrote: "About a year ago some farmers from Binh Thanh commune in Vietnam's southern rice growing heartland suspected the worst — that their irrigation water had become too salty. They telephoned Vo Thanh, the head of An Giang province's hydro-meteorology center, and he came to take water samples from the commune, which is about 20 kilometers (12 miles) from the sea. The farmers' hunch turned out to be right. The brackish water would damage their crops, so Thanh advised officials to tell farmers to stop pumping it into their rice fields immediately. Not everyone took heed. "Those who didn't suffered losses," Thanh said. "Some 4,000 hectares (9,880 acres) of rice were damaged." [Source: John Ruwitch and Ho Binh Minh, Reuters, December 9, 2012 >>>]

"Thanh had seen salty irrigation water before, but never so far inland from the sea. What was troubling about Binh Thanh's case, though, was not the salt. It was that the problem was caused by an increasingly complex network of dykes and sluice gates

built precisely to prevent salination, he said. "The other gates were closed to keep fresh water in, so the salty water flowed there," he said. >>>

"For places like Binh Thanh commune, environmental challenges will only increase. But the action-reaction cycle of change and responses will play itself out, as it has in the flood-prone region for centuries. Le Van Banh, a rice expert at the Cuu Long Delta Rice Research Institute, says the salty water situation will worsen -- but researchers are creating new strains of rice that can withstand ever saltier water. Standing by his muddy fields that yield three rice crops a year, farmer Nguyen Van Banh poked holes in a paddy dyke with a staff and planted beans with his wife." >>>

See Agriculture

### Salt Intrusion Caused Mekong Delta Rice Farmers to Take Up Risky Shrimp Farming

Kit Gillet wrote in *The Guardian*, "In the area around the town of Ba Tri, near one mouth of the delta, the salination of the water has reached a point where many locals have been forced to abandon centuries of rice cultivation and risk their livelihoods on other ventures, mostly farming shrimp, which thrives in saltier water. Pham Van Bo is still able to plant rice on half his land thanks to an embankment built by the government four years ago, but he is risking his family's savings on the new venture. [Source: Kit Gillet, *The Guardian*, August 21, 2011]

"We had to sell our fishing boat to pay to dig the cultivation pool and also had to pay someone to teach me how to do it. It was expensive, and I had to get the shrimp food and medicine on credit," he said. "It takes about four months from when they are small to selling them. It should be more profitable than rice planting, but I am worried since this is our first try." Bo needs only to walk two hundred metres along the riverbank to see a cautionary tale. Nguyen Van Lung and her family started raising shrimp six years ago, but now all but one of their pools are empty.

"Last October, the sea washed out all of our shrimp, we lost them all," she said. "We saw the water rising up and getting closer and closer, but we couldn't do anything about it. This season, we have been forced to just dump the shrimp in and let them grow with no fans, medicine or special food." The family received a loan from the local government to survive, but it takes a lot of money to farm shrimp, on which they now rely almost exclusively for their livelihood.

Olivia Dun is a PhD student at the University of Sydney's Mekong Resource Centre. She is studying environmental changes, flooding, saline intrusion and migration in the Mekong Delta. "Some households have benefited from the switch to shrimp and have been able to raise their level of income," she said. "Other households have continuously

struggled to raise shrimp, which are sensitive to the conditions in their pond environment and easily susceptible to disease. These households face mounting debt, and of these households, some choose to migrate elsewhere temporarily in search of an income."

### Environmental Problems for Wetlands in the Mekong Delta

Tran Dinh Thanh Lam wrote in the Inter Press Service, "Despite a US\$ 6.7 million conservation project funded by Ho Chi Minh City, illegal farming and logging remain a major problem for reserve officials. "Local people have taken 12 hectares of forest land for their personal use," Thanh said, adding that all the forest land along the 19 kilometer road to Can Gio commune had been converted into shrimp ponds and salt fields. "They were taking a little more land each day," ranger Nguyen Duc Mien told IPS. "It is difficult to discover the violations because they take such a small amount each day." After four months, a family could take nearly one hectare of mangrove land to breed shrimp. The threat to the ecology system is serious. Last year, rangers seized 500 kilograms of endangered reptiles and birds, besides mangrove wood cut down illegally. "That is only a small portion of what poachers and loggers have taken away," Mien said. "We should find sustainable ways to manage wetlands in ways that help local people fight poverty and preserve biodiversity," Nguyen Duc Tu of Bird Life International's Vietnam Programme told the Hanoi meeting. [Source: Tran Dinh Thanh Lam, Inter Press Service, September 22, 2005 >>>]

"Tu said that as the Arctic summer ends, thousands of shorebirds migrate to the wetlands of Vietnam from the north. They feed on small worms and crustaceans that burrow in coastal mud flats where thousands of people make their living by collecting shellfish. Wetlands are places of transition, where water and forest, fishery and farm meet and often overlap. In Vietnam, wetlands directly provide a source of livelihood for local people and provide environment services - from flood control to water purification and biodiversity conservation - that indirectly support the broader economy. The transitional nature of wetlands means they defy conventional, sectorial approaches to natural resources management. In Vietnam, no single agency has a mandate to manage the country's wetlands, with rights of use and access undefined so that conflict between government agencies and communities are frequent. Some agencies and communities are not fully aware of the special features of wetlands - their equally important environmental and economic functions - and therefore focus more on exploiting wetlands to increase food production.

"While the government passed three laws regulating wetland management in 1994-95, an effective and comprehensive legal framework for wetlands protection and management is still lacking. So far, the \$65.7 million multilateral project to help restore

the Mekong Delta's depleted coastal mangrove swamps remains the biggest wetland investment. Entitled "The Coastal Wetlands Protection and Development Project", it is to be implemented between 2000 and 2006 and covers wetlands in four provinces of the Mekong Delta. Over the past 20 years, the area has lost well over half its cover, mainly due to unsustainable logging and failed shrimp farm developments. Project coordinators want to establish a "full protection zone" and introduce diversified and sustainable farming techniques in an adjacent "buffer zone". They also want to limit economic activities and coastal developments that pose a threat to the mangrove swamps. Unfortunately, these measures have met with strong resistance from local agencies and communities that are more concerned with economic development than ecology protection.

### Chinese Factories Skirt Pollution Laws by Relocating in Vietnam

Peter S. Goodman wrote in the Washington Post, "Before he left his native China two years ago, Li Shaoxing was losing money at his plastic-bag factory in the center of the country. He ventured south of the border, putting up a factory here in a new industrial park in northern Vietnam, where wages are roughly one-third cheaper than at home and where workplace safety and environmental standards are in scant evidence. [Source: Peter S. Goodman Washington Post, December 11, 2005 \*\*\*]

Some investment in Vietnam "is propelled by stricter enforcement of environmental standards in some areas of China. According to entrepreneurs in China who spoke on condition of anonymity for fear of angering government officials, leaders in coastal areas have been encouraging pollution-intensive industries such as plastics, steel and electronics to consider relocating to Southeast Asia. A strong push is coming from Wenzhou, a city in Zhejiang province south of Shanghai that has long served as a locomotive for growth in China's private sector. \*\*\*

"Officials in Wenzhou have convened roundtables with local entrepreneurs to encourage major polluters to move. At one meeting, a vice mayor of Wenzhou specifically declared that high-polluting industries would be deprived of access to land, water and electricity, according to two participants. This year, the Wenzhou city government and the Zhejiang provincial government have jointly organized roughly 50 all-expenses-paid trips for local businesses to survey prospective industrial sites in Vietnam and elsewhere in Southeast Asia, the entrepreneurs said. \*\*\*

"While few would describe China as a beacon of labor safety or high wages, Chinese investors acknowledged in interviews that Vietnam beckons as an even cheaper, less regulated place to run a factory. "Here, the workers can really accept hardship," said Qing Song, deputy general manager at Lifan Vietnam, a motorcycle factory opened outside Hanoi by a Chinese company. "Whatever requirements you set out for them in

a day, they meet." At the factory on a recent afternoon, men uncoiled sheaths of aluminum without protective gloves, while others operated heavy machinery without goggles or earplugs. The work went on beneath corrugated aluminum ceilings in poorly ventilated structures. Men in flip-flops used a donkey cart to move bricks to a construction site. \*\*\*

### Air Pollution in Vietnam

Thomas Fuller wrote in the New York Times, "A decade ago, bicycles and three-wheeled pedal taxis rode quietly down the tree-lined streets of Vietnam's capital. Today, millions of motorcycles and scooters buzz through Hanoi in a confused and unrelieved cacophony. As its economy surges forward, motorcycles have become the symbol of economic freedom in Vietnam. But they are also the main source, together with the growing number of cars, of worrying levels of air pollution, officials and experts say. Hoping to avoid the "grow first, clean up later" pattern that most Asian countries have followed, Vietnam decided several years ago to tighten its lax vehicle emissions laws. [Source: Thomas Fuller, New York Times, July 6, 2007 ^\*^]

"But after numerous missed deadlines and sparring between government ministries, environmental groups now say air pollution in Vietnam could get worse before it gets better. The air in Hanoi and Ho Chi Minh City contains dangerous levels of benzene and sulfur dioxide, experts say. Levels of one of the most dangerous pollutants, microscopic dust known as PM10, are moderate compared with other developing Asian cities but could worsen if Vietnam chooses to build coal-fired power plants to satiate demand for electricity, which is growing at double-digit annual rates. Pham Duy Hien, an expert on pollution who is also an adviser to the Swiss-Vietnamese Clean Air Program, a government-linked environmental project, says Hanoi and Ho Chi Minh City have PM10 levels of about 80 micrograms per cubic meter, double the current level in Bangkok and well above the guideline of 20 set by the World Health Organization. Beijing and New Delhi have dirtier air, with levels of 142 and 115, respectively.

"At the heart of Vietnam's air pollution problem is dirty fuel, according to Hoang Hai Van, managing editor of the Thanh Nien newspaper, which recently published a series of groundbreaking articles on the topic. Van says the Vietnamese companies authorized to import fuel are resisting buying higher-quality fuel because it is more expensive. "The point is that they don't want to import fuel of better quality because they don't want to see a fall in profits," Van said in an e-mail message. The government is divided on the issue, Van and others say: The Ministry of Trade sees the fuel import business as a cash cow, while the Vehicle Registration and Inspection Agency says poor-quality fuel is negating any benefits of higher emissions standards.

"In February, carmakers based in the country, represented by the Vietnam Automobile Manufacturers Association, sent a letter to the prime minister's office, complaining that newer engines would be damaged by the low-quality fuel. "The issue of fuel quality will have to be addressed sooner or later but we can't do it all at once," said Dang Duong Binh, director of the environment section of the Hanoi Department of Natural Resources, Environment and Housing. As of July 1, all gasoline stations in Vietnam were supposed to carry fuel compatible with Euro II standards, which were in place in the European Union until 2000 and limit levels of benzene, sulfur and microscopic dust, among other pollutants. The European Union now imposes significantly stricter regulations, known as Euro IV. Van says poor-quality fuel is still being sold. "In reality, diesel for vehicle use is not up to standards," he said.

"Even the vehicle registration department does not seem to trust the quality of fuel sold at gasoline stations. To assure that new vehicles made in Vietnam meet the Euro II specifications, the inspection agency provides car and motorcycle manufacturers with a reserve of specially obtained clean fuel, according to Pham Quang Thanh of the Vehicle Registration and Inspection Agency. The irony for Vietnam is that for several years, it has pumped higher-quality "sweet" crude oil offshore that could produce clean-burning fuel if refined properly, according to Hoang Viet Cuong, a technical consultant to the Swiss-Vietnamese Clean Air Program and a former employee of Petrolimex, the Vietnamese national oil company.

"But with no refineries of its own, Vietnam must send the crude abroad. "We have very high-quality sweet crude but then we import low-quality refined oil," Cuong said. Vietnam is building a refinery, but it will not come online until 2010. Another problem is lax enforcement. Vehicle inspectors have a reputation for accepting bribes, vehicle owners and drivers say. The going rate for a passing grade is around 200,000 dong, or about \$12, they say. At an inspection station in the Phap Van neighborhood of Hanoi, Do Van Hoa, the head of the facility, says about 30 percent of vehicles do not even pass the existing emissions tests, which are well below Euro II standards and do not apply to motorcycles. But Hoa denies accepting bribes. "It is not the case that we pass the vehicles if someone offers us money," Hoa said. "We have cameras," he added, pointing to the four corners of an inspection station reeking of car emissions.

"Euro II regulations only apply to new vehicles, said Thanh, of the Vehicle Registration and Inspection Agency, and there is no plan to subject existing cars and motorcycles to more rigorous inspections. "You'll have to be patient and wait until they die out," Thanh said, referring to existing vehicles. But there are also signs of rising awareness about air quality, environmentalists say, and they are encouraged that in a country where information is still tightly controlled, authorities allowed critical articles such as Van's series to be published. "People were recently outraged after 17 local brands of

soy sauce were found to contain a carcinogenic chemical," Van wrote in an editorial. "They should, however, realize that fuels with high pollutant levels are worse than soy sauce since, no matter who uses the fuels, everyone breathes the same air."

Air Pollution includes particles of soot, organic hazardous material, heavy metals, acid aerosols and dust. The smaller particles are more dangerous because they are more easily inhaled.

#### Water Pollution and Water Shortages in Vietnam

Ho Chi Minh City's canals are very polluted. Some families draw drinking and washing water from the same canals where people relieve themselves and toss rotted vegetables.

Vietnamese wetlands include the river estuaries, deltas, submerged forests, tidal plains with rice fields seasonally under water, offshore islands, marshes, lagoons, salt fields and reservoirs, and rivers and streams. By that estimation wetland areas in Vietnam may reach one-fourth to one-third of the total territorial area of 330,000 square kilometers. These areas are under threat from rising sea levels salt water intrusion, industrial pollution and runoff and waste from shrimp farms and agriculture.

AFP reported: "Vietnam faces future water shortages due to the rapid growth of its population and economy, a government official warned, as the level of a major northern river dropped to a historic low. "Vietnam's water resources are limited, and the population has grown four-fold in 60 years," Nguyen Dinh Ninh, deputy director of the Agriculture Ministry's irrigation department, said Wednesday. He warned that Vietnam's population had rapidly grown from 20 million in the 1940s to 84 million now, reducing the water supply from 17,000 to 4,600 cubic meters per person per year in that time. "We also lack water because of rapid socio-economic development," he said, stressing that water use had shifted from farming to industry and hydropower projects in Vietnam, which saw more than 8 percent economic growth last year. Water flows in streams and rivers had declined, he said, as the state-run Vietnam News Agency reported that the water level in the Red River at Hanoi measured 1.53 meters (5 feet) Tuesday, the lowest mark in 100 years.

Ninh warned that the situation would worsen this year, as Vietnam is forecast to be affected by the El Nino climatic phenomenon which would likely bring lower rainfalls and shorten the rainy season. [Source: Agence France Presse, January 10, 2007]

#### Vietnam's Coastal Ecosystems Under Threat

Grant McCool and Nguyen Van Vinh of Reuters wrote: "Nha Trang on the south-central coast has smooth sandy beaches, islands and mountains, but it also carries the burden

of the ugly side of rapid development and fast-growing tourism. Visitors and residents of Nha Trang say they can find fish swimming close to the beach one day but the water unswimmable the next because of styrofoam, plastic bags and pieces of wood. Diving clubs and businesses have spawned along the main palm tree-lined oceanfront boulevard alongside high-rise hotels and some unfinished grey concrete buildings. "It was really up there compared with a lot of the places I've been. Beautiful," Tanya Anderson of Normal, Illinois, said on one boat after a dive to see the coral. "I saw a little bit of garbage and so it would be nice to clean up some of the garbage." [Source: Grant McCool & Nguyen Van Vinh, Reuters, July 16, 2007 \*-\*]

"Oil spills have struck more than 20 provinces on the coast this year, including Nha Trang in Khanh Hoa province. According to Vietnamese media reports, more than 1,720 tonnes of oil have been scraped off the beaches and water. The causes are mysterious, according to a series of investigations, which speculated oil came from a leaking oil rig, damaged tanker or oil and gas platforms in the South China Sea. Environmental awareness and "sustainable development" are built into the government's socio-economic plans to lift people out of poverty, but constant construction and proliferation of tourist sites make it difficult to carry out. A masterplan to collect and dispose of waste from islands, barges and cages raising aqua products is being worked out, said Truong Kinh, director of Nha Trang Bay Marine Protected Area Authority. "Now we are facing some challenges and difficulties such as fast urbanisation, the waste coming from industrial, agricultural sectors and daily living," Kinh said. The government says earnings from sea and seaside business would account for 54 percent of GDP in 2020, increasing pressure on provinces to meet economic targets. \*-\*

"In the southern beach town of Phan Thiet in Binh Thuan province, resort owner Pascal Lefebvre said work was being done in schools to educate young people about how to dispose of waste and rubbish in environmentally-sound ways. "Any developing country faces those problems. Officials understand the need to preserve the environment here, however it is often a matter of budget and who will finance the plans," Lefebvre said. A Vietnamese non-governmental organization, the Center for Marinelife Conservation and Community Development, works with local fishermen in Khanh Hoa province. The center's director Nguyen Thu Hue said it encourages fishermen to "take ownership of the water" so they can play an active part in their own business plans. "What we tell them is that if the environment is ignored, you will have nothing left to live on," she said. \*-\*

"In other parts of Vietnam, research shows that rivers are dying and air pollution is above internationally-accepted levels in the capital, Hanoi. Surface water in Hanoi was unusable for agriculture or for domestic use, a report in April by the Ministry of Natural Resources and Environment said. The waterways of the biggest urban area, Ho Chi

Minh City, are even worse and considered "dead" the report said. It said most enterprises do not have or do not use wastewater treatment and domestic wastewater is out of control. \*-\*

### Rapid Coral Decline Threatens Vietnam's Dive Tourism Industry

Less than 25 percent of coral reefs surveyed have living coral and 75 percent are at high or very high risk, eight times the southeast Asian average. According to one study About 85 percent of Southeast Asia's coral reefs in Cambodia, Malaysia, Singapore and Vietnam are severely threatened by human activities such as pollution and overfishing. Experts say Vietnam's scuba diving capital of Nha Trang could lose all of its coral within 30 years. "The coverage of coral in Nha Trang Bay shrank from 52.4 percent in 1994 to 21.2 percent in 2005," Nguyen Van Long, head of the seafood resource department at the Nha Trang Oceanography Institute, told Deutsche Presse Agentur. "The bay may not have any coral left in 30 years if the coverage keeps shrinking at that pace." [Source: Deutsche Presse Agentur, June 12, 2007 >=<]

"Tourism and fishing are the mainstays of Nha Trang's economy. Tran Son Hai, director of the tourism department of Khanh Hoa province, said the city received 1.1 million tourists last year, of whom 30 percent were international. Diving is one of the city's main attractions. But the tourism and fishing industries come into sharp conflict over the area's coral reefs. Long said overfishing is the main reason for the coral's decline. Many fishermen in the area employ explosives or poisons like cyanide to stun large numbers of fish for easy harvesting. Those techniques are deadly to the coral reefs, Long said, though tourist activity also plays a role. "We are very concerned about the shrinking of the coral," said the tourism department's Hai. "If it keeps shrinking like this, the local tourism industry will be badly hurt." >=<

"In 2002 the government established a Nha Trang Bay Marine Protected Area to try to halt the decline of marine life. But bans on dynamite and cyanide fishing have been inconsistently enforced, and recent surveys show biodiversity and marine life density have continued to decline. >=<

### Untreated Industrial Waste Polluting Nha Trang Bay

In December 2007, Thanh Nien reported: "Waste from nearby fisheries and seafood processing facilities are destroying Nha Trang Bay, experts said. At the Khanh Hoa Province People's Council meeting, the Department of Legal Affairs reported that the bay was in danger of overwhelming pollution. The department blamed the filth on tourists, fishing ships, fish breeders and industrial and agricultural processors. Approximately 7,000 seafood cultivation rafts were polluting the environment while 5,000 people living on boats in the area throw ten tonnes of household garbage into

the bay every day, according to the department. Additionally, the Cai and Tac rivers often carry waste from industry, agriculture, seafood processors and residential areas into Nha Trang Bay. The pollution has damaged Nha Trang Bay's ecosystem and maritime environment, including its many corals. [Source: Thanh Nien, December 22, 2007 ^^^]

"A province official said that the under-construction Bac Hon Ong seafood processing zone might worsen marine pollution in the bay if local authorities did not improve waste management and reign in the polluters. The Khanh Hoa Aquiculture Department said that the project's investor was drafting an environmental assessment report. The department added that only when the zone's waste was treated to "Standard A" would it be allowed to dump into the Tac River, which flows into the bay. At least one delegate proposed moving the zone to surrounding areas such as Van Ninh District or Cam Ranh Town, about 50-60 kilometers from Nha Trang City. However, the department said the idea was not feasible because the necessary human resources and material trade areas were in Nha Trang City. ^^^

#### Vietnam Bans Coal Shipping in Halong Bay Heritage Area

In October 2006, AFP reported: "Vietnam has banned coal shipping in Halong Bay to reduce industrial pollution in the World Heritage-listed island seascape, industry officials said. "We have decided to stop all coal shipping activities in Halong Bay to protect the environment, from November 1," said Pham Trung Hung, head of the Vietnam National Coal and Mineral Industries Group (Vinacomin). The group has also agreed with Quang Ninh provincial authorities to move all coal ports to Bai Tu Long Bay, 50 kilometers northeast of Halong Bay, he said. UNESCO has in the past raised concerns about threats facing the area 160 kilometers (100 miles) east of Hanoi in the Gulf of Tonkin. These include the rapid expansion of floating fishing villages, tourism infrastructure development and industrialization. [Source: Agence France Presse October 31, 2006]

"We are delighted about (the decision)," said Chu Shiu-Kee, Vietnam chief of the UN Educational, Scientific and Cultural Organization. "Coal loading and unloading in the World Heritage buffer zone has been an issue we have been requesting the provincial government to do something about. "It's not just making the water dirty with coal dust. The shipping concentrated in those areas has also caused other kinds of pollution."

#### Oil Slicks Off the Coast of Vietnam

In 2007, oil spills struck more than 20 provinces, including central Danang and south-central Nha Trang. Vietnamese media reported that nearly 2,000 tonnes of oil were

scraped off the beaches and water. The causes were mostly mysterious, according to a series of investigations, which speculated oil came from a leaking oil rig, damaged tanker or oil and gas platforms in the South China Sea. [Source: Associated Press, March, 2008]

In March 2008, Reuters reported: "A small Vietnamese oil tanker capsized off the south-central coast, spilling fuel oil and leaving 14 crew missing, provincial officials said. The officials in Binh Thuan province said the tanker Duc Tri was carrying 1,700 tonnes of fuel oil, about 30 tonnes of which have leaked 50 kilometers off the popular beach resort of Mui Ne on March 2. 'The search for the missing is still ongoing and rescuers are also trying to contain the oil spill,' an official in the Binh Thuan province information center said by telephone. She said one crew member had been rescued. Binh Thuan is about 300 kilometers northeast of Ho Chi Minh City. [Source: Reuters, March 6, 2008 |||]

"The oil spill was about 2 square nautical miles, state media quoted Trinh Vu Anh, Deputy Director of the Southern Oil Spill Prevention Center, as saying. Associated Press reported: Most of the oil remained aboard the ship although a small amount had leaked through its ventilation system and begun spreading through nearby waters as the capsized vessel drifted off the coast. |||

### **Mystery Oil Slick** Affects Vietnam's Tourist Beaches

In March 2007, AFP reported: "An oil slick that first soiled Vietnam's central coast two months ago has spread to the country's far south, hitting fisheries and aquaculture, officials and state media. Government officials from the environment, defense and foreign ministries and the state-run oil company held a meeting to assess the cause of the pollution and how to deal with it, the Vietnam News Agency said. Authorities have not determined whether the oil was discharged by a passing tanker or leaked from an offshore oil rig in the South China Sea. The blobs of oil that first appeared on Vietnam's central coast in late January, driving tourists off the famed China Beach, have now blackened beaches as far south as the resort of Vung Tau and the far-southern Ca Mau peninsula. [Source: Agence France Presse, March 20, 2007 ==]

"Thousands of volunteers have scraped hundreds of tons of oil mixed with sand off beaches and rocky seashores in recent weeks, while the slick has killed marine life and damaged coastal shrimp and clam farms. "The source of the oil is still unknown, but local fishermen have reported catching marine products dirtied with oil," said a Tien Giang province environment department official. "We have sent teams of youth volunteers to the coastal Go Cong district to collect the oil." ==

Reuters reported: "Vietnam's prime minister has ordered an international investigation into mysterious oil spills that have blackened some of the country's most popular beaches after ruling out the country's oil rigs. "We have run thorough checks using vessels and aircrafts on our seas and found that our oil wells are safely operated and are not the culprit of the oil spills," Nguyen Tan Dung told delegates at the National Assembly in a live television broadcast. Dung was referring to two spills that occurred this year, one in January that hit beaches in the central part of the country and the second detected on March 11 along the southern coast. [Source: Reuters, March 31, 2007 +/+]

"State oil monopoly Petrovietnam president Dinh La Thang said tests showed the oil in the spill was crude oil from outside Vietnam, state media reported on Saturday. he National Committee for Search and Rescue said residents had so far collected nearly 1,500 tonnes from the two mysterious spills. The oil had affected popular Danang beach and all 125 kilometers (80 miles) of Quang Nam province's coastline, including Hoi An, a UNESCO heritage site. The second oil spill in the south has affected shrimp and mussel farms along coast, state media reported on Saturday. +/+

#### High Tech Lake Clean-up of Hanoi's Hoan Kiem Lake to Save Its Legendary Turtle

In November 2007, Frank Zeller of Agency France Presse wrote: "Pollution threatens the lake that is the heart and soul of Vietnam's capital — and a legendary turtle who lives below its murky waters — but now a high-tech solution may be at hand to save them both. Over the next three years, in time for Hanoi's 1,000th birthday in 2010, scientists intend to clean up Hoan Kiem Lake, home to the creature that symbolises Vietnam's centuries-old struggle for independence. Vietnamese and German experts say they will use a new device, which borrows from the designs of corkscrews, submarines and tanks, to suck several meters (feet) of toxic sludge from the bottom of the 'Lake of the Returned Sword'. The 2.4-million-dollar project will be a delicate one. [Source: Frank Zeller, Agency France Presse, November 5, 2007 \*|\*]

"The famed, algae-green lake is home to an elusive turtle that is a key figure in Vietnam folklore. In a story that every Vietnamese child learns at school, the 15th century farmer-turned-rebel leader Le Loi used a magical sword to drive out Chinese invaders and found the dynasty named after him. When Le Loi, by now the emperor, went boating on the lake one day, a turtle appeared, took his sacred sword and dived to the bottom of the lake, keeping the weapon safe for the next time Vietnam may have to defend its freedom. Today, occasional sightings of a giant soft-shell turtle draw large crowds, and photographs and amateur video clips attest to the claim that at least one turtle indeed still lives in the lake. \*|\*

"Stormwater run-off from the growing city has sullied the stagnant lake with chemicals and organic pollutants that feed algae blooms and choke off oxygen. "The water quality is decreasing, and we expect a breakdown of the aquatic habitat within a decade," said Professor Peter Werner of Germany's Dresden University of Technology. "The lake could be dead in 10 years." Hoan Kiem Lake, about 600 meters long and 200 meters wide, is now only about 1.5 meters deep while a four-to-six-metre deep layer of sludge has accumulated on the lake bed, said Christian Richter of German company HGN Hydrogeology. \*|\*

"German scientists have developed a "subaquatic vacuum cleaner" that will crawl along the lake floor using two corkscrew-like spirals that dig up and funnel the mud into a pipe while also propelling the device forward. The remote-controlled "SediTurtle" will use buoyancy to rise and sink like a submarine and use brakes on its two coils to move left and right like a tank, said engineer Dr Frank Panning of company GSan oenologist Gewaessersanierung. "We are using low-impact environmental technology that is silent and minimises turbulence and the release of toxic compounds," said Werner. "This project is very sensitive. We have to take care of the turtle." \*|\*

### **Blocking a Bauxite, Mine: Rallying Point for Vietnamese Environmentalists**

Plans for two Chinese-backed bauxite mines and aluminum plants in Vietnam's Central Highlands have become a major environmental issue in Vietnam, drawing in scientists, environmentalists, religious groups and bloggers. Gen. Vo Nguyen Giap, the famed military strategist who defeated the French in 1954, and the American in the 1960s and 70s, wrote three public letters lambasting the mine, providing a major rallying point for opponents of the mine. Despite protestations plans for the mine are going ahead. In the fall of 2009, the government detained several bloggers who criticized the bauxite mine, and in December, a website that had drawn millions of visitors opposed to the mine, was hacked.

Helen Clark wrote in Time magazine, "Plans to mine the remote highlands for bauxite were first broached by the former Soviet Union, but the project was eventually dismissed due to environmental concerns. But in 2006, China signed a framework agreement with Vietnam for the state-owned mining company Aluminum Corp. of China to extract bauxite and refine aluminum at two plants in the region. The finished product would be exported to China, prompting, in addition to the existing environmental worries, new concerns that the agreement could exacerbate the large trade imbalance between the two nations. [Source: Helen Clark, Time, January 18, 2011 <^>]

"The mine projects are currently moving ahead despite criticism that the storage facilities in Dak Nong and Lam Dong provinces may not be able to properly store the

aluminum production runoff containing, among other things, metal oxides and sodium hydroxide. Critics say the impact of any potential contamination of regional waterways on both highland crops like coffee and downstream crops of rice would be devastating, and that land clearance for future storage facilities could displace many ethnic-minority communities in the region. <^>

In years past, protests over the mines brought together normally disparate groups and concerns, for which the Internet was the obvious organizing ground. But online protest was soon quashed: bloggers were arrested and websites like Bauxite Vietnam were allegedly hacked. It's also thought the reason for an unacknowledged nationwide Facebook block enacted at the time was to target groups organizing via the social-networking site. "The crackdown began in 2007 in response to increasingly organized political opposition and Vietnamese taking advantage of the political space created by the Internet," says Duy Hoang, of U.S.-based Viet Tan, a pro-democracy party that is banned in Vietnam. The block has seemingly been stepped up again for the 11th Party Congress: the social-networking site is now even harder to access inside the country. <^>

### **Bauxite Mine Protests: A Test for Vietnamese Environmentalists**

Helen Clark wrote in Time magazine, In October 2010, "several retired high-level officials, scientists and intellectuals signed a petition asking the government to postpone or entirely cancel the mines. The petition called the Hungary red sludge disaster a stern warning and said that calling off the multibillion dollar project would be an unhappy decision but one that may have to be undertaken in the interests of "national destiny." The refreshed public debate, staged in autumn in newspapers, blogs and the decisionmaking National Assembly, is in part a result of the nation's slow but growing environmental movement, says Scott Robertson, the Vietnam representative for the New York City-based Wildlife Conservation Society. He says that in Vietnam, green concerns have often been sacrificed in the interests of rapid industrialization, but a more educated populace with greater Internet access has seen environmentalism move beyond the purview of the NGO sector. "People are speaking out publicly, decisionmakers are being lobbied and there seems to be far more public debate than before. It's in the early days, but the signs are very promising," he says. [Source: Helen Clark, Time, January 18, 2011 <^>]

"Others agree. "The bauxite mining issue is the most prominent environmental issue to emerge in Vietnam," says professor Carl Thayer, a Vietnam expert who recently resigned from the Australian Defence Force Academy in Canberra. He says that unlike some protests of 2009 and 2008, in which objections to the mines had at times functioned as a way to push a wider political agenda, including the legitimacy of a one-

party system, the dissension voiced in the past few months has mostly been more effective, and officials, in turn, now understand there are lines they may not be able to cross. <^>

"One member of the National Assembly who has been particularly vocal in his questioning of the bauxite mining project is Duong Truong Quoc, a signatory to the October petition. The representative for Dong Nai province in the south, an important economic hub and an area that could be badly affected should runoff from the mines travel downstream via waterways from areas in the Central Highlands, says people in his province are worried. "People's concerns are very realistic," he says. He also says that key elements of infrastructure important to bauxite extraction, such as water and power supplies, are not up to the task. <^>

"The government has agreed to oversee an environmental-impact study of the mines, and a working group visited Hungary after the disaster there, but some have their doubts. The Party Congress, which sets the direction of the country for the next five years and decides important positions within the government, could reverse the decision to go ahead with the mines, but it's seen by many as a long shot. The Prime Minister, Nguyen Tan Dung, has from the beginning pushed the project forward, despite reservations by some in the government and military. "A handful of delegates might raise the issue," says Thayer, "but it's likely to be swept under the carpet." <^>

See Resources, Bloggers

***(Cf.33) Le clergé vietnamien alerte l'opinion internationale sur une très grave pollution***

*Claire Lesegretain (avec Église d'Asie), le 24/05/2017 à 12h06*

*L'évêque de Vinh et quatre de ses prêtres viennent d'effectuer une tournée en Europe pour obliger le gouvernement vietnamien et les aciéries taiwanaïses Formosa à indemniser les populations victimes d'une catastrophe écologique.*

## [ZOOM](#)

Des poissons morts représentés dans un coin du plus grand lac Ho Tay de Hanoi le 3 octobre 2016. Une mort massive de poissons a été trouvée pendant le week-end au lac en raison de son eau très polluée. / Hoang Dinh Nam/AFP

L'initiative est audacieuse et inédite. L'évêque de Vinh (nord du Vietnam), Mgr Nguyễn Thái Học, et quatre de ses prêtres, ont effectué mi-mai une « Marche pour la justice

et les droits de l'homme », en passant par Oslo, Bonn, Bruxelles et Genève. Objectif de cette tournée européenne : alerter l'opinion publique internationale sur la situation des [populations vietnamiennes touchées, depuis plus d'un an, par une très grave pollution maritime.](#)

La délégation du diocèse de Vinh, dont la région est particulièrement touchée par la pollution, a rencontré des représentants de l'Union européenne et différentes ONG et associations de lutte pour l'environnement, la justice et la dignité humaine, expliquant, devant chacun, les faits et ses conséquences.

### I Pourquoi lire La Croix ?

La Croix met en valeur les lieux ou les sujets où se joue la dignité des hommes et des femmes de ce temps.

+En avril 2016, le rejet en mer de Chine de substances toxiques par l'aciérie taïwanaise Formosa, implantée dans le district de Ha Tinh, a causé la mort des poissons et des crustacés, venus s'échouer sur les plages par centaines de tonnes. Or la grande majorité des habitants du littoral tire sa subsistance de la mer : pêcheurs et vendeurs de poissons et de crustacés, producteurs de sel, propriétaires de bassins piscicoles, exploitants de restaurants et d'hôtels...

### Bateaux laissés à l'abandon

*« Les pêcheurs ne vont plus en mer car les poissons sont morts et, s'ils ont la chance d'en trouver, ils ne peuvent pas les vendre car personne n'achète de poisson provenant de ce secteur »,* a déclaré Mgr Nguyễn Thai Hop dans un entretien publié par Églises d'Asie, l'agence d'information des Missions étrangères de Paris (MEP), lundi 22 mai.

*« Tous sont donc condamnés au chômage. Beaucoup de bateaux sont laissés à l'abandon. N'ayant plus d'argent, les familles ne peuvent plus envoyer les enfants à l'école. Cette situation est terrible »,* a encore expliqué l'évêque de Vinh.

Depuis un an, de nombreuses protestations locales se sont exprimées. Ainsi, le 3 mai 2016, 18 000 personnes ont signé une lettre destinée aux autorités civiles locales et à l'Assemblée nationale de Hanoï, décrivant la situation catastrophique.

#### Informations censurées

Mais jusqu'à présent, les autorités vietnamiennes n'ont rien fait pour venir en aide aux populations. Pire : toutes les informations sur la catastrophe sont censurées ; aucune analyse scientifique de la pollution n'a été effectuée et rien n'est dit à propos d'une éventuelle dépollution des côtes.

Du coup, la délégation du clergé de Vinh n'hésite pas à « *critiquer vivement le choix fait par les autorités de travailler avec Formosa, une aciérie qui utilise des technologies désuètes et qui a de fâcheux antécédents en matière de pollution* ».

Le gouvernement communiste de Hanoï s'est mis d'accord avec Formosa pour fixer une indemnisation totale de 500 millions de dollars (soit 450 millions d'euros). Mais cela s'est fait sans concertation avec les victimes et sans analyse préalable des préjudices subis. Plus d'un an après, « *la plupart des victimes n'ont pas encore été indemnisées* ».

#### Des fonctionnaires incompétents

« *À Ha Tinh, un secteur a déjà reçu une indemnisation, mais les fonctionnaires ont mal fait leur travail, a raconté Mgr Hop. Des personnes qui ne sont pas des victimes de la catastrophe ont perçu une indemnisation, tandis que des victimes n'ont pas été indemnisées.* »

La délégation de Vinh dénonce également le chiffre avancé par les autorités civiles de 200 000 victimes. « *Il y en a au moins trois fois plus, a déclaré Mgr Hop. Et si on ajoute toutes les victimes indirectes, ce sont deux millions de personnes qui sont concernées* », sachant qu'il y a environ six millions de personnes dans le diocèse de Vinh, dont 500 000 catholiques. « *Nous travaillons pour toutes les victimes, pas*

*seulement pour les catholiques, et beaucoup de victimes ne figurent pas dans la liste officielle des personnes à indemniser. »*

Refus d'aides venant de l'étranger

Enfin, le clergé de Vinh ne comprend pas pourquoi le gouvernement vietnamien n'accepte pas les propositions d'aide venant de l'étranger. « *À Genève, on m'a indiqué que l'ONU avait proposé de coopérer avec Hanoi pour déterminer quelle méthode scientifique permettrait de dépolluer la côte du Vietnam. Mais le gouvernement a refusé* », a poursuivi Mgr Hop, en dénonçant une « *attitude irresponsable est incompréhensible* ».

*« Nous ne demandons pas seulement une indemnisation juste, mais aussi la fermeture de l'usine Formosa à Ha Tinh, pour éviter la contamination de la mer, des rivières, des sols et sous-sols, conclut-il. Actuellement, l'usine fonctionne en rodage. Si elle se met à fonctionner à plein régime, que va-t-il se passer ? Comment pourra-t-on vivre dans ce secteur ? »*

Claire Lesegretain (avec Église d'Asie)

### **(Cf.33a) VIETNAM 2017 HUMAN RIGHTS REPORT**

#### **EXECUTIVE SUMMARY**

The Socialist Republic of Vietnam is an authoritarian state ruled by a single party, the Communist Party of Vietnam (CPV), and led by General Secretary Nguyen Phu Trong, Prime Minister Nguyen Xuan Phuc, President Tran Dai Quang, and Chairwoman of the National Assembly Nguyen Thi Kim Ngan. The most recent National Assembly elections, held in May 2016, were neither free nor fair, despite limited competition among CPV-vetted candidates. Civilian authorities maintained effective control over the security forces.

The most significant human rights issues included: arbitrary and unlawful deprivation of life; torture and cruel, inhuman, and degrading treatment; arbitrary arrest and detention of persons peacefully expressing dissent; systemic abuses in the legal system, including denial of access to an attorney, visits from family, and fair and expeditious trial; government interference with privacy, family, home, and correspondence; limits on freedom of speech, assembly, association, movement and religion, including censorship of the press, and restrictions on internet freedom; corruption; domestic violence; child abuse; and limits on workers' rights to form and join independent unions.

The government sometimes took corrective action, including prosecutions, against officials who violated the law, and police officers sometimes acted with impunity.

**Section 1.** Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings.

There were multiple reports indicating officials or other agents under the command of the Ministry of Public Security or provincial public security departments committed arbitrary or unlawful killings, including reports of at least 15 deaths of persons in custody. In most cases, authorities either provided little information regarding investigations into the deaths or stated the deaths were the result of suicide or medical problems. Authorities sometimes harassed and intimidated families who questioned the police determination of cause of death. In a small number of cases, the government held police officials responsible, typically several

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years after the death. Despite guidance from the Supreme People's Court to charge police officers responsible for causing deaths in custody with murder, such officers typically faced lesser charges.

On May 3, Nguyen Huu Tan, a follower of Hoa Hao Buddhism, died while in custody at Vinh Long provincial police station after his May 2 arrest on charges of committing "propaganda against the state." The provincial police announced that Tan committed suicide by cutting his throat and promised to conduct an investigation into the case. Following his death, Tan's family reported repeated harassment from the Vinh Long police, urging them to accept the official version of events. The government claimed it had evidence of suicide, which, it said, it shared with the community. At the end of the year, there was no information regarding investigation or accountability.

On July 18, Luu Ngoc Hai died while in custody at Dak Po district police station, Gia Lai Province, where he was being held pending investigation on drug charges. The initial local police forensic examination showed Hai died of "internal bleeding" without any influence of external forces, but photos circulated on the internet appeared to show Hai's body with his throat cut. At year's end, there was no information regarding investigation or accountability.

In some cases, the government held security officers responsible for arbitrary deprivation of life. On May 10, the Van Ninh District People's Court in Khanh Hoa Province sentenced police officer Le Minh Phat to eight years' imprisonment on charges related to the death of Tu Ngoc Thanh, a teenager Phat beat to death on the way to the police station in 2013.

## b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

## c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits physical abuse of detainees, but suspects commonly reported mistreatment and torture by police, plainclothes security officials, and compulsory drug-detention center personnel during arrest, interrogation, and detention. Police, prosecutors, and government oversight agencies seldom conducted investigations of specific reports of mistreatment. Some activists reported receiving death threats from security officials.

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On February 27, plainclothes security officials reportedly abducted, robbed, and beat with iron rods prodemocracy advocate and pastor Nguyen Trung Ton and his associate in Quang Binh province, resulting in Ton's hospitalization. The Ministry of Public Security subsequently arrested Ton in July for "carrying out activities aimed at overthrowing the people's administration" and continued to hold him in pretrial detention at year's end. On April 13, also in Quang Binh province, plainclothes security officials reportedly abducted two activists, Tran Hoang Phuc and Huynh Thanh Phat, robbing and beating them before releasing them in a remote area in central Vietnam. Police later arrested Phuc for "storing, making, (and) posting videos to the internet, which convey messages against the State" and continued to hold him in pretrial detention.

There were also numerous reports of police mistreatment and assaults against individuals who were not activists or involved in politics. On January 2, approximately 10 public security officers in Dinh My Ward, Thoai Son District, An Giang Province, searched Le Minh Hoang's home without a warrant for evidence of gambling and beat five persons, hospitalizing two. Afterwards, senior Ministry of Public Security officials called for an investigation and reassigned the officers.

### Prison and Detention Center Conditions

Prison conditions were austere and occasionally life threatening. Insufficient diet and unclean food, overcrowding, lack of access to potable water, and poor sanitation remained serious problems. According to Amnesty International and former prisoners of conscience, prison authorities singled out political prisoners and ethnic minority prisoners, particularly in the Central Highlands and other sensitive ethnic minority regions, for physical abuse, solitary confinement, denial of medical treatment, and punitive prison transfers.

Physical Conditions: Authorities generally held men and women separately, with some reported exceptions in local detention centers. Although authorities generally held juveniles in prison separately from adults, on rare occasions authorities reportedly held juveniles in detention with adults for short periods. In March the Ministry of Public Security released a five-year review of its execution of criminal judgements, covering 2011-16. The report acknowledged lack of quality infrastructure and overcrowded detention centers were ongoing challenges. The report stated the average floor space was 5.44 square feet per

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prisoner compared to the standard requirement of 6.6 square feet per prisoner. Prisoners had access to basic health care, although there were instances of officials preventing family members from providing medication and not reviewing predetention health records of prisoners. Family members of imprisoned activists who experienced health problems claimed medical treatment was inadequate and resulted in long-term health complications. Heating and ventilation were inadequate in many prisons.

During the year the family of imprisoned Hoa Hao Buddhist and land rights activist Tran Thi Thuy reported that prison officials at An Phuoc Prison in Binh Duong Province continued to deny her medical treatment for a tumor on her uterus and an open wound on her abdomen, despite repeated requests for treatment.

Authorities reportedly told Thuy that she would not receive treatment unless she “confessed” to the crimes for which she was convicted. Serious health conditions exacerbated by poor or delayed medical care, forced prison labor, poor sanitation, and malnutrition caused most deaths in prison.

Media reported the suicide death of one convicted prisoner during the year by hanging. The investigation remained ongoing. Imprisoned activist Luu Van Vinh reportedly told his wife that prison officials at the Chi Hoa detention facility in Ho Chi Minh City did not take action after an inmate threatened to beat him to death.

He remained in pretrial detention during the year. Prisoners generally were required to work but received no wages. Authorities placed prisoners in solitary confinement for standard periods of three months, although officials often subjected political prisoners to more extended periods of solitary confinement. Prison authorities reportedly also placed some transgender individuals in solitary confinement due to confusion over whether to place them in male or female quarters. Ministry of Public Security officials often prohibited reading and writing materials, especially for political prisoners; however, imprisoned democracy activist Tran Huynh Duy Thuc’s family reported authorities at No. 6 Detention Center in Nghe An province allowed family members to send a flashlight and batteries for Thuc to read in his cell.

Family members continued to make credible claims prisoners received extra food or other preferential treatment by paying bribes to prison officials. Prison authorities often

held political prisoners far from their homes, making visitation from family difficult. On August 18, the Ministry of Public Security

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informed family members of democracy activist Nguyen Bac Truyen that they had transferred him to the B14 detention center in Hanoi, nearly 1,000 miles from his home in Ho Chi Minh City. His wife shared that she received no communication from him from the time of his late July arrest despite repeated requests to prison authorities.

Activists reported Ministry of Public Security officials assaulted political prisoners to exact confessions or used other means to induce written confessions, including instructing fellow prisoners to assault them or making promises of better treatment.

Some former and existing political prisoners reported prisoners received insufficient food and that of poor quality. Several former prisoners reported they received only two small bowls of rice and vegetables daily, often mixed with foreign matter, such as insects or stones.

Administration: There was no active system of prison ombudsmen, but the law provides for oversight of the execution of criminal judgments by the National Assembly, people's councils, and the CPV's Vietnam Fatherland Front (VFF), an umbrella group that oversees the country's government-sponsored social organizations.

Authorities limited prisoners to one family visit of no longer than an hour per month and generally permitted family members to give various items, including money, supplemental food, and bedding to prisoners. Political prisoners and their family members reported that prison authorities at times revoked, denied, or delayed visitation rights and did not allow them provide items to family members.

On December 28, Ha Nam Province prison authorities allowed Vietnamese Women for Human Rights member activist Tran Thi Nga to visit with her husband and two small children after 11 months in detention and after repeated requests. Authorities reportedly separated Nga from her children through a glass window, and prison officials monitored the visit. Authorities arrested Nga on January 23 and courts sentenced her to nine years in prison on July 25 for "using the internet to spread propaganda videos and writings." Courts upheld her sentence on appeal on December 22.

Political prisoners sometimes staged hunger strikes. Religious leaders and former political prisoners reported that Ministry of Public Security officials did not permit prisoners to conduct religious services or receive visits by religious leaders.

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Family members and some former prisoners reported certain prison authorities did not permit prisoners to have religious texts while in detention.

Independent Monitoring: Local and regional International Committee of the Red Cross officials neither requested nor carried out prison visits during the year. The government did not allow foreign diplomats or NGOs to conduct credible monitoring of prison conditions.

#### d. Arbitrary Arrest or Detention

The constitution states that a decision by a court or prosecutor is required for the arrest of any individual, except in the case of a “flagrant offense.” The law allows the government to arrest and detain persons for significant periods of time under vague national security provisions of the penal code.

The government arrested some 30 individuals for peacefully expressing political or religious views, an increase from approximately 10 such arrests in 2016. The arrested included members of the prodemocracy group Brotherhood for Democracy, Viet Labor, bloggers, students, and those involved in expressing dissent or organizing demonstrations related to the 2016 industrial spill by the Taiwanese-owned Formosa Ha Tinh Steel company that led to a mass fish kill in central Vietnam. A large number of those arrested were for “attempting to overthrow the people’s administration” and/or, “conducting propaganda against the state,” the two articles of the penal code that carry the most severe punishments.

The former can carry up to life imprisonment or the death sentence.

On July 30, former political prisoner and democracy activist Pham Van Troi was arrested, reportedly based on his connections to the group Brotherhood for Democracy; he remained in pretrial detention. On May 15, authorities arrested labor rights activist Hoang Duc Binh for “abusing democratic freedoms” after posting online content about the government’s response to the Formosa spill that significantly affected workers. He remained in pretrial detention (see section 1.d.).

Authorities regularly subjected activists and suspected criminals to administrative detention or house arrest.

#### Role of the Police and Security Apparatus

The Ministry of Public Security is responsible for internal security and controls the national police, a special national security investigative agency, and other internal

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security units. Provincial and local-level police often maintained significant discretion

in their activities. The Bureau of Investigation of the Supreme People's Procuracy (national-level public prosecutor's office) examines allegations of abuse by security forces. Four of the 18 members of the Politburo were actual or former Ministry of Public Security officials.

The government appointed existing and former Ministry of Public Security officials to a range of senior positions, including President Tran Dai Quang, Standing Deputy Prime Minister Truong Hoa Binh, chairman of the Office of the Communist Party Central Committee Nguyen Van Nen, chief justice of the Supreme People's Court Nguyen Hoa Binh, and chairman of the Government Committee on Religious Affairs Vu Chien Thang. Former security officials also held key leadership positions in a number of provincial-level governments, including Hanoi People's Committee chairman Nguyen Duc Chung and Thai Nguyen Province party secretary Tran Quoc To.

People's committees (the executive branch of local governments) had substantial authority over police forces and prosecutors at the provincial, district, and local levels. Although the Supreme People's Procuracy had authority to investigate security force abuse, police organizations operated with significant discretion, little transparency, and limited public oversight. Police officers sometimes acted with impunity. At the commune level, guard forces composed of residents or members of government-affiliated social organizations commonly assisted police and sometimes committed human rights abuses. Police were generally effective at maintaining public order, but other police capabilities, especially investigative, were very limited.

The Ministry of Public Security is responsible for internal security. The Ministry of Public Security Department of Immigration Management is responsible for overseeing migration out of the country.

#### Arrest Procedures and Treatment of Detainees

The law includes provisions related to arrest procedures and the treatment of detainees prior to case adjudication. Police and other investigative agencies usually executed warrants for arrest, custody, and temporary detention. By law police usually need a decision by the People's Procuracy to arrest a suspect, although in some cases a court decision is required. In most cases, the People's Procuracy at the state, provincial, or district levels issued such arrest warrants.

Under urgent circumstances, such as when evidence existed that a person was

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United States Department of State • Bureau of Democracy, Human Rights and Labor preparing to commit a crime or when police caught a person in the act of committing a crime, police could make an arrest without a warrant. In such cases, the People's Procuracy must issue a decision to approve or not to approve the arrest within 12 hours of receiving notice from police.

Plainclothes security officials arrested multiple individuals without a warrant, reportedly due to such urgent circumstances, including author and activist Le Dinh Luong who was critical of the government's handling of the Formosa spill. He remained in pretrial detention (see section 1.d.).

The People's Procuracy must issue a decision to initiate a formal criminal investigation of a detainee within three days of arrest; otherwise, police must release the suspect. The law allows the People's Procuracy to request two additional three-day extensions allowing for an extension of the custody time limit to a maximum of nine days.

By law, authorities may detain individuals pending investigation for up to 24 months, in four-month increments, for "especially serious offenses," including national security cases. During this period of detention, authorities have the discretion to deny family visits, which they routinely did for those arrested under national security articles.

The law allows for bail as a measure to replace temporary detention, but authorities infrequently used it. The law authorizes investigators, prosecutors, or courts to allow for the depositing of money or valuable property in exchange for bail.

The law requires authorities to inform persons held in custody, accused of a crime, or charged with a crime of their rights under the law, including the right to an attorney. Under most circumstances, once advised, the accused are responsible for obtaining their own attorney.

The law affords detainees access to counsel from the time of their detention, but authorities continued to use bureaucratic delays to deny timely access to legal counsel. In many cases, authorities did not provide attorney's access to their clients or the evidence against them until immediately before the case went to trial and without adequate time to prepare their cases.

In cases investigated under national security laws, the government has authority to prohibit access by defense lawyers to clients until after officials complete an investigation and formally charge the suspect with a crime, which it routinely did.

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Court authorities did not allow Nguyen Van Duc Do to meet with an attorney until December, 13 months after being detained. Suspects were routinely denied judicial authorization and were not brought promptly before a judicial officer.

Before a formal indictment, detainees have the right to notify family members. Arbitrary Arrest: Arbitrary arrest and detention, particularly for political activists and individuals protesting land seizures or other injustices, remained a serious problem.

Police generally informed families of detainees' whereabouts, although the Ministry of Public Security held a number of detainees suspected of national security violations incommunicado, failing to inform their family of the detainees' whereabouts and provide an arrest warrant. There were numerous reports of plainclothes security officials making arrests, including of former political prisoner and Christian activist Nguyen Van Oai while he was returning from fishing near his home. On September 18, courts sentenced Oai to five years in prison and four years on probation for violating the terms of his probation and "resisting persons on duty."

Authorities subjected many religious and political activists to varying degrees of arbitrary detention in their residences, in vehicles, at local police stations, at "social protection centers," or at local government offices. Officials also frequently detained human rights activists upon their return from overseas trips.

On January 16, Ho Chi Minh City police and plainclothes security officials placed numerous activists under house arrest when a foreign minister visited the city.

On August 17, 10 plainclothes security officials abducted Nguyen Quang A near his Hanoi home and detained him for six hours at a local police station to question him about upcoming overseas travel. Authorities abducted and questioned Quang A in November following a meeting with foreign diplomats in Hanoi, marking the 14th time police questioned him over a period of 20 months without charging him with a crime. Pretrial Detention: The allowable time for temporary detention during an investigation varies depending on the level of offense. Investigations sometimes exceeded legal limits, which ranged from a maximum of four months for less serious offenses to 24 months for the most serious cases. Activists reported police and prosecutors used these lengthy periods of pretrial detention to punish or to

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United States Department of State • Bureau of Democracy, Human Rights and Labor pressure human rights defenders to confess to crimes. By law, authorities must provide justification for detention beyond the initial four months, but there were reports that court officials routinely delayed such justifications for activists.

Authorities held human rights activist and lawyer Nguyen Van Dai and human rights activist Le Thu Ha in pretrial detention for 24 months. Police arrested them in 2015 for "conducting propaganda against the state." On July 30, the government announced additional charges of "attempting to overthrow the state administration." On December 28, Dai's wife told international media that Dai sent her a letter saying that authorities had concluded the investigation against him on December 12. On December 28, Nguyen Van Dai's wife told international media the state had assigned a lawyer to represent Dai who was not of the family's choosing and that the three lawyers selected by the family had not been permitted to meet with Dai during his 24 months of pretrial detention.

The Ho Chi Minh City People's Procuracy reported that prolonged pretrial detention is rampant in Ho Chi Minh City and that, as of May 31, a total of 452 persons had been in custody for over 12 months without trial. Also, as of May 31, local police had detained seven persons past the maximum period allowed by law for cases under investigation. The Ho Chi Minh City's People's Procuracy stated the delays were due to disagreements between the police investigation agency, the People's Court, and the People's Procuracy on whether to charge detainees under criminal or civil codes.

On June 18, media reported that authorities released Do Thi Luan following an investigation by the Ho Chi Minh City People's Council over her detention. Authorities detained her for 72 months on suspicion of "swindling," and the courts could not agree on charges.

**Detainee's Ability to Challenge Lawfulness of Detention before a Court:** Persons arrested or detained often were not entitled to challenge in court the legal basis or arbitrary nature of their detention and obtain prompt release or compensation if detention is found to be unlawful.

**Amnesty:** The government shortened the sentences of prisoners in some instances under amnesty provisions. On January 8, authorities released Nguyen Ngoc Cuong 10 months before the end of his seven-year sentence. On July 27, the government suspended the sentence of Pastor Nguyen Cong Chinh approximately six years before the end of his 11-year sentence to permit his relocation abroad.

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#### e. Denial of Fair Public Trial

The law provides for an independent judiciary and lay assessors, but the judiciary was vulnerable to influence by outside elements, such as senior government officials and CPV leadership. During the year there were credible reports that political influence, endemic corruption, and inefficiency strongly distorted the judicial system. Most, if not all, judges were members of the CPV and underwent screening by the CPV and local officials during their selection process to determine their suitability for the bench. The party's influence was particularly notable in high-profile cases and other instances in which authorities charged a person with challenging or harming the party or state. Defense lawyers routinely complained that in many of their cases, it appeared judges made a determination of guilt concerning the accused prior to conducting the trial.

There continued to be credible reports that authorities pressured defense lawyers not to take religious or democracy activists as clients and questioned their motivations for so doing. Authorities also restricted, harassed, arrested, disbarred, and, in some cases, detained human rights attorneys who represented political activists.

On November 26, the Phu Yen Bar Federation disbarred Vo An Don four days before he was to represent political activist and blogger Nguyen Ngoc Nhu Quynh at her appeal trial.

In many such cases, authorities did not provide attorneys' access to their clients until immediately before the case went to trial and without adequate time to prepare cases. By law, authorities must request the local bar association, legal aid center, or the VFF to appoint an attorney for criminal cases involving juveniles, individuals with mental or physical disabilities, and persons formally charged with capital crimes.

## **Trial Procedures**

While the constitution provides for the right to a fair and public trial, this right was not uniformly enforced. The law states that defendants are innocent until proven guilty. Defendants have the right to prompt, detailed information of the charges levied against them, but defendants did not always experience such treatment.

Defendants have the right to a timely trial, and public trials generally were open to the public, but in sensitive cases, judges closed trials or strictly limited attendance. Authorities generally upheld the rights of defendants to be present at their trial and

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United States Department of State • Bureau of Democracy, Human Rights and Labor to have a lawyer of their choosing. Defendants have the right to communicate with a lawyer at trial for a criminal charge that could result in a 15-year sentence or more, although it was not necessarily the lawyer of their choice.

Defense lawyers routinely reported having little time before trials to talk to their clients. Although the defense has the right to cross-examine witnesses, there were multiple instances in which neither defendants nor their lawyers had knowledge of which witnesses would be called or the opportunity to cross-examine witnesses or challenge statements. A defendant has a right to present a defense, but the law does not expressly state that the defendant has the right to call witnesses. Judges presiding over politically sensitive trials often did not permit defense lawyers and defendants to exercise their rights under the law.

The law stipulates that the spoken and written language of criminal proceedings is Vietnamese, but the state provides interpretation if participants in a criminal procedure use another spoken or written language. The law did not specify whether such services are free of charge. By law, the government provides a lawyer to defendants unable to afford one only in cases involving a juvenile offender, someone with mental or physical disabilities, or when the possible sentence is life imprisonment or capital punishment.

The court uses an inquisitorial system, where the judge plays the primary role of asking questions and ascertaining facts in a trial. Prosecution and defense attorneys and people's assessors play a limited role. In cases involving individuals charged under national security articles, judges occasionally silenced defense lawyers who were

making arguments on behalf of their clients in court. Convicted persons have the right to at least one appeal.

#### Political Prisoners and Detainees

According to Human Rights Watch, more than 100 persons were in prison in the country for political or religious reasons.

The court convicted International Woman of Courage awardee and human rights blogger Nguyen Ngoc Nhu Quynh (known as Mother Mushroom) to 10 years in prison after she gained a large social media following on her blog covering human rights, land issues, and environmental concerns.

The government asserted there were no political prisoners in the country.

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Civil Judicial Procedures and Remedies.

The constitution provides that any person illegally arrested and detained, charged with a criminal offense, investigated, prosecuted, brought to trial, or subjected to judgment enforcement illegally has the right to compensation for material and mental damages and restoration of honor. The law provides a mechanism for pursuing a civil action to redress or remedy abuses committed by authorities.

Administrative and civil courts heard civil suits, with legal procedures being similar to criminal cases and using members of the same body of judges and people's assessors to adjudicate the cases. Administrative and civil courts continued to be vulnerable to corruption and outside influence, lack of independence, and inexperience. Very few victims of government abuse sought or successfully received redress or compensation through the court system.

Although the law provides for a process for civil redress in cases of human rights violations by a civil servant, there was little effective recourse to civil or criminal judicial procedures to remedy human rights abuses, and few legal experts had relevant experience.

The government continued to prohibit class-action lawsuits against government ministries, thus rendering ineffective joint complaints from land rights petitioners.

#### Property Restitution

Widespread complaints persisted of inadequate or delayed compensation, official corruption, and a general lack of transparency and due process in the government's process of confiscating land and displacing citizens to make way for infrastructure projects. The law gives considerable decision-making authority over land pricing,

allocation, and land reclamation for local people's committees and people's councils, which many asserted contributed to unfair business practices and corruption. Furthermore, the law allows for land seizures for socioeconomic development as well as national defense and public welfare.

During the year there were numerous reports of clashes between local residents and authorities at land expropriation sites. Disputes over land expropriation for socioeconomic development projects remained a significant problem, causing public grievances. Many villagers whose land the government forcibly seized protested at government offices for failure to address their complaints. Some coercive land seizures resulted in violence and injuries to both state officials and villagers. There were also reports of suspected plainclothes individuals or "thugs"

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United States Department of State • Bureau of Democracy, Human Rights and Labor hired by development companies intimidating and threatening villagers or breaking into activists' homes. Authorities arrested and convicted multiple land rights protesters on charges of "resisting persons on duty" or "causing public disorder."

From April 15 to 22, villagers in the Dong Tam commune, located on the outskirts of Hanoi, detained 38 police officers during a land dispute. The standoff ended after Hanoi mayor Nguyen Duc Chung signed a pledge not to file criminal charges and stated he would investigate the management and the land use in Dong Tam and the allegations that police injured the village leader in the altercation. Discussions between the villagers and police remained ongoing at year's end.

A public security officer of Thua Thien Hue Province was reportedly among 100 plainclothes individuals who damaged and destroyed monastery property during a land dispute at Thien An Monastery on June 29. On July 12, the Thua Thien Hue Provincial People's Committee, clerics from the monastery, and Hue Diocese officials began negotiations regarding the land dispute, which both sides reported as ongoing at year's end. The meeting, coming nearly 30 years after the monastery filed a lawsuit in 1988 over the confiscation of 121 acres of its forestland, marked the first official meeting between the monastery and the local government.

#### f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions but the government did not consistently protect these rights and at times violated them.

By law, security forces need public prosecutorial orders for forced entry into homes, but Ministry of Public Security agents and local police officers regularly entered homes, particularly of activists, without judicial authority. They often intimidated residents with the threat of repercussions for failure to allow entry.

According to social media, on May 2, approximately 10 plainclothes security officials broke into a private residence at Tran Nao Street, District 2, Ho Chi Minh City, where activist Le My Hanh was staying with two female friends, and physically assaulted the three women.

Authorities opened and censored targeted private mail; confiscated packages and letters; and monitored telephone conversations, email, text messages, blogs, and fax transmissions. The government cut telephone lines and interrupted cell phone and internet services of a number of political activists and their family members.

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The Ministry of Public Security maintained a system of household registration and block wardens to monitor unlawful activity. While this system was less intrusive than in the past, the ministry closely monitored individuals engaged, or suspected of engaging, in unauthorized political activities. Family members of activists widely reported incidents of physical harassment, intimidation, and questioning by ministry officials. Such harassment included denying education, jobs, or business opportunities to family members of former or existing political prisoners or activists.

On September 30, authorities issued an arrest warrant against human rights defender Tran Minh Nhat for breaching the terms of his four-year probation.

The constitution stipulates that society, families, and all citizens implement “the population and family planning program.” The law states that couples or individuals have the right to give birth to one or two children, with exceptions based on government decree. There is no legal provision punishing citizens who have more children than the stipulated number.

The CPV and certain ministries and localities issued their own regulations, applying only to CPV members and government officials, regarding family size. A decree issued by the Politburo subjects CPV members to reprimand if they have three children, removes them from a ranking position if they have four children, and expels them from the CPV if they have five children. Violating the decree also decreases the likelihood of promotion and may lead to job termination. The CPV did not enforce these provisions consistently. CPV membership remained a prerequisite to career advancement for nearly all government and government-linked organizations and businesses. Nevertheless, economic diversification continued to make membership in the CPV and CPV-controlled mass organizations less essential for financial and social advancement. Family members of activists alleged numerous and sometimes severe instances of harassment by Ministry of Public Security officials and agents, ranging from making threatening telephone calls and insulting activists in local media and online to attacks on activists’ homes with rocks, shrimp paste, and other substances. There were reports of significant abuses, such as physical assault during interrogation, including ones that caused injury and trauma requiring

hospitalization.

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In July police in Ho Chi Minh City reportedly interrogated and beat the son of detained activist Le Dinh Luong while he was holding his young child.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press; however, in practice the government did not respect these right and several laws specifically encroach on freedom of expression. The government continued to use broad national security and antidefamation provisions to restrict these freedoms. The law defines the crimes of “sabotaging the infrastructure of socialism,” “sowing divisions between religious and nonreligious people,” and “propagandizing against the state” as serious offenses against national security. It also expressly forbids “taking advantage of democratic freedoms and rights to violate the interests of the state and social organizations.”

**Freedom of Expression:** The government continued to restrict speech that criticized individual government leaders, criticized the party, promoted political pluralism or multiparty democracy, or questioned policies on sensitive matters, such as human rights, religious freedom, or sovereignty disputes with China. The government also sought to impede criticism by monitoring meetings and communications of journalists and activists, including in academic institutions.

On March 17, police arrested blogger Bui Hieu Vo for “conducting propaganda against the state” by criticizing the government on his Facebook page. He remained in pretrial detention at year’s end.

**Press and Media Freedom:** The CPV, government, and party-controlled mass organizations exercised legal authority over all print, broadcast, online, and electronic media, primarily through the Ministry of Information and Communications under the overall guidance of the CPV Propaganda and Education Commission. Private ownership or operation of any media outlet remained prohibited. Media independent of government authority operated on a limited basis online, primarily via blogs and social media, but independent journalists faced government harassment.

On January 1, a new media law came into effect that maintains prohibitions from the 1999 media law on “providing information that is untruthful, distorted,

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slanderous, or harmful to the reputation of an organization or agency, or the honor  
and dignity of an individual.”

The law allows for the government to punish publishers if they publish “untruthful  
information” in the fields of statistics; atomic energy; management of prices, charges,  
fees, and invoices; education; civil aviation; vocational training; hydrometeorology;  
cartography; and health.

The law limits satellite television access to senior officials, foreigners, luxury hotels,  
and the press, but persons throughout the country continued to be able to access  
foreign programming via home satellite equipment or cable.

The government permitted foreign-based media outlets although the law requires  
foreign television broadcasts to run on a 30- to 60-minute delay to enable content  
monitoring. In practice such channels ran on a 10-minute delay. Viewers reported  
obstruction of various commentaries, documentaries, and movies on human rights  
incidents in the country, the Vietnam War, the Cold War, the Soviet era, or events in  
China.

Major foreign media outlets reported the government refused to issue visas for  
reporters who previously covered sensitive political topics, particularly reporters for the  
overseas Vietnamese-language press. Foreign reporters also reported authorities  
turned them away at airports, even if they had valid entry visas.

Government regulations authorize the information ministry to revoke licenses of foreign  
publishers, and each foreign publisher must reapply annually to maintain its license.

Violence and Harassment: There continued to be a significant number of reports of  
security officials attacking, threatening, or arresting journalists and independent  
bloggers because of their coverage of sensitive stories.

On November 27, a court sentenced Nguyen Van Hoa, a citizen journalist who reported  
for Radio Free Asia’s Vietnamese service, to seven years imprisonment for “conducting  
antistate propaganda” after he was held incommunicado for more than a week  
following his January 11 arrest. Hoa covered protests against Formosa (see section  
1.d.).

Foreign journalists noted they continued to be required to notify authorities about  
travel outside Hanoi when it was to an area considered sensitive, such as the

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Northwest or Central Highlands, or involved a story the government otherwise might  
consider sensitive.

**Censorship or Content Restrictions:** The Ministry of Information and Communications and the CPV Propaganda and Education Commission frequently intervened directly to dictate or censor a story.

On October 17, *Nha Bao & Cong Luan*, an online newspaper, reportedly removed an article implicating the vice minister of Ministry of Industry and Trade a few hours after it appeared online. Social media reported the author of the article resigned following the incident.

Propaganda officials forced editors of major press outlets to meet regularly to discuss what topics were off-limits for reporting. More often, pervasive self-censorship, including among independent journalists and bloggers, due to the threat of dismissal and possible arrest enabled the party and government to control media content. The government continued its practice of penalizing journalists for failing to self-censor, to include revoking journalists' press credentials.

On August 1, the government-affiliated Vietnam Journalists Association announced the launch of software to monitor local news outlets' posting, editing, and removal of articles. The Ministry of Information and Communications also approved a software project to identify, block, collect, and process "misleading" information on the internet.

State and international media reported the government banned journalist Duong Hang Nga from going abroad for three months following articles she published criticizing a construction project in Danang.

**National Security:** The law tightly restricts press freedom and stipulates fines of 20 million to 30 million Vietnamese dong (VND) (\$880 to \$1,330) for journalists, newspapers, and online media that publish or broadcast information deemed harmful to national interests and up to 50 million dong (\$2,200) for information considered distorting history and the revolution's achievements--if these violations are not serious enough for criminal proceedings.

The law authorizes the government to fine journalists and newspapers, with fines ranging from five million to 10 million VND (\$220 to \$440) for journalists who fail to cite their sources of information and for journalists and newspapers that "use

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United States Department of State • Bureau of Democracy, Human Rights and Labor documents and materials from organizations and personal letters and materials from individuals."

Citing laws protecting national security, police arrested and charged journalists to restrict criticism of government policies or officials.

The government arrested more than 16 individuals under national security antipropaganda charges. Independent journalist and reported member of the Brotherhood for Democracy, Truong Minh Duc, was arrested during the year for “attempting to overthrow the people’s administration.”

## Internet Freedom

The government restricted and disrupted access to the internet, censored online content, and monitored private online communications without appropriate legal authority. It allowed access to the internet through a limited number of internet service providers (ISPs), all of which were fully or substantially state-controlled companies. The government monitored Facebook posts and punished activists who used the internet to organize protests or publish content critical of the government. The government sometimes blocked websites it deemed politically or culturally inappropriate, including sites operated by overseas Vietnamese political groups in addition to the websites of Radio Free Asia, Voice of America, and the BBC Vietnamese news service. State-owned ISPs routinely blocked domestic Vietnamese-language websites that contained content criticizing the CPV or promoting political reform.

The law requires all companies and organizations operating websites providing content on “politics, economics, culture, and society” or social networks, including blogging platforms, to register with the government. Under the decree, such companies and organizations must locate at least one server in the country to facilitate requests for information from the government and store posted information for 90 days and certain metadata for up to two years.

The government forbids direct access to the internet through foreign ISPs, requires domestic ISPs to store information transmitted on the internet for at least 15 days, and requires ISPs to provide technical assistance and workspace to public security agents to allow them to monitor internet activities. The Ministry of Public Security has long required “internet agents,” including cyber cafes, to register the personal information of their customers, to store records of internet sites visited by customers, and to participate in government investigations of online activity.

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Internet cafes continued to install and use government-approved software to monitor customers’ online activities. The Ministry of Public Security enforced these and other requirements and monitored selectively.

The Ministry of Information and Communications required all internet companies, social networking sites, and websites that provided information or commentary about “politics, economics, culture, and society” based in the country to register and obtain an operating license. The ministry also required such owners to submit detailed plans of their content and scope for approval.

In March the Ministry of Information and Communication instructed both local and foreign companies to stop advertising on YouTube until it deletes clips that they believe “defame,” “oppose,” and “tell lies” about the state. In addition, the government routinely asked both Facebook and Google to help it eliminate fake accounts and other “toxic” content, such as antigovernment material. In March the government stated it had identified up to 8,000 YouTube videos that should be taken down. On December 22, the ministry claimed that Facebook had removed 159 accounts and that Google had removed 4,500 videos that the government found “defamed” the state or political leaders.

On December 26, Ministry of National Defense senior lieutenant general Nguyen Trong Nghia announced the establishment of “Force 47” to combat misinformation and antistate propaganda online.

Authorities continued to suppress online political expression through politically motivated arrests and convictions of bloggers as well as through short-term detentions, surveillance, intimidation, and illegal confiscations of computers and cell phones of activists and family members. The government continued to use national security and other vague provisions of the penal code against activists who peacefully expressed their political views online. Political dissidents and bloggers reported that the Ministry of Public Security routinely ordered disconnection of their home internet service.

Authorities arrested and convicted Thai Nguyen University student Phan Kim Khanh for “conducting antistate propaganda” for blog posts deemed critical of the government. Courts sentenced Khanh to six years in prison and four years’ probation.

Social network and blog users are required to provide their full name, national identification number, and address before creating an account. In-country website

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United States Department of State • Bureau of Democracy, Human Rights and Labor and social network operators must allow authorities to inspect local servers upon request and must have a mechanism to remove prohibited content within three hours of detection or notification by authorities.

The government provided implementing guidance that expanded the government’s authorities under the telecommunications laws, including limiting content that could be harmful to national security or that opposes the government; empowering authorities to compel the removal of toxic information from foreign entities’ websites that have Vietnamese users or businesses that base their servers in Vietnam; and giving the government the authority to block such content should providers fail to promptly comply with takedown requests.

Despite these controls, internet access and usage continued to grow. According to Internet Live Stats, 52 percent of the population had access to the internet in 2016.

## Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Foreign academic professionals temporarily working at universities in the country could discuss nonpolitical topics widely and freely in classes, but government observers regularly attended classes taught by both foreigners and nationals. The government continued to require international and domestic organizations to obtain advance approval to host conferences involving international sponsorship or participation.

The government continued to prohibit any public criticism of CPV and state policy, including by independent scientific and technical organizations, even when the criticism was for a purely academic audience.

The government-controlled art exhibits, music, and other cultural activities.

Local authorities denied a permit to organizers of a women's march in Hanoi in April. Authorities continued to restrict public art displays and musical performances through requirement of substantial permission procedures, although Ho Chi Minh City authorities permitted the country's first-ever nude art exhibition in 2017. The government allowed universities more autonomy over international exchanges and cooperation programs, but visa requirements for visiting scholars and students remained onerous.

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Many activists reported Ministry of Public Security officials threatened university leaders if they did not expel activists from their respective universities and pressured them and their family members not to attend certain workshops, although their political activities were peaceful. Multiple activists also reported academic institutions refused to allow them to graduate due to their human rights advocacy.

On July 22, Hanoi officials ultimately permitted a concert by the group Mai Khoi and the Dissidents to continue in Tay Ho District, Hanoi, with heavy security presence and after several hours of negotiations. Mai Khoi subsequently shared on social media that security forces pressured her landlord to evict her following the concert.

### b. Freedoms of Peaceful Assembly and Association

#### Freedom of Peaceful Assembly

The government restricted freedom of peaceful assembly. Law and regulations require persons wishing to gather in a group to apply for a permit, which local authorities issued or denied without explanation. Only those arranging publicized gatherings to discuss sensitive matters appeared to require permits, and persons routinely gathered in informal groups without government interference. The government generally did not permit demonstrations perceived to be political. The government also restricted the

right of certain religious groups, both registered and unregistered, to gather for worship. The law permits security forces to detain individuals gathering or protesting outside of courthouses during trials.

The Ministry of Public Security and local police routinely prevented activists from peacefully assembling. There were numerous reports of police dispersing gatherings of environmental activists, anti-China activists, land rights advocates, human rights defenders, bloggers and independent journalists, and former political prisoners.

Throughout the year, authorities reportedly disrupted demonstrations, sometimes assaulting protestors, in central Vietnam related to the Formosa spill (see section 1.d.).

In February, Nghe An police prevented hundreds of individuals from travelling to Ha Tinh province to file petitions on behalf of victims of the spill. On March 21, several demonstrators were reportedly beaten in Ky Anh District, Ha Tinh province, following demonstrations related to the spill (see section 1.d.).

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On March 16, a group of mothers attempted to gather in front of Luong The Vinh elementary school in Ho Chi Minh City to raise voices against alleged child abuse at the school, but police prevented the protest, according to media reports.

#### Freedom of Association

The constitution affords individuals the right of association, but the government continued to restrict severely freedom of association. The government prohibited the establishment of private, independent organizations, insisting that persons work within established, party-controlled mass organizations, usually under the aegis of the VFF. Some entities, including unregistered religious groups, operated outside of this framework with little or no government interference, and authorities demonstrated some increased tolerance of independent NGOs. Some registered organizations, including governance and environment-focused NGOs, reported increased scrutiny of their activities due to leadership transitions and ongoing protests related to the Formosa spill (see section 1.d.).

Multiple members of the prodemocracy group Brotherhood for Democracy were arrested during the year, and other members reported being under surveillance and restriction of movement. The country's legal and regulatory framework codifies the primacy of the CPV and establishes mechanisms for restricting freedom of NGOs to act and organize, including by restricting freedoms of association, assembly, expression, and the press. The government used complex and politicized registration systems for NGOs and religious organizations to suppress unwelcome political and religious participation.

Laws and regulations governing NGOs restrict their ability to engage in policy advocacy or conduct research outside of state-sanctioned topics and prohibits organizations focused on social science and technology from operating in fields such as economic policy, public policy, political issues, and a range of other areas considered sensitive. Authorities also do not permit them to engage in the public distribution of policy advocacy positions.

#### c. Freedom of Religion

See the Department of State's International Religious Freedom Report at

[www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### d. Freedom of Movement

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The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government imposed some limits on the movement of certain individuals, especially those convicted under national security or related charges or those outspoken in their criticism of the government. The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs), refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Some members of ethnic minority groups who fled the Central Highlands for Cambodia or Thailand, some reportedly due to abuse, asserted that authorities threatened them to return. Authorities then abused, detained, or questioned them upon their return. Family members also reported police closely monitored both those who had fled to Cambodia and Thailand and their relatives.

Abuse of Migrants, Refugees, and Stateless Persons: The Ministry of Public

Security questioned individuals who had migrated or attempted to migrate to other countries, including asylum seekers, upon their return to Vietnam.

In-country Movement: Several political dissidents, amnestied with probation or under house arrest, along with others not facing such legal restrictions, were officially restricted in their movements, including Nguyen Tien Trung, Bui Thi Minh Hang, and Dinh Nhat Uy. Authorities continued to monitor and selectively restrict the movement of many prominent activists including Nguyen Dan Que, Le Cong Dinh, Pham Chi Dung, Pham Ba Hai, Nguyen Hong Quang, Thich Khong Tanh, Le Cong Cau, and Duong Thi Tan, among many others. Several activists reported authorities had confiscated their national identification cards, preventing them from traveling domestically by air or

conducting routine administrative matters. Activists and religious leaders reported less freedom of in-country movement compared with previous years.

Some activists reported authorities prevented them and their family members from leaving their homes during politically sensitive events, (see also section 1.d.).

A government restriction regarding travel to certain areas required citizens and resident foreigners to obtain a permit to visit border areas, defense facilities, industrial zones involved in national defense, areas of "national strategic storage," and "works of extreme importance for political, economic, cultural, and social purposes."

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Local police required citizens to register when staying overnight in any location outside of their own homes; the government appeared to enforce these requirements more strictly in some Central and Northern Highlands districts.

Foreign passport holders must also register to stay in private homes, although there were no known cases of local authorities refusing to allow foreign visitors to stay with friends and family. There were multiple reports of police using the excuse of "checking on residency registration" to intimidate and harass activists and prevent them from traveling outside of their place of registration (see sections 1.d. and 1.f.).

In general, authorities did not strictly enforce residency laws, and migration from rural areas to cities continued unabated. Moving without permission, however, hampered persons from seeking legal residence permits, public education, and health-care benefits.

Foreign Travel: Prospective emigrants occasionally encountered difficulties obtaining a passport or exit permission, and authorities regularly confiscated passports, at times indefinitely. There were multiple reports of individuals who fled abroad via the land borders with Laos or Cambodia because they were unable to obtain passports or exit permission.

The Ministry of Public Security continued to use foreign travel prohibitions against certain activists and religious leaders, including Vu Quoc Ngu and Pham Doan Trang. Authorities banned and prevented dozens of individuals from traveling overseas or entering the country, withheld their passports on vague charges, or refused to issue passports to certain activists or religious leaders without clear explanation.

The government continued to prohibit several former political prisoners from traveling overseas, including Le Quoc Quan, Le Cong Dinh, and Nguyen Hong Quang. Authorities also refused to issue passports to the family members of certain activists. The wife of former political prisoner Le Quoc Quan received a passport in early December, but immigration authorities continued to prohibit his two brothers from traveling overseas.

Exile: On June 10, the government revoked the citizenship of Pham Minh Hoang, a former political prisoner, and forcibly exiled him to France, where he also held citizenship.

Protection of Refugees

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Access to Asylum: The law does not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees.

Stateless Persons

Authorities reported that by 2013 they had naturalized nearly all of the 10,000 stateless individuals previously resident in Cambodia. The government also worked to restore citizenship for over 1,000 stateless women who had lost Vietnamese nationality after moving abroad to marry foreigners but had subsequently returned to Vietnam upon losing their foreign citizenship (in many cases due to divorce). Approximately 100 applications of these women awaited approval by the government. The government with the support of UNHCR continued to improve identification of stateless persons.

### Section 3. Freedom to Participate in the Political Process

The constitution provides the ability directly to elect representatives to the National Assembly, people's councils, and other state agencies. Under the law, National Assembly elections take place once every five years by secret ballot. Although the constitution provides that one may vote at age 18 and run for election to the National Assembly or People's Council at age 21, the ability of citizens to change their government democratically was severely limited. The CPV screened all candidates through a process overseen by the VFF.

Elections and Political Participation

Recent Elections: The most recent elections to select members of the National Assembly, in May 2016, allowed limited competition among CPV-vetted candidates but were neither free nor fair. The CPV's VFF chose and vetted all candidates through an opaque, multistage process. CPV candidates won 475 of the 496 seats. The remaining 21 were non-CPV candidates unaffiliated with any party.

There were no candidates from a party other than the CPV. The national election committee later disqualified two candidates, one for having dual nationality and another due to a corruption investigation, leaving 494 total National Assembly members at the end of the year.

According to the government, 99 percent of eligible voters cast ballots in the May 2016 election, a figure activists and international observers considered improbably

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high. Voters may cast ballots by proxy, and officials charged local authorities with assuring that all eligible voters cast ballots by organizing group voting and verifying that all voters within their jurisdiction had voted. There were numerous reports throughout the country that election officials had stuffed ballot boxes and artificially ensured high turnout.

The law allows citizens to “self-nominate” as National Assembly candidates and submit applications for the VFF election vetting process. In the months leading up to the May National Assembly elections, an informal coalition of legal reformers, academics, activists, and human rights defenders attempted to register as self-nominated, non-CPV “activist independent” candidates. In contrast to the party’s candidates, these candidates actively used Facebook and social media to advertise their policy platforms. VFF officials refused, however, to allow any activist independent candidates to make the final ballots, and authorities instructed official media to criticize certain activist independent candidates. According to press reports, the VFF allowed two self-nominated candidates on final ballots, but both individuals were party members. The National Assembly, although largely composed of CPV members, continued to take incremental steps to assert itself as a legislative body and sponsored multiple open forums to debate laws related to human rights and religious freedom.

Authorities did not permit NGOs to monitor the election process.

Political Parties and Political Participation: Political opposition movements and other political parties are illegal. The constitution asserts the CPV’s role as “vanguard of the working class and of the Vietnamese nation” and the “leading force in the state and society,” a broad role not given to any other constitutional entity, and states that “all Party organizations and members of the CPV operate within the framework of the constitution and the laws.” The CPV Politburo functioned as the supreme decision-making body, although technically it reported to the CPV Central Committee.

Participation of Women and Minorities: No laws limit participation of woman and/or members of minorities in the political process, and they did participate. The law requires 35 percent of final candidates for the National Assembly and provincial people’s councils to be women and 18 percent of final candidates for the National Assembly to be from minority groups.

Section 4. Corruption and Lack of Transparency in Government

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Although the law provides criminal penalties for corruption by officials, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. The number of arrests and prosecutions of high-ranking officials for corruption increased during the year, including the December 8 arrest of Politburo member and Ho Chi Minh City party secretary Dinh La Thang related to his former position as chairman of the Board of Directors of Petro-Vietnam.

Corruption: The lack of public consultation on land use plans and government land compensation frameworks was the primary driver of land corruption and land conflicts in different provinces in recent years and the main source of the rise in land complaints over the past decade of rapid urbanization.

During the year the government implemented new anticorruption measures. In May Communist Party general secretary Nguyen Phu Trong, who served concurrently as the head of the Central Steering Committee for Anticorruption, signed Plan 64-KH/BCDTW and Decision 65-QD/BCDTW. These documents set up eight inspection teams to inspect and supervise the investigation, prosecution, and trial of serious corruption and economic cases related to the standing boards of 20 provincial party committees.

In September the deputy inspector general of government inspectorate, Dang Cong Huan, held a plenary session of the National Assembly's Judiciary Committee to discuss corruption prevention work. The plenary session revealed that corruption cases during the year had resulted in over 1.35 trillion VND (\$59.5 million) in damages, of which only 158.8 billion VND (seven million dollars), four houses, and one apartment had been retrieved. The General Department of Civil Judgment Enforcement processed 128 new cases of corruption involving over 5.1 trillion VND, (\$225 million), of which 86 cases had been resolved, accounting for over one trillion VND (\$44 million).

From October 2016 to July 31, the investigating bodies in the public security sector investigated 282 cases and convicted 628 defendants for corruption (195 new cases, 393 defendants). They concluded the investigation of 122 cases with 355 persons accused and were investigating 145 cases with 251 defendants.

Meanwhile, the People's Procuracy at all levels prosecuted 241 cases with 595 individuals accused of corruption crimes. Provisional authorities ousted several deputy ministers and ministers for graft, abuse of power, or mismanagement causing serious consequences.

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In September a court sentenced former PetroVietnam chairman and former general director of OceanBank, Nguyen Xuan Son, to death for embezzlement, abuse of power, and economic mismanagement and sentenced Ha Van Tham, the former Ocean Bank chairman, to life in prison.

Corruption among police remained a significant problem at all levels, and police sometimes acted with impunity. Internal police oversight structures existed but were subject to political influence.

**Financial Disclosure:** The anticorruption law requires senior government officials and National Assembly members to disclose their income and assets and explain changes from the previous year's disclosure. In addition, supervisors have the right to question an employee's disclosure. The law provides for possible reprimand, warning, suspension, or removal for noncompliant civil servants as it relates to corruption as a first step before further investigation.

In September the government reported more than 1.1 million government workers disclosed their finances, but only identified three persons with incorrect disclosures. Media questioned the government's capacity to verify tax returns for its workers and highlighted examples of civil servants driving fancy cars or sending children to study overseas on small official salaries.

#### Section 5. Governmental Attitude Regarding International and Non-governmental Investigation of Alleged Abuses of Human Rights

The government did not permit independent, local human rights organizations to form or operate, nor did it tolerate attempts by organizations or individuals to criticize its human rights practices publicly. The government used a wide variety of methods to suppress domestic criticism of its human rights policies, including surveillance, detention, prosecution, and imprisonment, interference with personal communications, and limits on the exercise of the freedoms of speech, press, and assembly. The government occasionally allowed representatives of international human rights organizations to visit the country but usually strictly controlled their itineraries.

**The United Nations or Other International Bodies:** In November the government permitted a visit by the UN special rapporteur on the right to food.

#### Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

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**Women Rape and Domestic Violence:** The law prohibits using or threatening violence against women or taking advantage of a person who cannot act in self-defense. It also criminalizes rape, including spousal rape, for men and women. The law subjects rapists to two to seven years' imprisonment, or up to 15 years in severe cases, including organized rape, a repeat offense, or extreme harm to a victim.

Authorities prosecuted rape cases but did not release arrest, prosecution, conviction, or punishment statistics.

Authorities treated domestic violence cases as civil cases unless the victim suffered injuries involving more than 11 percent of the body. The law specifies acts constituting domestic violence and stipulates punishments for perpetrators ranging from warnings and probation to imprisonment for three months to three years.

Domestic violence against women was common. One November 2015 NGO survey reported 59 percent of married women had suffered physical or sexual abuse at least once in their lives, typically from a male partner or member of the family. Another study revealed 83 percent of women and girls in Hanoi and 91 percent of those in Ho Chi Minh City had experienced at least one form of sexual harassment during their lives.

Officials acknowledged domestic violence as a significant social concern, and the media discussed it openly. Social stigma prevented many survivors from coming forward due to fear of harassment from their spouses or family. While police and legal systems generally remained unequipped to deal with cases of domestic violence, the government, with the help of international and domestic NGOs, continued to train police, lawyers, community advocates, and legal system officials in the law and continued to support workshops and seminars that aimed to educate women and men about domestic violence and women's rights and highlight the problem through public awareness campaigns.

**Sexual Harassment:** The law prohibits sexual harassment in the workplace.

Publications and training on ethical regulations for government and other public servants did not mention the problem of sexual harassment. In serious cases, victims may sue offenders under a provision that deals with "humiliating other persons" and specifies punishments that include a warning, noncustodial reform for up to two years, or a prison term ranging from three months to two years.

Nevertheless, there were no known prosecutions or sexual harassment lawsuits.

## **VIETNAM 31**

Country Reports on Human Rights Practices for 2017 United States Department of State • Bureau of Democracy, Human Rights and Labor Coercion in Population Control:

The government continued to encourage couples to have no more than two children. While the law does not prohibit or provide penalties for those having more than two children, some CPV members reported informally administered repercussions for doing so, including restrictions on job promotion (see section 1.f). Estimates on maternal mortality and contraceptive prevalence are available at:

[www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/](http://www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/).

**Discrimination:** The law provides for gender equality, but women continued to face societal discrimination. Despite the large body of law and regulation devoted to the protection of women's rights in marriage and the workplace, as well as provisions that

call for preferential treatment, women did not always receive equal treatment in employment, education, or housing, particularly in rural areas.

Gender gaps in education declined, but certain gaps remained. According to a 2013 UN Women-funded report, professional qualifications of female workers were lower than those of male workers. There were substantial differences in the education profile of men and women at the postsecondary level. The number of female students enrolled in higher education applied technology programs was much smaller than the number of men enrolled.

Although the law provides for equal inheritance rights for men and women, women continued to face cultural discrimination. A son was more likely to inherit property than was a daughter, unless otherwise specified by a legal document, and even then, authorities did not split the land equitably between son and daughter. The Women's Union and the government's National Committee for the Advancement of Women continued to promote women's rights, including political, economic, and legal equality, and protection from spousal abuse.

**Gender-biased Sex Selection:** According to the Ministry of Health, the national average male-female sex ratio at birth for the first half of the year was 113.4 to 100. The government acknowledged the problem, highlighted reduction of the ratio as a goal in the national program on gender equality and continued to take steps to address it.

Children

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**Birth Registration:** By law the government considers anyone born to at least one citizen parent to be a citizen. Persons born to non-Vietnamese parents may also acquire citizenship under certain circumstances. The law requires a birth certificate to access public services, such as education and health care, and the choice by some parents, especially ethnic minorities, not to register their children affected their ability to enroll them in school and receive government-sponsored health care.

**Education:** Education is free, compulsory, and universal through age 14, although many families were required to pay a variety of school fees. Under a government subsidy program, ethnic-minority students were exempt from paying school fees.

Nevertheless, authorities did not always enforce the requirement or enforce it equally for boys and girls, especially in rural areas, where government and family budgets for education were limited, and children's contributions as agricultural laborers were valuable.

**Child Abuse:** The government did not effectively enforce existing laws on child abuse and physical and emotional mistreatment was common.

Early and Forced Marriage: The legal minimum age of marriage is 18 for girls and 20 for boys, and the law criminalizes organizing marriage for, or entering into marriage with, an underage person.

Sexual Exploitation of Children: Sexual exploitation of children under age 16 is illegal. The law criminalizes all acts of sale or deprivation of liberty of children as well as all acts related to child prostitution and forced child labor. Sentences range from three years' to life imprisonment, and fines range from five million to 50 million VND (\$220 to \$2,200). The law also specifies prison sentences for acts related to child prostitution, including harboring prostitution (12 to 20 years), brokering prostitution (seven to 15 years), and buying sex with minors (three to 15 years). The law similarly prohibits all acts of cruel treatment, humiliation, abduction, sale, and coercion of children into any activities harmful to their healthy development and provides for the protection and care of disadvantaged children.

The minimum age of consensual sex is 18. Statutory rape is illegal and may result in life imprisonment or capital punishment. Penalties for sex with minors between the ages of 16 and 18, depending upon the circumstances, vary from five to 10 years in prison. The penalty for rape of a child between the ages of 13 and 16 carries a sentence of imprisonment from seven to 15 years. If the victim becomes pregnant, the rape is incestuous, or the offender is in a guardianship position to the

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victim, the penalty increases to 12 to 20 years' imprisonment. The law considers all cases of having sexual intercourse with children less than 13 years of age to be rape of children, with sentences including 12 to 20 years' imprisonment, life imprisonment, or capital punishment. The government enforced the law, and convicted rapists received harsh sentences. The production, distribution, dissemination, or selling of child pornography is illegal and carries a sentence of three to 10 years' imprisonment.

The country is a destination for child sex tourism.

Displaced Children: Media reported that approximately 21,000 children lived on the streets and sometimes experienced police harassment or abuse.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's Annual Report on International Parental Child Abduction at

[www.travel.state.gov/content/childabduction/en/legal/compliance.html](http://www.travel.state.gov/content/childabduction/en/legal/compliance.html).

### **Anti-Semitism**

There were small communities of Jewish foreigners in Hanoi and Ho Chi Minh City, and there were no reports of anti-Semitic acts.

## **Trafficking in Persons**

See the Department of State's Trafficking in Persons Report at

[www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## **Persons with Disabilities**

The constitution provides for the protection of persons with mental and physical disabilities. The law prohibits discrimination against or mistreatment of persons with physical and mental disabilities. Overall, the national government continued to increase coordination with foreign governments, international organizations, NGOs, and private companies to review legal provisions governing implementation of the treaty, conduct feasibility studies, share international best practices, conduct informational workshops, promote the hiring of persons with disabilities, and hold awareness activities.

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A majority of persons with disabilities still faced challenges in exercising their rights and could not access government services due to lack of policy implementation and social stigma.

In recent years representatives from a broad range of ministries--construction, finance and planning, transport--have begun incorporating considerations for persons with disabilities in joint planning. The government budgeted 18 billion VND (\$790,000) during the fiscal year to support persons with disabilities, a 50 percent increase from the previous year.

While the law requires that the construction of new or major renovations of existing government and large public buildings include access for persons with disabilities, enforcement continued to be sporadic, particularly for projects outside of major cities. During the year the Ministry of Transportation's Civil Aviation Authority installed elevators and accessibility improvements in several airports and started developing additional services for passengers with disabilities.

Access to education for children with disabilities, particularly deaf children and children with intellectual disabilities, remained extremely limited. The Ministry of Education and Training estimated 500,000 children with disabilities had some access to education at the primary, secondary, and tertiary levels.

There is no legal restriction on the right to vote for persons with disabilities, although many polling stations were not accessible, especially to persons with physical disabilities.

While the provision of social services to persons with disabilities remained limited, the government made some efforts to support the establishment of organizations of

persons with disabilities and consulted them in the development or review of national programs, such as the National Poverty Reduction Program, vocational laws, and various education policies. The National Coordination Committee on Disabilities, the Vietnam Federation on Disability, and their members from various ministries continued to work with domestic and foreign organizations to provide protection, support, physical access, education, and employment. The government operated a small network of rehabilitation centers to provide long-term, inpatient physical therapy.

NGOs reported they continued to face challenges applying for funding and offering training for disability-related programs from certain provincial governments, who hampered access for international staff to conduct training.

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National/Racial/Ethnic Minorities

The law prohibits discrimination against ethnic minorities, but societal discrimination was longstanding and persistent. Local officials in some provinces, notably in the highlands, acted in contravention of national laws and discriminated against members of ethnic and religious minority groups. Despite the country's significant economic growth, the economic gap between many ethnic minority communities and ethnic Vietnamese (Kinh) communities persisted, although ethnic minority group members constituted a sizable percentage of the population in certain areas, including the Northwest and Central Highlands and portions of the Mekong Delta.

International human rights organizations and refugees continued to allege authorities harassed and intimidated members of certain ethnic minority groups, including a group collectively described as "Montagnards" and ethnic minority Christians in the Central Highlands. There were multiple reports that members of these groups fled to Cambodia and Thailand, seeking refugee status as victims of persecution; the government claimed these individuals were illegal migrants who left Vietnam in pursuit of economic opportunities. Human rights groups alleged the government pressured Cambodia and Thailand to refuse to grant these individuals refugee or temporary asylum-seeker status and to return them to Vietnam.

According to a report submitted to the UN special rapporteur on torture, commune police in Ea So arrested Giang A Lang, an ethnic minority member, and his uncle on April 30 because they suspected them of trying to find a new Christian homeland. His uncle later died in custody.

On October 11, the Communist Party disbanded regional steering committees through which it had implemented policies in regions with significant ethnic minorities, including the Northwest Region, the Central Highlands, and the Southwest Region committees, reportedly in an effort to streamline the political system. The government continued to monitor certain highland minorities closely, particularly several ethnic groups in the Central and Northwest Highlands.

Authorities used national security provisions of the penal code to impose lengthy prison sentences on members of ethnic minorities for their connections to overseas organizations that the government claimed espoused separatist aims. In addition,

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United States Department of State • Bureau of Democracy, Human Rights and Labor activists often reported an increased presence of Ministry of Public Security agents during sensitive occasions and holidays throughout the region.

The government continued to address the socioeconomic gap between ethnic minority and ethnic Kinh communities through programs to subsidize education and health facilities and expand road access and electrification to rural communities and villages. The government also continued to allocate land to ethnic minorities in the Central Highlands.

The law provides for universal education for children regardless of religion or ethnicity. Members of ethnic minority groups were not required to pay regular school fees. The government operated 300 boarding schools in 50 provinces for ethnic minority children, mostly in the Northwest and Central Highlands and the Mekong Delta. The government also worked with local officials to develop local-language curricula. Implementation was more comprehensive in the Central Highlands and the Mekong Delta than in areas of the Northwest Highlands. The government also subsidized several technical and vocational schools for ethnic minorities.

The government granted preferential treatment to domestic and foreign companies that invested in highland areas populated predominantly by ethnic minorities. The government also maintained infrastructure development programs that targeted poor, largely ethnic-minority areas and established agricultural extension programs for remote rural areas.

### Acts of Violence, Discrimination, and Other Abuse Based on Sexual Orientation and Gender Identity

The law does not address discrimination based on sexual orientation or gender identity. The civil code, which took effect on January 1, gives individuals who have undergone a "sex change" the right to register their new status. Sexual orientation and gender identity were still a basis for stigma and discrimination.

### HIV and AIDS Social Stigma

HIV and AIDS social stigma and discrimination hindered HIV/AIDS prevention efforts.

According to the 2015 Stigma Index study, 11.2 percent of persons with HIV, 16.6 percent of female sex workers, 15.5 percent of persons who inject drugs, and 7.9

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percent of men who have sex with men reported having experienced rights violations within the 12 months prior to the survey. Multiple indicator cluster surveys taken in 2014 showed stigma and discrimination against HIV-positive persons was widespread, with approximately 70 percent of female respondents reporting having faced some form of stigma and discrimination. Individuals with HIV continued to face barriers accessing and maintaining employment.

## Section 7. Worker Rights

### a. Freedom of Association and the Right to Collective Bargaining

The constitution affords the right to association and the right to demonstrate but limits the exercise of these rights, including preventing workers from organizing or joining independent unions of their choice. While workers may choose whether to join a union and at which level (local or “grassroots,” provincial, or national), the law requires every union to be under the legal purview and control of the country’s only trade union confederation, the Vietnam General Confederation of Labor (VGCL). Only Vietnamese citizens may form or join labor unions by law.

The law gives the VGCL exclusive authority to give legal recognition to unions and confers on VGCL upper-level trade unions the responsibility to establish workplace unions. The VGCL’s charter establishes the VGCL as the head of the multilevel unitary trade union structure and carries the force of law. The law also stipulates that the VGCL answers directly to the CPV’s VFF, which does not protect trade unions from government interference in or control over union activity.

The law also limits freedom of association by not allowing trade unions the legal right to have full autonomy in the administration of their affairs. The law subjects all workers’ organizations to the organizational structures and rules, confers on the VGCL the rights and responsibilities of ownership over trade-union property, and gives the VGCL the right to represent lower-level unions. Under the law, trade union leaders and officials are appointed rather than elected by union members.

The law requires that, where a workplace trade union does not exist, an “immediate upper-level trade union” must perform the tasks of a grassroots union, even where workers have not so requested or have voluntarily elected not to organize. For nonunionized workers to organize a strike, they must request that the strike “be organized and led by the upper-level trade union,” and if nonunionized workers wish to bargain collectively, the upper-level VGCL union must represent them.

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The law stipulates that trade unions have the right and responsibility to organize and lead strikes, and it establishes certain substantive and procedural restrictions on strikes. Strikes that do not arise from a collective labor dispute or do not adhere to the process outlined by law are illegal. In contravention of international standards, the law forbids strikes over “rights-based” disputes. This includes strikes arising out of economic and social policy measures that are not a part of a collective negotiation process, as they are both outside the law’s definition of protected “interest-based” strikes.

The law prohibits strikes by workers in businesses that serve the public or that the government considers essential to the national economy, defense, public health, and public order. “Essential services” is defined to include enterprises involved in electricity production; post and telecommunications; maritime and air transportation, navigation, and management; public works; and oil and gas production. The law also grants the prime minister the right to suspend a strike considered detrimental to the national economy or public safety.

The law prohibits strikes among workers across different employers, resulting in a ban on sector- and industry-level protests and prohibits workers and unions from calling for strikes in support of multiemployer contracts. The law states that the executive committee of a trade union may issue a decision to go on strike only when at least 50 percent of workers support it.

Laws stipulate an extensive and cumbersome process of mediation and arbitration before a lawful strike over an interest-based collective dispute may occur. Unions or workers’ representatives have the right either to appeal decisions of provincial arbitration councils to provincial people’s courts or to strike. The law also stipulates strikers may not be paid wages while they are not at work. The law prohibits retribution against strikers. By law individuals participating in strikes declared illegal by a people’s court and found to have caused damage to their employer are liable for damages. Provisions of the penal code have the potential to suppress union activity.

The laws include provisions that prohibit antiunion discrimination and interference in union activities while imposing administrative sanctions and fines for violations. The laws do not distinguish between workers and managers, however, and fail in prohibiting employers’ agents, such as managers who represent the interests of the employer, from participating or interfering in union activity. Penalties were not adequate to deter violations.

**(Cf. 34)** *Bauxite Central Highlands is the real Chinese domination*

[Mai Thanh Truyet, Ph.D. \(Danlambao\)](#)

From the Editor: *This is few remarks of the author about the letter Deputy Prime Minister, Hoang Trung Hai (HTH) to Nguyen Thi Binh, Vice President of Communist Vietnam on December 16, 2008 - The reply of the Deputy Prime Minister Hoang Trung Hai responded to the Vice President of Vietnam Communist CS Nguyen Thi Binh after receiving her comment letter on the exploitation of bauxite ore in Dak Nong can cause*

*much environmental and climatic harm to the vast "South Central" (ie South Central Vietnam). See Note below.*

*Who is Hoang Trung Hai?*

Since the beginning of 2008, many newspapers in Vietnam have reported on the exploitation of bauxite ore in the Central Highlands of Vietnam with many titles as follows:

- *Nguoi Viet* published an article that shocked the public: *"China almost grasped all the mineral mines in Vietnam"*;
- *Tuoi Tre* newspaper publishes *"Vietnamese enterprises in the name of the Chinese digging for "minerals"*, in which Nguyen Van Thuan, General Director of the General Department of Geology and Minerals (Ministry of Natural Resources and Environment) said *"for example, in the north, more than 60% of the mines have traces of businesses from China. The Chinese are almost behind our mining operations."*; *"If it continues to dig, it will be a catastrophe for the country. If we do not exploit resources, our children continue to exploit in the future"*;
- *The New Life* newspaper with the title *"Disseminating the reality that the Chinese disguise as private enterprises of Vietnam exploring the minerals"*;
- *Dat Viet* newspaper stated: *"The Chinese are behind the mining of Vietnam minerals"*; Next day, *"China wants to take over the mining industry of Vietnam"*; And then again, *"60% of mining licenses sold to China are ... modest!"*, quoted Dr. Nguyen Thanh Son as saying that *60% of mining license was sold to China is also "modest" and does not adequately reflect the magnitude of the situation: "The consequence is that mineral resources are cheaply sold, exploited brutally, and the environment is compromised. No one will take responsibility"*.

Behind all the above-mentioned projects, the Chinese "hairy hands" could be seen everywhere, it is actually very simple and easy to understand. That is the Vice Prime Minister Hoàng Trung Hải (HTH) in charge of economic Hoang Trung Hai is a Han Chinese in disguise. Previously, there was a Hanh's heart in the name of the Han Chinese, whose father was Sai Su, who was born in Long Khe, Zhangzhou, Fujian, China.

And the person who directly promoted Hoang Trung Hai to the second most important seat in the new government: Deputy Prime Minister in charge of the economy (from August 2, 2007) for the purpose of carrying out the above projects.

Hoang Trung Hai titles held by consumers are:

- Directly in charge of the Ministry of Industry and Trade, Agriculture and Rural Development, Construction, Transportation, and Natural Resources and Environment.
- Chairman of the National Water Resources Council;
- Head of the State Committee for key oil and gas projects;
- Head of the Committee for Coordination in the Development of Key Economic Zones;
- Head of the National Target Program to respond to climate change;
- Head of Central Committee on housing policy and real estate market;
- Chairman of the Committee for Planning and Investment for Construction of the Capital Region of Hanoi;
- Head of the State Committee for major projects and projects of the Transport sector;
- Head of the National Committee for Ninh Thuan Nuclear Power Project;
- Chairman of the Committee of the Son La Hydropower Project;
- Head of the State Committee for the Construction of the National Museum of History;
- Chairman of the National Assembly House Steering Committee;
- Head of the State Committee for Basic Surveys of Natural Resources and Environment;
- Head of the State Committee on Electricity Planning VI;
- Head of the State Committee on National Electricity Development Plan;
- Head of ODA (National Development Aid);
- Chairman of the National Civil Aviation Security Committee;
- Chairman of the National Committee for Search and Rescue, etc.

*Khu mộ nhà Hoàng Trung Hải ở làng Sơn Đồng, Quỳnh Giao,*

*Quỳnh Phụ, Thái Bình (dòng chữ trên cột vàng bên trái: Hoa Kiều Tiều Hữu Tổng Mộ)*

We imagine a person with such an important role as above, whether only a... dummy or a "robot" only!

It all means Vice Prime Minister Hoang Trung Hai almost fully grasp the whole economy of Vietnam in his hand.

*And Formosa Hung Nghiep Steel Company, Vung Ang in 2013:* It is the Deputy Prime Minister Economic Affairs Hoang Trung Hai licensed through Official Letter No. 323 / TTg-QHQT March 4, 2013 "agree on policy for Formosa Heavy Industries Group - Taiwan to set up the project of steel mill and Son Duong deep-water port in Vung Ang economic zone, Ha Tinh province "and Official Letter No. 869 / TTg-QHQT dated 6 / June 2008 "agreed with Formosa Heavy Industries Group to carry out the project to build a steel complex and Son Duong Port in Vung Ang Economic Zone, Ha Tinh Province." (See Note 2).

Most recently, on August 13, 2017 the staff of the "congestion" in ***BOT Cai Lay***, and after the "Cai Lay fall" caused a series of traffic boils exposed. According to Official Letter No. 1908 / TTg-KTN dated 11/11/2013, Hoang Trung Hai only agreed to build a road to avoid national highway 1 through Cai Lay town, not mention to the QL1 road surface reinforcement. Does he have any self-reproach or continue to "pitch foot" as in the environmental disaster named "Formosa Ha Tinh" that he is the culprit?

Last but not least, in 9 years holding the second most important position in the government (just after the Prime Minister), Hoang Trung Hai has also contributed to deciding on the "achievements" of the Hanoi planning shred, or "surging" 90% of national key infrastructure projects for China, etc.

The question is whether, thanks to these "achievements" or for any other reason, the former Deputy Prime Minister had blatantly stepped into the Ministry of Sovereignty and then "grasped" the party apparatus - government - HaNoi's army Inside the "thousand years of culture and civilization from the 12th Congress?

The article would add to the task and role of Hoang Trung Hai in a typical task is to exploit Bauxite in the Central Highlands of Vietnam

## *2. Contents of Hoang Trung Hai's letter of explanation*

Recognizing that there are "many" explanations in the letter representing an unscientific and completely unsophisticated spirit, in the name of a scientist who specializes in the purification of liquid and mud waste (sludge), the writer will analyze each point one letter in turn. The letter consists of four pages. The first page discusses the generalization of the site as well as the decision of the Xth Party Congress on the

direction of social development in 2006-2010; That led to Decision 167 of the Communist Party General Nguyen Tan Dung on 1/11/2007.

Stage of exploitation is expected to deploy 6 projects, but in 2010 only exploit 3 only. They are Tan Rai (Lam Dong), Nhan Co (Dak Nong) and Kon Ha (Gia Lai). The following pages describe the planning, environmental impact, and problem-solving approach:

### *3. On transport planning*

*"The policy of building the Tay Nguyen-Binh Thuan railway line and the seaport in Hon Ke Ga (Binh Thuan province) to serve the transportation and consumption of alumina products, ensuring synchrony with the exploitation and processing of bauxite ores and combine freight and passengers, contributing to the socio-economic development of the Central Highlands is a prerequisite condition has been directed by the Prime Minister".*

According to the above plan, we find that the Central Highlands of Viet Nam is at a height of 400 to 600 meters above sea level, and the hills from west to east are often interrupted by deep valleys. Setting up a railroad is not easy in a hilly, rolling mountain. With the financial status and professional skills of the personnel available in the place, the construction must take at least 5 years (!) After the implementation of technical details for the project... Just as the construction of Binh Thuan port needs to be done in parallel, it can be put into operation. Therefore, only these two projects show that the timetable for implementation will certainly not be as planned and only in the planning of the "state".

In addition, the content, as well as purpose, built just to "serve" the transport of alumina. The author further speculates that net aluminum transport in mining will never be carried out as it is not included in the above planning!

And until today (21/8/2017), there is no 1m railway that is "lined" on this "virtual" railway!

### *4. On water and electricity for the project*

*"The water supply is mainly from the Dong Nai River (with an average flow of 11m<sup>3</sup>/s) and some streams in the area. alumina (for example at the Dak Nong project, three 3x30 MW generating units are planned) and the national grid." (2)*

In a number of "remedies" later and in the details of the project, the writer is known to be in the planning to carry out a hydropower plant in De Tuat with a capacity of 144 MW and taking water from four large lakes running along the Serpent River to supply

water to the dam. At the same time, in the letter, it would build three units (apparently a coal or diesel generator?).

So, are there probably two ore mining projects in Nhan Co?

Or is there a drum beat in the back?

Or is it the same project that was implemented by two different agencies?

Or would the project be described in general terms and experience would be taken during the process of making?

Or merely aiming at formalization of the previous exploitation was to "legitimize" the presence of workers and Chinese experts due to the urgent need of powerful China in the intention of penetrating the Central Highlands of Vietnam?

Maybe, part ... Or the last one is right!

*5- On the environmental impact "On the environmental impact of bauxite mining and alumina production, the Ministry of Industry and Trade and the Vietnam Coal and Mineral Industries Group have studied and proposed measures to reduce red mud pollution. as follows:"(3)*

*"Impact on the land surface area: Solution: Due to the large area of bauxite distribution, the exploitation method is expected to apply" rolling method and sequence of exploitation ". To divide the field into several areas, to exploit the new areas to move to another area, and to exploit the area in the next area. In the process of removing the topsoil, the topsoil (layer of soil) (?), piles separately to spread with hummus, organic fertilizer on the area to complete. This is most effectively applied at bauxite mines in China..."(4)*

If this method was successfully implemented in China, why did TC cease mining hundreds of mines in the water, so that the "wrappers" rushed to send people and machines to a distant place? ....start to do that again"?

We can visualize a chessboard, make a square, then finish (?), Then do it again. It is suggested that after planting, it is necessary to plant trees or exploit industrial plants to return nature to nature, ie to protect the environment and increase the productivity of exploitation, bringing high economic efficiency!

*6. About the reclamation of bauxite ore*

And even more transcendent is the "stitching" of bauxite ore.

*"In order to recover bauxite ore in the Central Highlands, the bauxite ore mines in the Central Highlands have to be sorted. All tailings are designed for recirculating water collection systems, and tailings reservoirs will be leveled and covered with soil after finishing dumps and drains". (5)*

Reading to this ore wash, the writer feels ashamed of more than 20 years of experience in purifying sludge and wastewater in the United States, this "sublime" technique has not yet been "learned"! How to extract all of the "huge" amount of sludge in the reservoirs made up of valleys, ravines, and cover the fertile soil. But this is not a job to do, but a "rock break" that turns the valleys into new agricultural areas to increase the welfare of the socialist people!

#### *7. On reducing red mud pollution*

*"Red mud pollution mitigation measures: Red mud sludge: The red mud of the plant will be treated in the form of backlog, ie in the process of red mud, the maximum content of water in red mud To reduce the amount of liquid in the red mud slurry to 54.4%, the solid red mud is 45.6%, the red mud slurry will use the pump through the pipeline into the red mud reservoir.."( 6)*

Normally in the "wet" industry of mining bauxite, after the separation of alumina, the ratio of water in the red mud is 2/1... so it is necessary to dry a large amount of "Bring red mud to 54.4% (?) of water. And with this rate of red mud becoming a solid... So, how to use a pump to put (solid or near solid (hard mud) into the reservoir?

As information, sludge after treatment and biological leaching in our Los Angeles factory has been working, the mud has been drained by pressing under 330 psi pressure, This means that 330 times the air pressure, the dry mud after pressing has a moisture content of over 60% and the hardness is called "cake" (stiffer than green bean cake).

In terms of "red water from mud," it reads: "Regarding the recovery of alkaline water in red mud: using water pipes and towers to collect water for the wells of the circulating pump station red, then the water collected from the red mud reservoir will be pumped back through the backup system to the alumina plant for cleaning the red mud slurry ... "(7)

In 2013, we analyzed a well of water near the Tri An Falls area and discovered the remains of NaOH in the water source. This is a toxic chemical found in the red mud and loose waste of the method of separating alumina from bauxite ore.

With the above process, we do not need to build reservoirs for mining because this is a closed cycle, the water used in the ore clean up will be recreated through drainage, from the red mud.

*Also to prevent red water from spilling out into the environment, red mud reservoirs will be constructed to prevent surface runoff from entering the red mud pond. protect trees, prevent the blooming (landslide) of the dam". (8)*

Indeed, the author does not understand at all, though trying to "brainstorm" to find out because of the discourse on the opposite and opposite contrast with the lower part. The water in the red mud has been regenerated and re-used where it is necessary to plant trees to avoid "blooming". And the dry red mud layer is covered with colored soil to recreate the area where industrial crops can be grown!

#### *8- Observation, inspection, and water source*

But not yet, the state has come to observe and check the water source timely: To ensure the solution in the red mud (where it has been used again?) would not affect the water source, Tan Rai, and Nhan Co project will follow four observation wells (actually called monitoring wells) to check the upstream and downstream water sources near the red mud lake... "(9)

With a catchment area and red mud reservoir area in the middle of valleys (which has been cleared and reclaimed, does pollution need to be checked?).

And the observation wells have been set according to any standards or designated according to the resolution to establish the mining site?

The sludge was dried and filled up to the excavated ground, how to get water to pump up and analyze the pollution?

#### *9. Radioactive substance impact*

And finally the radioactive substance in the red mud. The letter reads: *"The bauxite sample analysis of the Tan Rai mine and some foreign mines in Dak Nong (France, Australia) analyzed that the bauxite and red mud in The Central Highlands have absolutely no radioactivity"*.

Another "socialist" assertion. Please, in natural soil (including air and water) always contains the radiation as alpha, beta, radium and have a concentration in the range of ~ 20PicoCurie / L depending on the region ... As far as information is concerned, industrial leaks such as mine sites or landfill sites have far higher levels of radiation

(for more than 25 years, the average radiation found in the vast Los Angeles area is 40 PicoCurie/L). Is this an excuse for "disclosing their hiding place?" (See the article by the same author, "From Bauxite to Uranium? on maithanhtruyet.blogspot1.com")

### *10. Conclusion*

To conclude on the letter of Deputy Prime Minister Hoang Trung Hai sent to Vietnamese Vice President Nguyen Thi Binh, we can draw some thoughts as follows:

- Vietnam, in spite of the fact that the bauxite mines are being made to produce pure aluminum, are actually in the project, as well as the comments and remarks made by the Communist Party and the Communist Party Politburo. "expanded" to alumina production ie alumina  $Al_2O_3$  only;
- It can be concluded that this exploitation was not completely studied for the submission of an Environmental Impact Assessment (EIA) and gas, liquid and solid waste disposal project. This is a mandatory provision of Vietnamese Environmental Laws before the project is licensed;
- The project has not been transparent and has been hidden for more than 10 years, and only the Politburo has been cleared by the Prime Minister of the Communist Party, Nguyen Tan Dung in 2009, after being "discovered" by the people;
- In order to assure public opinion and to explain completely unreasonable scientific and paradoxical explanations of the typical letter of Hoang Trung Hai, one of the highest levels of power, the letter reveals the spirit of disdain for the people and for their knowledge of mine exploitation;
- The project is not feasible because there are too many technical contradictions in the project.

In short, the Tan Rai and Nhan Co projects and six other bauxite ore projects planned in Dak Nong can be considered as a front for world opinion and the point is to formalize the presence of the Chinese in the Central Highlands of Viet Nam, hiding a Chinese military-political plot in the process of invading Vietnam and Southeast Asia through the Han expansion.

At present, no gunshot at the frontier, no cry for help in international public opinion, the Politburo of North Vietnam, the highest authority has colluded or compromised with Beijing to legalize the invasion through mining in the highlands and elsewhere from the North to the South. This form of aggression is treacherous that the international countries cannot condemn the Chinese invaders.

That is a great disaster for the land and water in the current period.

Read here, you have clearly identified:

Who is Tran Ich Tac?

And who is Le Chieu Thong?

Just like no Central Commissioner or pro-American Central!

They all focus on offering their country to Communist China!

What must we do to put an end to the tragedy caused by the communist?

Could the "civil disobedience" solution apply to the urgent situation of Vietnam today?

**( Cf. 35) *Scientist wants Vietnam to save its environment from disaster*** by [aanews](#) in [Environment](#) · [International](#) · [Vietnamese](#) 16 Jul, 2011

AAP staff report

ST. PAUL, Minn. – As a scientist working in the area of wastewater treatment Mai Thanh Truyet, Ph.D. has also turned his attention to what he says are serious environmental issues of his native Vietnam.

Having already earned a doctorate at the Besançon in Eastern France, Dr. Truyet came to the United States as a boat refugee from Vietnam. He continued his postdoctoral work with the study red blood cells at the University of Minnesota Medical School from 1985-87, before moving his family to California to work in the environmental area.

With a successful career as a scientist working on American water systems for several years, Dr. Truyet continues to work at age 69, while also taking a deep interest at the array of challenges facing Vietnam, from food and agriculture, to clean water and the environment. He has written extensively on wastewater issues in Vietnam, including ground water and pollution – with a resourcefulness for previously unknown data that has impressed readers of his books.

“The data was provided by friends who are still working and living in Vietnam,” he said. “Since 1999 to 2002, every time a friend or family member came back to visit Vietnam I would ask them to collect soil and water samples in the north and south – especially the Mekong delta – to do analysis and to make suggestions and conclusions especially for the arsenic issues.”

Truyet said that to understand the arsenic issue in Vietnam, just compare it to similar problems in Bangladesh and Tibet. There, scientists studied water from 4,000 wells and discovered levels of arsenic so strong and in Tibet area found in water that they anticipate cancer related deaths far above the norm in those areas.

Truyet said that his conclusions on Vietnam got him branded as a troublemaker by the Vietnamese government. "People are getting arsenicosis," he added.

The arsenic comes from two sources, the Mekong river starts in high Tibet, where the soil has a lot of arsenic in it, and it is brought down river in low concentrations. Now the combination of borax that is being disturbed with mining and increasing the levels many times over.

"Another source is arsenic herbicide and pesticides in very high concentrations," he added. "Right now to increase the development of food they spray a lot of extra fertilizers, pesticides and herbicides and that puts arsenic into the groundwater."

Truyet said the Vietnamese need to do a lot more education on the safe use of chemicals. This is important when you consider the export of rice, catfish, shrimp and other products, he added.

In addition, Truyet said there needs to be more agricultural and water treatment training for better crop rotation and soil preservation practices. The U.S. has already sued Vietnam over "dumping" of large amounts of fish and seafood – but less is said about the long term impact on the high levels of harvesting, he added.

Truyet said that his motivation is also to help as a resource for Vietnamese scientists and engineers, who he said are not always will to freely express their professional opinion if they feel it will conflict with the goals of the communist government.

He said Vietnam has experienced wartime pollution but that by in large the pollution today is a result of poor civic and industrial planning and is not a remnant of the war that ended more than three decades ago.

"For Vietnam the situation is different," said Truyet. "There, any industry or enterprise does not have any treatment plan and waste water go to the canals and rivers, and that is why it becomes a black river."

As an environmentalist and president of the Science and Technology Association, Truyet has completed studies since 1995 that have been published. His latest book, *Moi Truong Viet Nam*, published by the Vietnamese American Medical Research Foundation, discusses various environmental challenges in detail over 25 chapters.

From dangerously high arsenic levels in the Mekong river, to the conditions turning other sea connected waterways in black rivers (completely polluted).

"There is not threshold limit," he said. "There is no way to clear up a river like we do in the USA."

Truyet goes on to discuss fresh water and underground issues in subsequent chapters, and then goes into soil and air pollution. He has an entire chapter devoted to solid waste problems and landfill and a wastewater treatment plan.

"I talking about biological and solid waste, and about Vietnam importing electronic waste from United States," he said.

The business of electronic waste has not regulations, he added. They dispose of television screens and monitors and computer hardware that can leaves up to a pound of lead and mercury poisoning depending on the component. He said the large and uncontrolled landfills are showing signs of absorbing heavy metals, and making its way to the water used for consumption and irrigation.

"After that it becomes very hazardous and toxic waste," he said. "Especially when we are talking about food poisoning and additives with chemicals like this, this is a dangerous situation for Vietnamese community."

Truyet revisits the claims of Agent Orange and the new evidence about dioxin issues since their peak use from 1961 to 1971 as part of Operation Ranch Hand, a U.S. Army mission to defoliate areas south of 17<sup>th</sup> Parallel during the Vietnam War.

He was a witness for Dow Chemical, the company that provided the chemical munitions for the U.S. military in the war, in the 2005 lawsuit in which the Vietnamese government claimed the United States was responsible for damages to the environment and people and decided to go after 34 manufacturers for war crimes.

The suit was dismissed and Truyet said that these chemical had half lifes and that it is difficult to claim an impact would have lasted more than seven years into the present day. He also said the area that chemical were used was limited and largely along the 17<sup>th</sup> parallel.

Truyet went on to talk about bauxite and uranium mining in Vietnam, and how he proved that the Chinese had a plan in Vietnam to develop and extract bauxite mining in the Vietnamese highlands. He said they covered up planning the and research to extract uranium after the International Council on Energy found about 200,000 tons of uranium oxide in the highland with concentration of .006 percent.

"This purity is similar to South Africa," he added. "The Americans and the Japanese did the research."

Truyet went so far as to suggest that the uranium exploration is connected to the dislocation issues of the 15 ethnic groups that live in the highlands is related to their forced removal.

The population of Vietnam was about 45 million after the war and it is approaching 90 million today, said Tuyet. This is over population, he added, and depending and the migration of people from one region to another is another impact on the environment and resources.

The last three chapters look to the future development in Vietnam and the expectations for the Vietnam government in joining the international community. He offers suggestions on how to best do business in Vietnam in ways that will take care of people.

Truyet is confident that his publications in Vietnamese are making its way to the right people in Vietnam via the Internet. The young people understand and react, he said. The older communists from the revolution do not was to hear it.

*He also takes his message to Voice of America and Radio Free Asia. It has cost him in that the Vietnamese government has not responded to his visa requests to visit.*

**(Cf.35a)** Destruction of VN environment by foreign firms

*Foreign firms are committing numerous breaches of environmental regulations but the Vietnamese government is doing very little to bring those responsible to justice. The country needs to find a way of balancing economic growth with environmental preservation.*

**By Oliver Ward**

The darker side of Vietnam's rapid industrial growth is creeping into waterways up and down the country, destroying livelihoods and delicate ecosystems in its wake. Vietnamese environmental enforcement agencies have reported 50 incidents of illegal dumping of toxic waste in 2016. The General Statistics Office (GSO) estimates that the country's environmental regulations were breached [at a staggering 80%](#) of the country's industrial parks. The country's cement, steel, fertilizer, and mining industries are among those responsible, and an estimated 60% of the regulation breaches are by companies backed by foreign investment.

## **Pollution by foreign firms is destroying Vietnamese ecosystems**

Incidents like the mass death of 70 tonnes of fish which washed up along Vietnam's central coastline after Taiwanese-backed firm, Formosa Plastics, admitted to discharging toxic waste containing cyanide and carbolic acids into the surrounding water, indicate a slide in environmental standards. Fishermen like [Phan Thanh An](#) describe how they stopped catching live fish, instead only bringing home "fish bones" and struggled to make a living as a result.

Unfortunately, the Formosa Plastics incident is not an isolated example. The Buoï River in the northern Thanh Hoa province suffered a die-off of 18 tonnes of fish in May following an episode of industrial pollution. In July, a corrosive chemical leak in the Dak Nong province sent sodium hydroxide spilling into the surrounding countryside, damaging the skin of local residents and leading to the devastation of more fisheries.

## **Growth does not have to occur at the cost of environmental protection**

There is a growing need for the Vietnamese government to promote socio-economic development alongside environmental protection. For too long the two concepts have been viewed as mutually exclusive and the headline-grabbing environmental disasters are only the tip of the iceberg. Foreign investment is pouring into sectors which consume vast amounts of energy and natural resources. Foreign investment in metal plants, textile factories, mines and ship construction is driving the Vietnamese economy, but they are incredibly energy-intensive industries and the economic growth is inevitably taking its toll on the country's eco-systems and draining the nation's natural resources.

The destruction of delicate eco-systems is disrupting the lives of affected fisherman and agricultural workers and is beginning to affect the country's prominent tourism industry. Unless the situation is brought under control soon the damage could be irreparable.

## **The government is under pressure and needs to do more**

The handling of environmental crisis by the Vietnamese government has come in for scrutiny. In the case of the Formosa steel plant incident, [Prime Minister Nguyễn Xuân Phúc issued an order for](#) compensation of between VND2.9 million (US\$130) and VND36.2 million (US\$1,600) to be paid out to individuals affected by the contamination, yet the Vietnamese Courts rejected hundreds of claims against the Taiwanese company for larger pay-outs.

Destruction of environment of Vietnam by foreign firms

The continued protection of foreign investors by Phúc's government allows companies to act with impunity and play fast and loose with Vietnamese environment regulations, knowing that the Vietnamese courts will be on their side should citizens claim for compensation.

The government needs to stop viewing potential environmental damage as an afterthought. For example, [in development plans](#), environmental problems are usually highlighted in a separate chapter and there is often only an explanation of how the problems will be mitigated, not solved. More prominence must be given to environmental impacts in potential investment projects and there needs to be a real desire, from all levels of government, to preserve environmental integrity as part of their plans to promote economic growth.

### **Bringing environmental responsibility to the communities**

The Minister of Natural Resources and the Environment, [Trần Hồng Hà](#), said one of the reasons for the developing environmental crisis in the country is the lack of awareness and responsibility amongst foreign investors and organisations of the importance of environmental protection, as well as within local communities. Communities and local organisations as well as companies are forgoing environmental protection in favour of quick local economic gain, granting investment and completing projects without taking the time to consider the environmental impacts.

One way to tackle the problem could be at a community level. The community suffers most during environmental disasters, especially the 70% of the population who work in the agricultural sector. The environment is their biggest asset and they depend on it for their livelihood. Increasing awareness on a local level and coordinating national policy to local levels is key to combatting the indiscriminate pollution of the countryside. More regional powers to reject investment proposals which could negatively impact the environment would put power into the hands of those who stand to be affected most by an environmental disaster.

Those who are most affected by the problem can solve the problem

Prime Minister Nguyễn Xuân Phúc [shared an online environmental protection conference](#) in August 2016, that the many environmental pollution "hot spots" across the country need proper handling to prevent further negative impacts. However, until the tough talk is put into action, foreign businesses will see no reason to begin respecting the Vietnamese environment if it costs them. History shows that the compensation figures are manageable and the Vietnamese justice system is a firm supporter of economic growth over environmental preservation. The Vietnamese economy is one of the fastest growing economies in the world and achieved almost

7% growth in 2016, but this is meaningless if the growth comes from the destruction of the country's environment and the obliteration of livelihoods among the poor. The government needs to find a way to reconcile economic development with environmental protection, although this is a delicate operation and progress could be a long and frustrating process for those who depend on the environment to make a living.

**(Cf.35b)** Hydropower dams threaten Mekong Delta

*Hydropower dams on the Upper Mekong River have seriously affected the Mekong Delta region.*



*Drought in the Mekong Delta*

The problem was discussed at a forum on the Mekong Delta region's water source security held in Can Tho City on May 29, attracting the participation of experts of China, Cambodia, China, Thailand and Laos.

At the forum, Professor Ha Thanh Toan, Headmaster of Can Tho University, said that in recent years, the Mekong Delta has been affected by climate change and the effects of hydropower dams.

Dr. Le Anh Tuan from Research Institute for Climate Change of Can Tho University said that after China had built six hydropower plants, the amount of the Mekong Delta region's alluvium decreased to 85 million tonnes from 160 million tonnes per year. The alluvium shortage has resulted in the serious coastal erosion.

The Mekong Delta region loses around 500 hectares of land annually through erosion, Tuan added.

The dams also prevented a large amount of flood water from entering Vietnam's Lower Mekong Delta, which is a dangerous issue as the floodwater from upstream helps balance water levels in the delta and brings sediment that enriches the soil and provides food for fish while pushing back saltwater intrusion.

Flood water usually arrives in the region from August to November every year, but according to Vietnam's Southern Hydro-Meteorological Station, water levels in upper parts of the country's Mekong River are very low in recent years, estimated at roughly 50cm down from last year.

Vietnam's Ministry of Planning and Investment estimated that around 45% of the country's Mekong Delta will be negatively affected by saltwater intrusion by 2030 if hydropower dams and reservoirs along the Mekong River prevent water from flowing downstream.

Dr. Tuan noted that the impact of hydropower dams was among the biggest challenges facing the Mekong Delta.

Drought and salinity caused losses of USD50 million for the Mekong Delta region in the 2015-2016 period.

The dams have critically threatened the life of many kinds of fish as well as the Mekong Delta region's bio-diversity.

To date, up to 11 hydropower dams have been built on the Mekong River, including six in China.

## (Cf.35c) The effects of Chinese dams on water flows in the Lower Mekong Basin



Vientiane Capital, Lao PDR, 6th Jun 2017

Since 1993, China has built six dams in the mainstream on the Upper Mekong Basin, known as the Lancang in China. Operations of these dams have stirred many concerns from the Lower Mekong Basin communities on how these dams will impact their river and livelihoods. With the two biggest storage dams of the cascade, Xiaowan and Nuozhadu, their impacts have often been in the [news](#). The concerns include how changes in water flow (discharge) impact on fisheries, sediments, and downstream community livelihoods.

While the picture of the impacts is incomplete, the Mekong River Commission's (MRC) river monitoring arm points out that these Chinese dams do affect water flows in the Lower Mekong Basin, generally reducing the flow during the wet season and increasing it during the dry season.

**Downstream water flow in the dry season increased, easing effects of droughts.** Storage dams can contribute to increased flow during the dry season as they discharge water for energy production. For example, the release of water supplement from the Lancang dams eased the regional drought of 2016. The drought resulted in 16% less flows compared to the long term average. However, because of

the emergency water releases from the Chinese dams upstream, that increased dry season flows that ultimately helped to mitigate potential impacts of the drought.

A total of 12.65 billion cubic meters of water was discharged from the Jinghong hydropower reservoir during the period of March to May 2016. These releases amounted to between 40 – 89% of flows along various sections of the Mekong River. The emergency water supplement increased water level or discharge along the Mekong mainstream to an overall extent of 0.18-1.53m or 602-1,010m<sup>3</sup>/s.

If these emergency releases did not occur, flows would have been 47% lower at Jinghong, 44% lower at Chiang Saen, 38% lower at Nong Khai and 22% lower at Stung Treng. This additional flow has also alleviated salinity intrusion in the Mekong Delta.

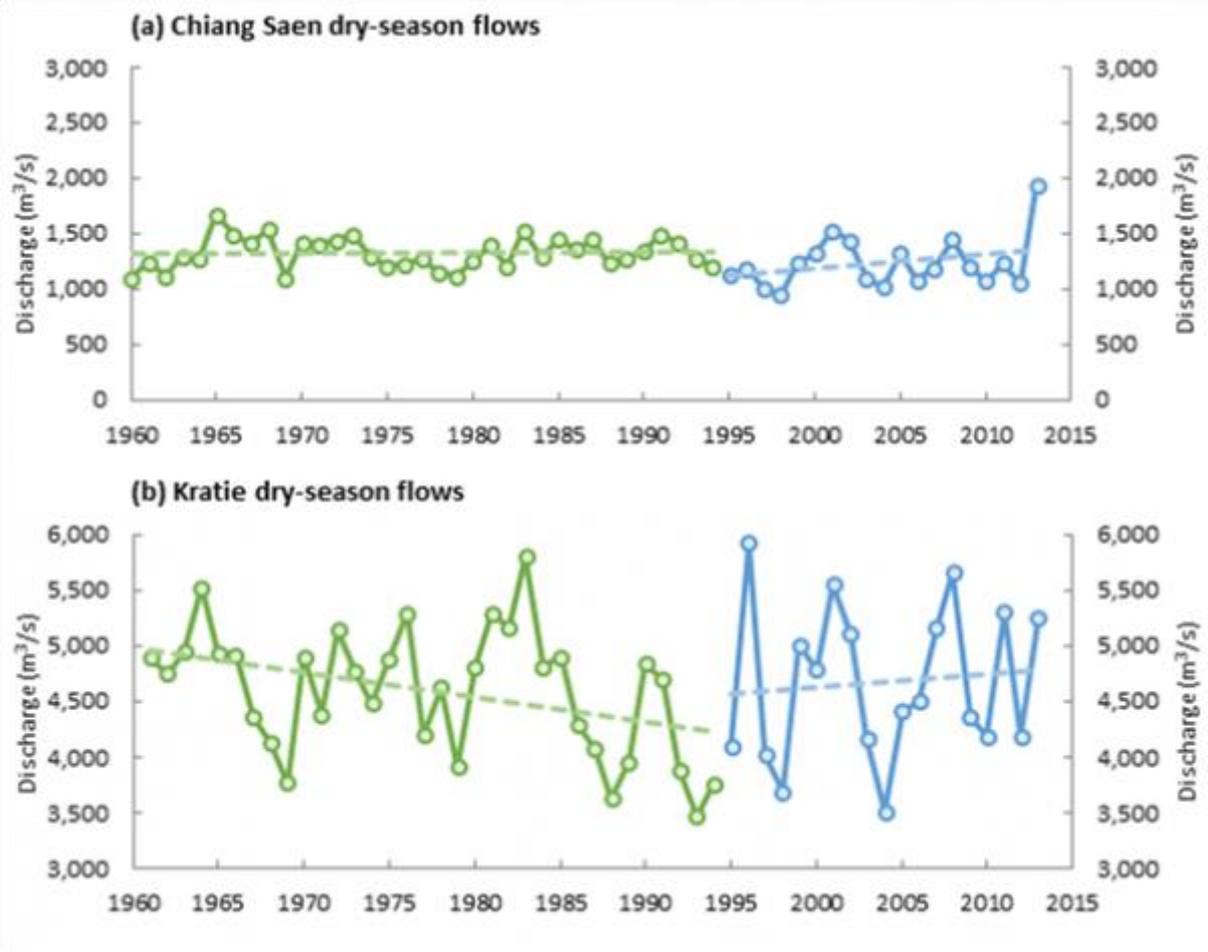
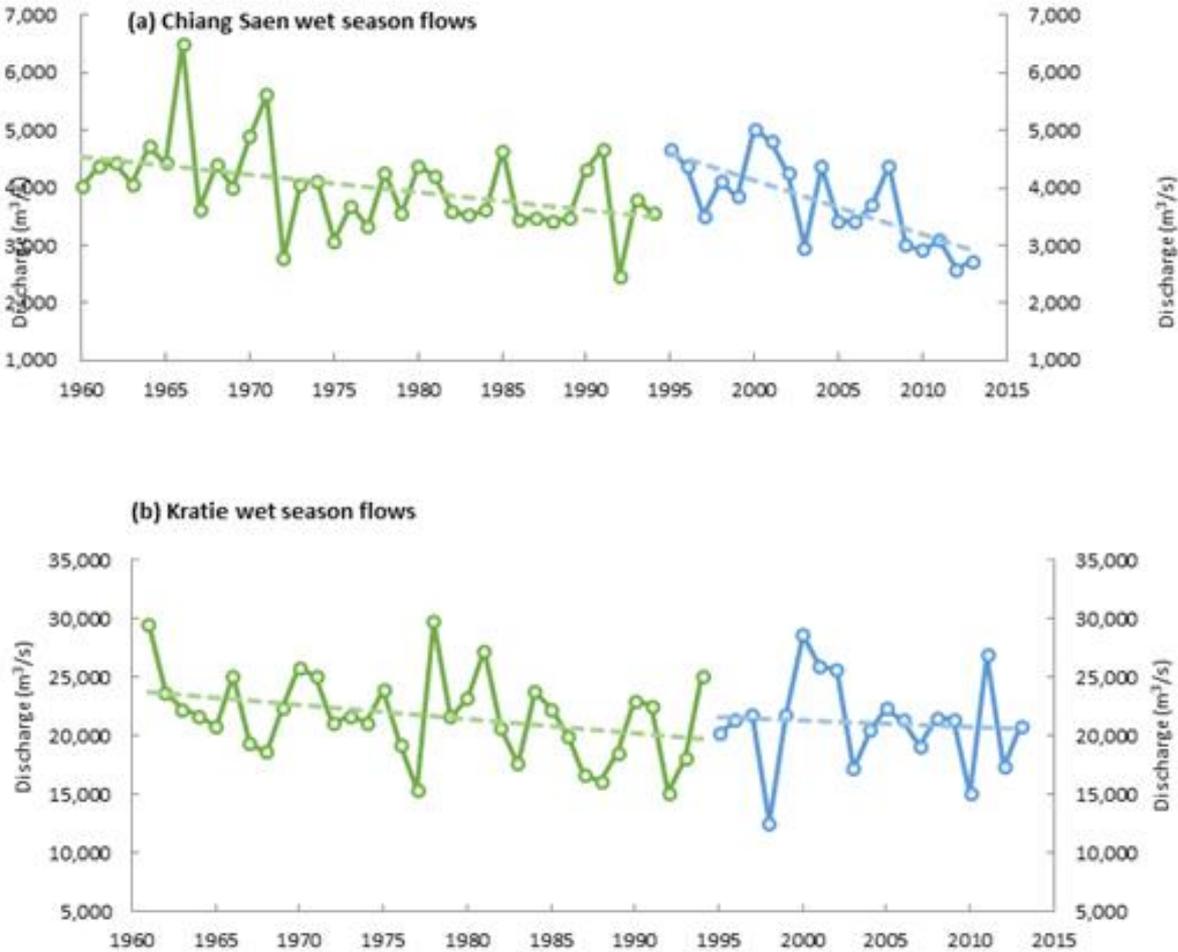


Figure: Trends of annual dry season flows at (a) Chiang Saen and (b) at Kratie for 1960-2013

**Downstream water flow in the wet season reduced.** Conversely, in the figure below, we see a clear downward trend in wet season flows at Chiang Saen, and less pronounced at Kratie, which is likely to be a result of dam operators storing water in

the wet seasons and possibly an increase in extractions of wet season flows for productive purposes.



In short, while the Mekong communities could be concerned about the adverse effects of Chinese dams on such issues as sediments and fisheries, these dams have not reduced the flows downstream during the dry season.

**Notes to Editor:**

The Mekong River Commission (MRC) is the intergovernmental organisation established to promote cooperation on the sustainable management of the Mekong Basin whose members include Cambodia, Lao PDR, Thailand and Viet Nam. The MRC acts as a platform for water diplomacy and regional cooperation in which member countries share the benefits of common water resources despite different national interests, and address transboundary pressures in the basin. It also serves as a knowledge hub that promotes regional cooperation and policy-making based on scientific evidence.

The MRC provides [river-monitoring services](#), including flood forecasting, to its Member Countries. The MRC created a Flood Management and Mitigation (FMM) strategy in 2001, and in 2005 established the [FMM Programme](#) (FMMP), which ran until 2015. A Drought Management start-up project was established as part of the [Information and Knowledge Management Programme](#) in 2010. The MRC Secretariat, headquartered in Vientiane, operates the Flood Management and Mitigation Center in Phnom Penh.

The MRC and China have been exchanging hydrological data during the annual flood season since 2002. Together with the International Water Management Institute (IWMI), the two sides recently agreed to conduct study on hydrological impacts of the Lancang hydropower cascade on downstream extreme events such as floods and droughts in the dry season.

**(Cf. 36 )** Unsafe food is the top cause of cancer in Vietnam

<http://english.vietnamnet.vn/fms/society/153124/unsafe-food-is-the-top-cause-of-cancer-in-vietnam.html>

VietNamNet Bridge - Every year Vietnam has about 200,000 new cases of cancer, with 75,000 deaths, making Vietnam one of the countries with the alarming rate of cancer, according to a seminar held in HCM City by the Association for Standardization and Customer Protection of Vietnam last week.

Data from agencies in 2014 and 2015 showed that 9,140 kg Salbutamol were imported to produce medicines but up to 6,268 kg of this substance were used in pig farming to produce lean pork.

According to the Ministry of Health's evaluation, cancer is badly affecting the country's society and economy with more cases of cancer infections meanwhile it costs a big sum to treat the disease.

According to the World Health Organization's figure, there were 14.1 million fresh cancer cases and 8.2 million people succumbed to the disease in 2012. At the meantime, Vietnam had 68,810 new cancer infections in 2000, the figure increased to 126,307 cases in 2010 and an estimated cases of 190,000 will be in 2020.

Dr. Nguyen Ba Duc, Deputy Chairman of the Vietnam Cancer Association, there are three factors that affect cancer, including genetics, polluted environment and diet.

In particular, agents from unsafe food take the lead among the carcinogenic factors - accounting for about 35% of cases, while genetic factors account for only 5-10%.

Mr. Do Ngoc Chinh, head of the southern office of the Association for Standardization and Consumer Protection of Vietnam, said an alarming problem was the use of antibiotics and lean creating substances in livestock and farming to increase productivity.

Data from agencies in 2014 and 2015 showed that 9,140 kg Salbutamol were imported to produce medicines but up to 6,268 kg of this substance were used in pig farming to produce lean pork.

Vietnam has 6 big hospitals for tumor treatment and 50 specialized wards in hospitals in districts yet they are able to meet 70 percent of the demand. Worse, two leading hospitals including K hospital in Hanoi and Tumor Hospital in Ho Chi Minh City are always overloaded though they have been expanded and built more satellite hospitals.

Cancer patients can not afford the cost of treatment which is a concern of medical workers.

Dr. Mai Trong Khoa, deputy head of Bach Mai hospital said that the hospital's survey showed that 34 percent of cancer patient have financial difficulties and not be able to buy medicine after 12-month diagnosis; 22 percent of them not be able to cover transport fee.

Another study carried out by an international organization on cancer treatment cost in Southeast Asian countries including Vietnam showed that 55 percent of cancer patients died 12 months after diagnosis or encountered financial difficulties.

Most of Vietnamese cancer patients are diagnosed in late stage of the disease with only 5 percent being diagnosed in the first stage and 19 percent in second stage. Around 70,000 Vietnamese cancer people have died of the disease annually.

**(Cf .37)** 200,000 cancer-related deaths due to unsafe food reported annually

<http://sggpnews.org.vn/health/200000-cancerrelated-deaths-due-to-unsafe-food-reported-annually-67161.html>

Tuesday, June 06, 2017 11:33

From 2011 to October, 2016, there had been around 1,007 food poisoning cases affecting 30,395 people; driving 25,617 people to hospitals and killing 164 others, said the food safety inspector at the Assembly National meeting yesterday.

*Inspectors check food safety in Ben Thanh Market (Photo: SGGP)*

The National Assembly inspectors said that the development of food poisoning and diseases caused by unsafe food is serious in some localities nationwide.

Averagely, 168 cases are reported yearly with over 5,000 infected people and nearly 30 deaths.

As per the Ministry of Health's report, around 70,000 people die of cancer and over 200,000 fresh cancer cases per year; most of cases are caused by eating unsafe food.

Moreover, according to the World Cancer Association's survey, 35 percent of cancer

cases due to unsafe food are preventable.

Also the report said that during the period 2011 – 2016, seven diseases had brought 4,012,038 people in hospitals and killed 123 people; averagely 668,673 people had been affected by unsafe food and 21 others succumbed to the diseases; most of cases had been acute diarrhea.

It is estimated the rate of acute diarrhea due to unclean food in one year is 25.87 percent of the population. Localities report the development of gastrointestinal diseases is complicated.

Though the country has laboratories in ten provinces including the northern provinces of Lai Chau, Hung Yen, Ninh Binh, Dien Bien; the central provinces of Ha Tinh, Quang Nam, and the Southern provinces of Binh Phuoc, An Giang, Ben Tre and Binh Duong but it has some remaining comprising of improper fee, less survey leading to less samples taken for tests.

Worse, tests of vegetables and fruits during the 2011- 2016 period showed that the chemical residues had exceeded the allowable level of 8.47 percent.

Illicit small slaughterhouses increased additional 285. Seriously, poultry and cattle were killed in these slaughterhouses without veterinary tests. Southern cities and provinces carried out slaughter better than in the North.

Just a few food businesses and stores are inspected though the law of food safety took effect in 2010 but just 11,230 farms have applied Vietnamese Good Agriculture Practices (VietGap) standards. Good agricultural practice (GAP) standards have applied to some 12,7 thousands of hectares of growing vegetables in Vietnam, 1.5 percent of the country's total vegetable acreage, and 1,553 hectare for breeding aquatic animals.

**(Cf. 38)** *More young people in Vietnam die of cancer*

<http://www.nationmultimedia.com/asean&beyon/More-young-people-in-Vietnam-die-of-cancer-30294794.html>



*A doctor at Ho Chi Minh City Oncological Hospital treats a child cancer patient. /Viet Nam News*

More young people in Vietnam die of cancer

*ASEAN+ September 08, 2016 01:00*

By Mai KhuyenViet Nam New

HANOI - Nearly 150,000 people are diagnosed with cancer annually in Vietnam, and experts predict the disease will affect more and more young people.

The Creator endows humans a life to live, but also sets a deadline for life to come to an end. Nothing or no one can defy nature, but it is unbearable that in just a week, I had to say goodbye forever to two of my loved ones and received bad news that another is going to die.

All of them were young. The youngest was just 21 and the oldest was 54, and they were both victims of cancer – a nightmare for all generations, and a disease in which science seems to find no weapon to fight.

Tran Van Trung, the youngest, was a student at the PolytechnicUniversity.

He died this year of blood cancer while still finishing his school year.

The young man was the pride and joy of his mother, a single mom, because he embodied the talent and intelligence of an active and honest man.

Trung died at an age that population experts consider a 'golden age' for the workforce. He died without knowing why he had to, leaving behind his dreams of becoming a technician, getting married and having many children.

Le Van Sau, 43, another patient from TháiBìnhProvince, died just 20 days after he was diagnosed with liver cancer. In a way, Sáu, is luckier than Trung because he had the chance to have a wife and two children. Sau was the main supporter of his family, so he still had much work to do had he survived.

The man was hardworking, experienced, tough but honest, and particularly devoted to his work as a police officer in Hanoi.

The last one, Nguyen Huu Tiem, 54, a high-ranking official at the State Bank of Vietnam, was diagnosed with rectum cancer in June and is now still struggling with the disease while following strict therapy and lifestyle changes. As the luckiest patient of cancer, Tiem discovered symptoms at an early stage and adapted well to drugs.

Nearly 150,000 people are diagnosed with cancer annually in Vietnam, and experts predict the disease will affect more and more young people. A recent report from the Ministry of Health stated that 75,000 die from the disease every year, and Vietnam has one of the highest rates of cancer patients in Asia.

Moreover, he shows an optimistic determination to fight against the disease, so everything seems to be going well for him so far.

Tiêm hoped he would have more time - at least five years to do all he can to overcome the disease.

The three men were among nearly 150,000 people diagnosed with cancer in Vietnam every year, and experts predict the disease will affect more and more young people.

A recent report from the Ministry of Health stated that 75,000 die from the disease every year, and the country has one of the highest rates of cancer patients in Asia.

Many experts said cancer is caused by unhealthy lifestyle choices, such as alcohol addiction or avoiding exercise.

But the three aforementioned patients did not have bad habits, were not addicted to alcohol and did not smoke. They were all educated and followed a healthy lifestyle.

So what caused their diseases?

Trung was a student and had never been addicted to smoking or drinking. The doctor suspected that the young boy may have been poisoned by some unnatural preservative substance in instant noodles, which he often ate for his meals. As a poor student, Trung did not have much financial support, except for his mother, who could only provide a meager sum for his studies. The student used to save as much as possible to live in the city. The mother said that sometimes he had to eat instant noodles the whole week to survive.

Sáu once contracted Hepatitis C, but was cured 10 years before his death. Through his daily routine record provided by his wife, doctors found that the man used to be in favour of salty dishes and, moreover, he was rather careless and neglected to protect his liver, and contracted hepatitis B as a result.

Doctors also pointed to some unnatural poisonous chemical substances that had helped intensify the disease, as all of the three patients had a common habit of eating out.

Experts at a conference held by the Ministry of Health in March noted that 80 per cent of cancer cases in Vietnam were attributed to outside factors, such as air pollution, unsafe food and toxic work environments with unsafe food.

In particular, agents from unsafe food took the lead among carcinogenic factors, accounting for about 35 per cent of cases, while genetic factors account for only 5-10 per cent, the conference reported.

Experts also predicted the number of annual cases to rise to 189,000 by 2020.

Recent statistics from Hospital K in Hanoi, which specialises in cancer treatment, showed the hospital received more than 1,000 patients for medical checks-up a day, up from some 700-800 patients five years ago.

A report by Bach Mai Hospital in Hanoi also revealed that more than 73 per cent of cancer patients in Vietnam die every year, compared to the average rate of 59.7 per cent worldwide, making Vietnam one of the worst countries in the world in terms of cancer death rates.

Hospital Deputy Director Mai Trong Khoa was quoted by the online Dtinews as saying that more young people have become cancer victims, including those in their twenties and children.

Dr Nguyen Ba Duc, deputy chairman of the Vietnam Cancer Association, said three factors affect cancer, including genetics, pollution and diet.

Vietnam has six big hospitals for tumour treatment and 50 specialised faculties in hospitals at district levels, yet they are able to meet only 70 per cent of the demand. Worse yet, two leading hospitals, including K Hospital in Hanoi and TumorHospital in Ho Chi Minh City, are always overloaded. The country is looking forward to expanding and building more satellite hospitals at district levels, yet they are able to meet only 70 per cent of the demand. Worse yet, two leading hospitals, including K Hospital in Hanoi and TumorHospital in Ho Chi Minh City, are always overloaded. The country is looking forward to expanding and building more satellite hospitals.

**(Cf. 40)** *Dental – malpractice – cases in USA*

<https://www.rosenfeldinjurylawyers.com/dental-malpractice-cases.html>

2015; Florida; \$633,000 Jury Award:

A man in his mid 20's went into the dentist's office one day to have his wisdom teeth removed, but things did not go smoothly. Instead, the dentist performing the procedure drilled down past the tooth and injured his nerve. This not only caused him significant pain and suffering but also required follow up surgery. The dentist claimed that he did not do this and that even if he did, nerve damage was a known risk of the operation. Despite this knowledge, the jury awarded the patient \$633,000 for his damages.

**(Cf. 41)** Dental – malpractice – cases in USA

<https://www.rosenfeldinjurylawyers.com/dental-malpractice-cases.html>

2015; Washington; \$985,569:

A dentist in this story performed an operation on a man in his middle fifties to correct issues related to sleep apnea. During the course of this procedure, the patient developed an infection and the consequences were drastic: permanent nerve damage, loss of feeling in his face, and an inability to produce saliva among others. He needed multiple surgeries to correct these items and required long-term dental care. The [patient sued the dentist for malpractice](#). His suit alleged that the doctor should have monitored and contained the surgery better to avoid the spread of this infection. The dentist retorted that this outcome was beyond his control and that he operated within the proper standard of care. The jury disagreed. They awarded the plaintiff \$985,569 for his damages.

**(Cf.42a)** Key Damage Compensation Issues in Oil & Gas International Arbitration Cases by Manual A. Abdala, UN Univ. International Law Review 24 n°.3, 2009: 539-570.

**(Cf.42b)** Damage on Environment BP Oil spill: Disaster by numbers

Clean up the coast by pollution of oil spills

<https://www.independent.co.uk/environment/bp-oil-spill-disaster-by-numbers-2078396.html>

**(Cf.43 )** Number of Vietnamese boat people dead on sea

[http://boatpeople75.tripod.com/The\\_Dead\\_Did\\_Exist.html](http://boatpeople75.tripod.com/The_Dead_Did_Exist.html)

## **THE DEAD DID EXIST**

### **Why the boat people monuments**

### **in Galang Indonesia and Bidong Malaysia must be preserved**

THE DEAD DID EXIST – Why the boat people monuments in Galang Indonesia and Bidong-Malaysia must be preserved

By Ngo Nhan Dung

Translated by Quynh Dao

A woman arranged for her and her three children to escape Vietnam by boat after visiting her husband at the concentration camp.

Discreetly, he told her: "I have no chance of return. You and the children, please try to get out of the country." The mother and her three children never reached the shore. They drowned somewhere between the Vietnam sea and the Indonesian islands. Now, the father, currently living in America, is constantly tormented by the gnawing question – Am I responsible for all this? Another mother buried her husband after his failed suicide attempt in the concentration camp.

He was seriously ill after that and was allowed to be brought home to die. She wanted the children to escape because they belonged to the tainted class, they would not be allowed to go to university, they would not be able to get a government job, in a country where the private business sector was outlawed. The couple had two sons and four daughters, the eldest volunteered to embark on the dangerous journey first, he was sixteen. One month later, the news came. The young boy and all his companions had vanished at sea. The remaining members of the family settle in America; the presence of the deceased, father and son, one old one young, is always felt, on the family altar. I have personal knowledge about these stories, because all the people involved are my relatives.

I know a man who was part of an escape ring; because they had the assistance of the communist cadres who took bribe in gold taels, these escapes were termed "semi-official escapes". After helping many to escape successfully, he eventually decided for the whole family to leave. The group procured a big boat, with ample supply of food, water, medicine and even weapons for self-defence. The boat capsized in Philippines, it tipped over when people all rushed to one side.

His wife and all his children died; he survived, a walking ghost, for deep down in his heart, he had also died. I often see him but never dare to bring up this tragedy.

We, the refugees who survived, all have relatives, or someone we know, vanished in the South sea. Many boats capsized, many other drifted aimlessly until food and water ran out. How many died of hunger, of thirst, or found themselves lost somewhere in the myriad of archipelagos in the vast ocean? How many were slaughtered by pirates? In the former refugee camps of Bidong Malaysia and Galang Indonesia, the cemeteries where hundreds of refugees were buried are still there. Mass graves were dug for hundreds of bodies all from the same boat, their drifting wreckage was pulled to shore but everyone in it had long ago drawn their last breath. For hygienic reason, no one searched through the cadavers to at least identify them and get their name engraved on the tombstone. These unnamed deceased, despite the makeshift burial on the

islands, were lucky because they, at least, were allowed a resting place. Hundreds of thousands others lost their life in the South sea, they died in pain, in despair, in wretchedness, unknown, without a grave. In their dying moment, they still tried to look up the sky for God, for Buddha, they still tried to say their prayers, unfalteringly, to Quan-Yin, to the Virgin Mary. They died without a decent burial. The ocean was a gigantic mass grave for them.

The monuments in Galang Indonesia and Bidong Malaysia are also the mass entombments for half a million to one million boat people who perished at sea. Religious leaders of various religions have returned to those islands to pray for the soul of the dead. On these islands, among hundreds of burial sites with tombstones and hundreds others without the dignity of a tombstone, stood these newly erected monuments as tombstones for whom only a sea burial had been arranged by the ocean. They came from the provinces of Ha Tien, Vung Tau, Nha Trang from South Vietnam or Thanh Hoa, Mong Cai from North Vietnam, the freedom seeking boat people who never reached the shore of freedom.

Mass tombstones were erected around the world for the Jewish people victims of the Holocaust. There are monuments for Armenians who were massacred in World War I. There are monuments commemorating Vietnamese boat people in major cities around the world. But, for the Vietnamese, no place holds such significance as the Malaysian and Indonesian islands where, thanks to the kindheartedness of the local people, millions of refugees were rescued and allowed to stay in those temporary havens. Many died there, many were also born there. These places will be forever engraved in the history of mankind as a powerful testament to the force of humanity, where the innocent victims of a most cruel tyranny finally were offered solace in the caring hands of the world community.

Like all of us, these people were once our companions in the common human quest for freedom, for human decency. Unlike all of us, they were unlucky. We cannot forget them, we cannot forsake them for the second time to oblivion, we cannot let them become just a number, a statistic in the pages of history. For these deceased boat people did exist.

**( Cf. 44 )** The Vietnam war

**Vietnam War**, (1954–75), a protracted conflict that pitted the [communist](#) government of North Vietnam and its allies in South Vietnam, known as the [Viet Cong](#), against the government of South Vietnam and its principal ally, the [United States](#). Called the "American War" in Vietnam (or, in full, the "War Against the Americans to Save the Nation"), the war was also part of a larger regional conflict (*see* [Indochina wars](#)) and a [manifestation](#) of the [Cold War](#) between the United States and the [Soviet Union](#) and their respective allies.



**Vietnam War** U.S. Marines bombing bunkers and tunnels used by the Viet Cong, 1966. *Department of Defense, Department of the Navy, U.S. Marine Corps/National Archives, Washington, D.C. (ID: 532444)*

[Read More on This Topic](#)



## [United States: The Vietnam War](#)

[U.S. involvement in Vietnam dated to the Truman administration, when economic and military aid was provided to deter a communist takeover of French Indochina. When France withdrew and Vietnam was divided in two in 1954, the United States continued to support anticommunist forces...](#)

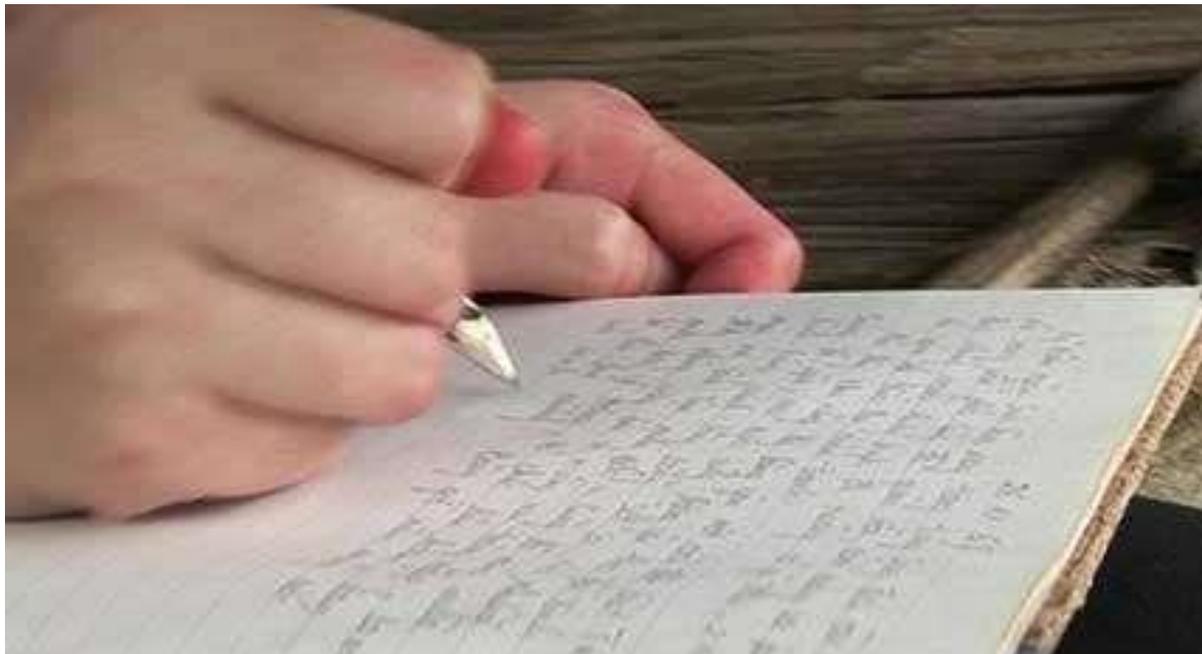
At the heart of the conflict was the desire of North Vietnam, which had defeated the [French](#) colonial administration of Vietnam in 1954, to unify the entire country under a single communist regime modeled after those of the Soviet Union and [China](#). The South Vietnamese government, on the other hand, fought to preserve a Vietnam more closely aligned with the West. U.S. military advisers, present in small numbers throughout the 1950s, were introduced on a large scale beginning in 1961, and active combat units were introduced in 1965. By 1969 more than 500,000 U.S. military personnel were stationed in Vietnam. Meanwhile, the Soviet Union and China poured weapons, supplies, and advisers into the North, which in turn provided support, political direction, and regular combat troops for the campaign in the South. The costs and casualties of the growing war proved too much for the United States to bear, and U.S. combat units were withdrawn by 1973. In 1975 South Vietnam fell to a full-scale invasion by the North.

# Vietnam War theatre, c. 1965–70



Encyclopedialike Britannica, Inc.

The human costs of the long conflict were harsh for all involved. Not until 1995 did [Vietnam](#) release its official estimate of war dead: as many as 2 million civilians on both sides and some 1.1 million North Vietnamese and Viet Cong fighters. The U.S. military has estimated that between 200,000 and 250,000 South Vietnamese soldiers died in the war. In 1982 the [Vietnam Veterans Memorial](#) was dedicated in Washington, D.C., inscribed with the names of 57,939 members of U.S. armed forces who had died or were missing as a result of the war. Over the following years, additions to the list have brought the total past 58,200. (At least 100 names on the memorial are those of servicemen who were actually Canadian citizens.) Among other countries that fought for South Vietnam on a smaller scale, [South Korea](#) suffered more than 4,000 dead, [Thailand](#) about 350, [Australia](#) more than 500, and [New Zealand](#) some three dozen.



**Vietnam War: doctor's diary** Learn about a Vietnamese doctor and her diary of the Vietnam War. *Contunico © ZDF Enterprises GmbH, Mainz*

Vietnam emerged from the war as a potent military power within [Southeast Asia](#), but its agriculture, business, and industry were disrupted, large parts of its countryside were scarred by [bombs](#) and [defoliation](#) and laced with [land mines](#), and its cities and towns were heavily damaged. A mass exodus in 1975 of people loyal to the South Vietnamese cause was followed by another wave in 1978 of "[boat people](#)," [refugees](#) fleeing the economic restructuring imposed by the communist regime. Meanwhile, the United States, its military demoralized and its civilian electorate deeply divided, began a process of coming to terms with defeat in what had been its longest and most controversial war. The two countries finally resumed formal diplomatic relations in 1995.



**Vietnamese boat people**

Vietnamese refugees waiting to be taken aboard the USS *Blue Ridge* during rescue operation 350 miles (563 km) northeast of Cam Ranh Bay, Vietnam, 1984. *Phil Eggman/U.S. Department of Defense*  
[The Editors of Encyclopaedia Britannica](#)

### **(Cf. 45 ) Vietnam environmental pollution**

Vietnam - Environmental and Pollution Control Equipment and Services

This is a best prospect industry sector for this country. Includes a market overview and trade data.

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**Last Published:** 7/13/2017

### **Leading Sectors for US Exports & Investments**

The following list of leading sectors for U.S exports and investments is not intended to be an exhaustive list, and the U.S. Commercial Service has successfully worked with U.S. firms from a broad array of industry sectors. If your firm's industry is not listed below, it does not mean that there is no market potential for your product of service in Vietnam, and we encourage you to contact our offices in either Hanoi or Ho Chi Minh City for more information on this market.

### **Environmental and Pollution Control Equipment and Services Overview**

Vietnam is facing an increasing number of environmental pollution challenges including air, water, and solid waste. Major factors contributing to these problems include a high population growth rate, rapid urbanization, accelerating industrialization, weak enforcement of the laws on environmental protection, and a lack of education and cultural awareness.

### **Leading Sub-Sectors**

#### *Water Supply*

A lack of clean water is one of Vietnam's most pressing environmental concerns. Presently, it is estimated that only about 70 percent of the population has access to potable water. A high rate of water loss, averaging 27 percent (equivalent to 1.8 million cubic meters per day), further exacerbates the problem. To improve this situation, the Prime Minister issued Decision 1929/QD-TTg on the "Orientation for Development of Water Supply in Vietnam's Urban Centers and Industrial Parks Leading to 2025, and Vision for 2050" and Decision 2147/QD-TTg on approval of the "National Unaccounted for Water and Nonrevenue Water Reduction Program to 2025". These decisions set a target of supplying clean water to all urban cities and towns and limiting the rate of water loss in these cities to less than 15 percent by 2025. By 2050, all urban cities,

towns, and industrial parks will be supplied in a stable manner with higher quality services.

### ***Waste Water***

Another pressing environmental concern, and a top government priority, is drainage and sewage. Due to rapid and ongoing urbanization and industrialization, improved municipal and industrial wastewater treatment is a critical need. The total investment required to meet sewage and drainage system needs throughout the country is estimated to be two to three times that of the total investment for water supply projects.

Per the "Orientation for Development of Water Sewage and Drainage Systems in Vietnam's Urban Centers and Industrial Parks Leading to 2025, and Vision for 2050", by 2025 most urban cities will have centralized municipal wastewater treatment and collection systems; 70-80 percent of municipal wastewater will be collected and treated properly. By 2050, all urban cities class IV and above will have storm water discharge systems as well as wastewater treatment systems. The government will give priority in using ODA funds for developing urban drainage systems, especially in major cities

and in areas that are prone to natural calamities. The government also encourages funding from both domestic and foreign individuals and institutions in developing water drainage and wastewater treatment systems.

### ***Municipal Waste Water***

It is estimated that over 90 percent of households utilize on-site treatment, generally in the form of septic tanks, but only 4 percent of sewage is treated. Approximately, 60 percent of households dispose of wastewater to a public sewage system, primarily through combined systems where sewage and rainwater runoff are collected but less than 10 percent of the wastewater in the country is being treated today.

Currently, there are 17 centralized urban wastewater treatment plants in six cities in Vietnam with total capacity of 565,000 cubic meters per day. Thirty-one wastewater treatment plants, primarily comprising of combined systems, with total capacity of over 1.5 million cubic meters per day are under design or construction in urban areas. Both storm water and household wastewater are commonly discharged through combined and outdated drainage systems into canals, rivers and lakes without treatment.

The estimated total investment requirement for implementation, excluding resettlement cost, was estimated to be at \$3.4 billion. It is mandatory for new urban residential areas and industrial parks to plan and construct separate drainage systems

for storm water and wastewater. Municipal and industrial wastewaters are further required to be pre-treated to ensure compliance with environmental standards before being discharged into the city's drainage systems. Thus, the government encourages cost-effective and environmental friendly wastewater treatment technologies and products into Vietnam.

### ***Industrial Waste Water***

The country's industrial production has grown around 15 percent per year during for the last decade. Statistics show that as of June 2012, there were 334 industrial parks and export processing zones in the country. Industrial wastewater treatment is a critical need as 75 percent of wastewater is being discharged into lakes and rivers without treatment. Per a report from Ministry of Natural Resources and Environment (MONRE), 240,000 cubic meter of wastewater is being discharged directly to the environment every day.

Pollution violations by industrial manufacturers have drawn much attention recently. Public interest groups have begun to focus on the impact of industrial waste has on the environment and economy. Violating manufacturers are beginning to feel the impacts of boycotts by their associates and customers. These companies have also had some difficulty accessing bank funding, as more banks are adjusting their policies to avoid clients on the environment black list. Recent developments have triggered an intensification of monitoring and inspection of industrial pollution. Industrial parks represent an attractive market for wastewater treatment plants since the government is pushing industry harder on environmental compliance.

### ***Solid Waste***

The Vietnam Environment Administration (VEA) states that solid waste continues to increase throughout the country, and is expected to reach a rate of 44 million tons annually. Accelerating industrialization and urbanization, along with a population increase, are the major causes for this surge

.It is estimated that 46 percent of this solid waste is being discharged from the urban areas, 17 percent from industrial production zones, and the remaining from rural areas, trade villages and the medical sector. About 80 percent of the waste is being buried; the rest is treated by burning or composting. Currently, the country has more than 450 landfills but only around 120 follow proper sanitary regulations.

Another concern is waste collection and separation. Most of the solid waste produced in urban areas is not classified at its source. Organic and inorganic wastes are often mixed together. Waste collection in urban areas is only at 80-82 percent and 40-55

percent in rural areas. Additionally, there is very little recyclable material left once the waste reaches the treatment plants, as scavengers and garbage collectors have already collected the recyclable material including cans, PET bottles, scrap metal, wiring, plastic bags, and paper to sell.

The government strongly encourages private sector participation in solid waste collection, separation, transportation, and treatment. There are regulations in effect, but again, the enforcement level is very low. Entities generating solid waste are responsible for their waste collection, transportation and treatment fees. It is also required that waste be separated at the sources of generation. To minimize burying waste, the government encourages new technologies to treat less degradable waste. Over the past decade, efforts have been made to develop a policy and legal framework for environmental protection, particularly for the management and disposal of waste streams.

### ***Air Pollution***

Vietnam's Ministry of Natural Resources and the Environment (MONRE) found that the deterioration in air quality in recent years is severe in many urban areas, especially in Hanoi and Ho Chi Minh City. A 2013 National Environment Report showed that air pollution in Hanoi was graded from unhealthy to hazardous for over 265 days of the year. The primary sources of urban air pollution are traffic and industrial activities, per the Vietnam Environment Administration.

The Vietnamese government has plans to address industrial air pollution. The Ministry of Natural Resources and Environment (MONRE) has drafted a National Action Plan on Air Quality Management (2020 to 2025). The plan includes a 20 percent reduction target for NO<sub>x</sub>, SO<sub>x</sub> and particulate matter emitted by cement, chemicals, fertilizer and petroleum production facilities. Separately, a draft National Technical Regulation on Emissions for the Steel Industry is also in progress. Vietnam's draft Environmental Law (55/2014/QH13) also contains air quality management requirements, including point source registration, emissions inventory and installation of continuous emission monitoring systems for the biggest stationary source emitters. Improving air pollution control also will require industrial parks to install emissions treatment systems. This increasing regulatory stringency is likely to drive growth in the air quality management market and provide opportunities for U.S. solution providers.

### **Opportunities**

Vietnam's Law on Environmental Protection was enacted in 1994 and updated and strengthened in 2005 and 2014. Central-level attention on protecting the environment

also includes setting environmental sustainability goals in its 2015-2020 long term plan, issued in 2016.

In February 2017, Decree No. 155/2016/ND-CP on Sanctioning Administrative Violations in Environment Protection went into effect. The decree puts in place fines up to VND 1 billion (USD 44,400) for individuals violating environmental laws, and up to VND 2 billion (USD 88,800) for organizations, the highest administrative fines ever to be put into effect.

Funding for water supply and wastewater projects comes mainly from Official Development Assistance (ODA) sources with the major donors being the World Bank (WB) and the Asian Development Bank (ADB), committing billions of dollars to Vietnam's water projects. However, given the public finance constraints and the phasing out of ODA assistance of several bilateral development partners, the Government hopes to source a significant portion of the capital through Public Private Partnership (PPP), including foreign investors. The issuance of the PPP Decree in February of 2015, as a single regulation governing PPP transactions and the issuance of a Decree on Investor Selection provides a strong political will and credibility to give investor and financier confidence. The water and sanitation sector has been identified as a potential for PPP projects. Many development partners are providing support to promote the government's PPP program, including the ADB, which in partnership with Agence Francaise de Development (AFD) is providing on-going financing support of \$30 million to the Project Development Facility (PDF) for building a pipeline of bankable PPP projects. As it aims to reach industrialized nation status by 2020, Vietnam faces substantial challenges. It is estimated that from now until 2020, Vietnam would need around \$170 billion to develop its infrastructure, including transport, bridges, power plants, water supply network, waste water treatment plants and ports.

Local production of environmental equipment does not currently meet market demand, especially the requirements of ODA-funded projects. Technical conditions/requirements governing many ODA projects dictate that many materials must be imported (water meters, valves, pumps, motors, water treatment chemicals, water filtration systems, water control and monitoring equipment, etc.) WB or ADB-funded projects are typically procured through an international competitive bidding that offers a transparent and fair selection for U.S. companies.

In addition to municipal and donor-funded projects, market demand is also being driven by certain industrial users. Industrial parks represent an attractive market for wastewater treatment systems, because Vietnam must import nearly all the key components of these systems.

The market for water and wastewater treatment services centers on consultant contracts for ODA funded projects. More than 2,000 projects in Vietnam are required to make environment impact assessment (EIA) reports each year. Domestic engineering and consulting firms can perform EIAs for developers, but foreign developers prefer to work with foreign engineering and consulting firms because domestic firms often don't have the expertise to perform EIAs to global standards. Foreign environmental impact assessment capabilities will continue to be in demand in Vietnam.

## **Web Resources**

[Asian Development Bank](#)

[Ministry of Natural Resources and Environment](#) (MONRE)

[Vietnam Environment Administration](#)

[Vietnam Water Supply and Sewerage Association](#) (VWSA)

[Vietwater 2017](#), Hochiminh city, (November 8-10, 2017)

[World Bank](#)

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**(CF. 46)** Chinese dams



Vientiane Capital, Lao PDR, 6th Jun 2017

Since 1993, China has built six dams in the mainstream on the Upper Mekong Basin, known as the Lancang in China. Operations of these dams have stirred many concerns from the Lower Mekong Basin communities on how these dams will impact their river and livelihoods. With the two biggest storage dams of the cascade, Xiaowan and Nuozhadu, their impacts have often been in the [news](#). The concerns include how changes in water flow (discharge) impact on fisheries, sediments, and downstream community livelihoods.

While the picture of the impacts is incomplete, the Mekong River Commission's (MRC) river monitoring arm points out that these Chinese dams do affect water flows in the Lower Mekong Basin, generally reducing the flow during the wet season and increasing it during the dry season.

**Downstream water flow in the dry season increased, easing effects of droughts.** Storage dams can contribute to increased flow during the dry season as they discharge water for energy production. For example, the release of water supplement from the Lancang dams eased the regional drought of 2016. The drought resulted in 16% less flows compared to the long term average. However, because of the emergency water releases from the Chinese dams upstream, that increased dry season flows that ultimately helped to mitigate potential impacts of the drought.

A total of 12.65 billion cubic meters of water was discharged from the Jinghong hydropower reservoir during the period of March to May 2016. These releases amounted to between 40 – 89% of flows along various sections of the Mekong River. The emergency water supplement increased water level or discharge along the Mekong mainstream to an overall extent of 0.18-1.53m or 602-1,010m<sup>3</sup>/s.

If these emergency releases did not occur, flows would have been 47% lower at Jinghong, 44% lower at Chiang Saen, 38% lower at Nong Khai and 22% lower at Stung Treng. This additional flow has also alleviated salinity intrusion in the Mekong Delta.

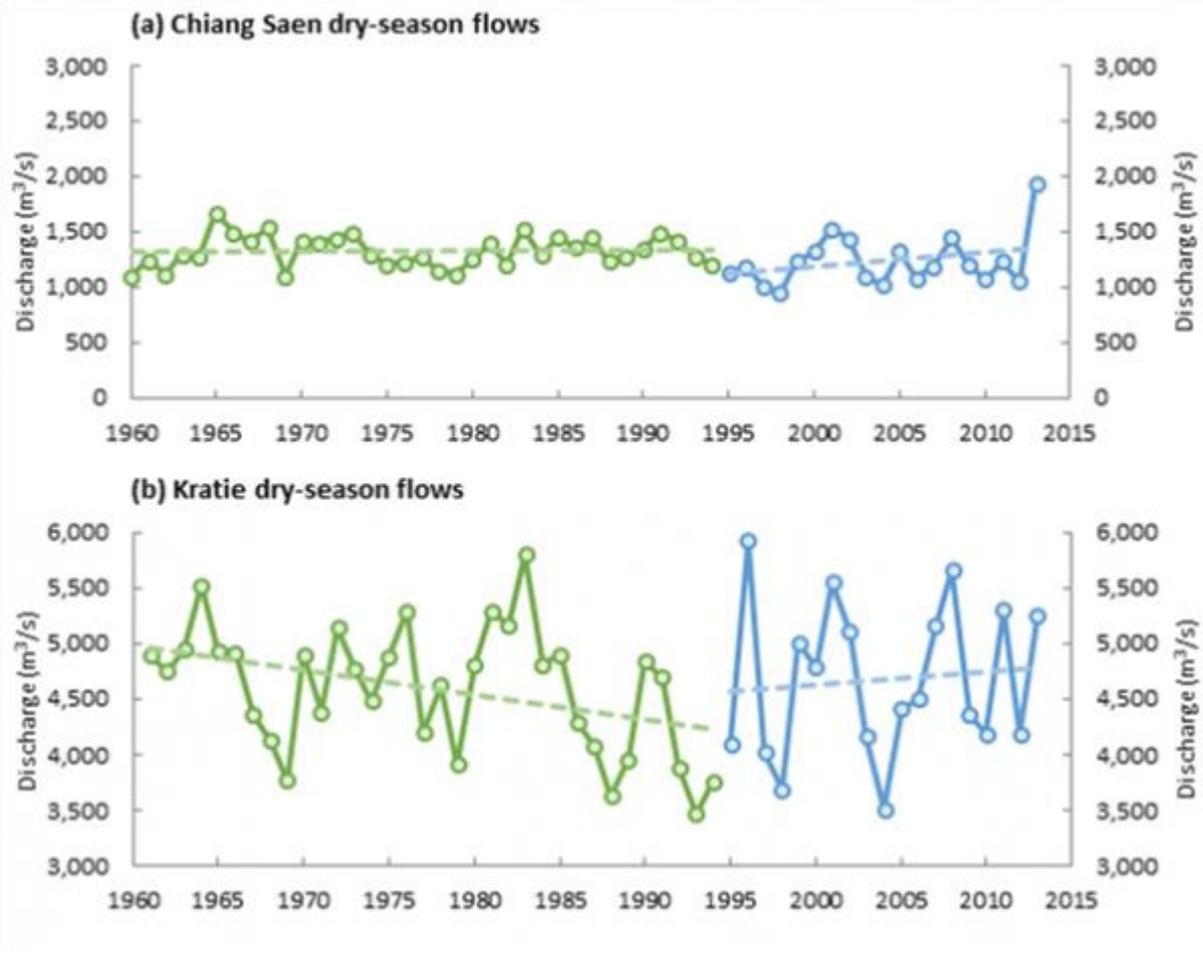
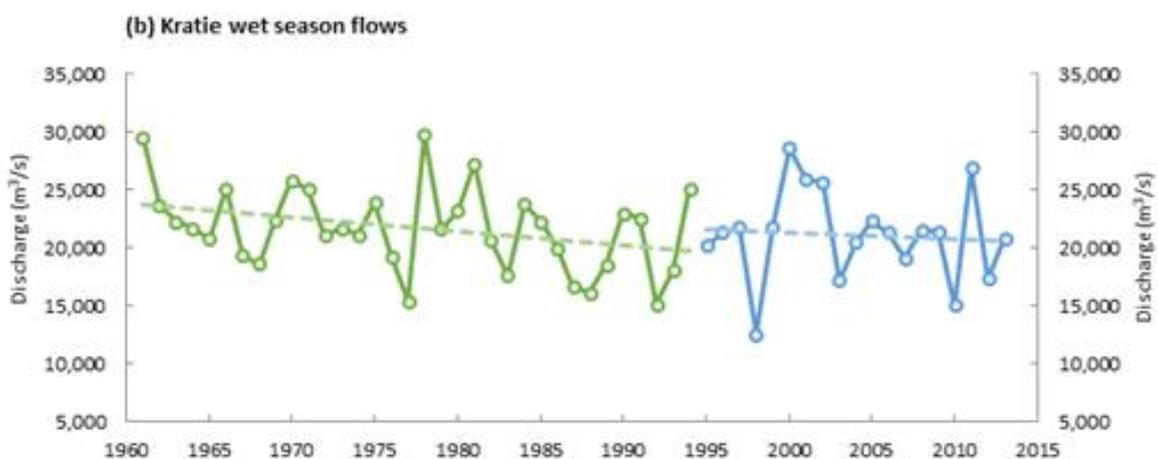
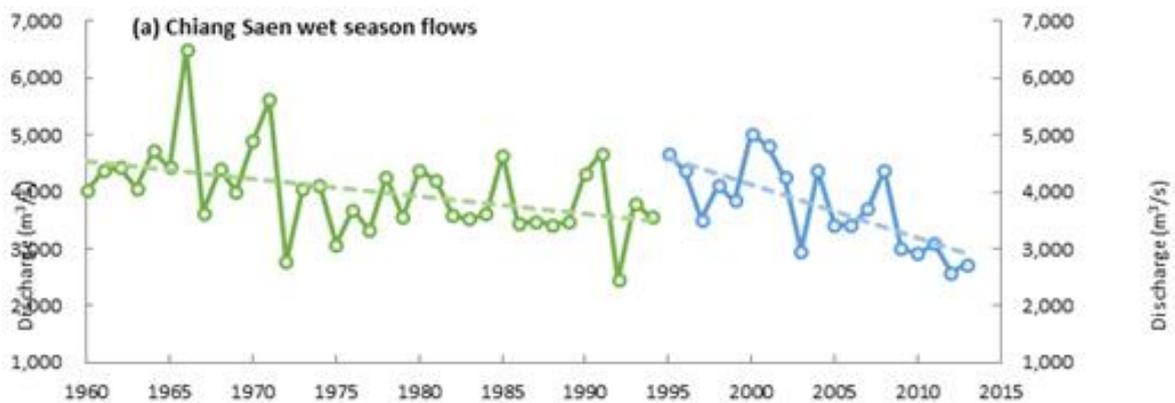


Figure: Trends of annual dry season flows at (a) Chiang Saen and (b) at Kratie for 1960-2013

**Downstream water flow in the wet season reduced.** Conversely, in the figure below, we see a clear downward trend in wet season flows at Chiang Saen, and less pronounced at Kratie, which is likely to be a result of dam operators storing water in the wet seasons and possibly an increase in extractions of wet season flows for productive purposes.



In short, while the Mekong communities could be concerned about the adverse effects of Chinese dams on such issues as sediments and fisheries, these dams have not reduced the flows downstream during the dry season.

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### Notes to Editor:

**The Mekong River Commission (MRC)** is the intergovernmental organisation established to promote cooperation on the sustainable management of the Mekong Basin whose members include Cambodia, Lao PDR, Thailand and Viet Nam. The MRC acts as a platform for water diplomacy and regional cooperation in which member countries share the benefits of common water resources despite different national interests, and address transboundary pressures in the basin. It also serves as a knowledge hub that promotes regional cooperation and policy-making based on scientific evidence.

The MRC provides [river-monitoring services](#), including flood forecasting, to its Member Countries. The MRC created a Flood Management and Mitigation (FMM) strategy in 2001, and in 2005 established the [FMM Programme](#) (FMMP), which ran until 2015. A Drought Management start-up project was established as part of the [Information and Knowledge Management Programme](#) in 2010. The MRC Secretariat, headquartered in Vientiane, operates the Flood Management and Mitigation Center in Phnom Penh.

The MRC and China have been exchanging hydrological data during the annual flood season since 2002. Together with the International Water Management Institute (IWMI), the two sides recently agreed to conduct study on hydrological impacts of the Lancang hydropower cascade on downstream extreme events such as floods and droughts in the dry season.

### **(Cf. 47) Vietnamese Re-education camps**

#### **Vietnamese Re-education Camps**

kubia April 17, 2014 Leave a comment Last Updated on November 6, 2014

**Posted in** Glossaries

**Keywords** [Nguyen Van Linh](#) [Re-education camps](#)

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Following [the fall of Saigon](#) on April 30, 1975, Vietnamese Communist government began to open hundreds of “re-education” camps throughout the country. Those camps, as Hanoi officially claimed, were places where individuals could “learn about the ways of the new government” through education and socially constructive labor. In 1975, it was estimated that around **1 to 2.5 million** people<sup>1</sup>, including former officers, religious leaders, intellectuals, merchants, employees of the old regime, and even some Communists, entered the camps in the hope that they could quickly reconcile with the new government and continued their peaceful life. However, their time in those camps did not last for ten days or two weeks as the government had claimed.

#### **Re-education Camps Levels**

The re-education camps were organized into five levels. The level-one camps which were called as study camps or day-study centers located mainly in major urban centers, often in public parks, and allowed attendees to return home each night. In those camps, some 500,000 people<sup>2</sup> were instructed about socialism, new government policy in order to unlearn their old ways of thinking. The level-two camps had a similar purpose as the level-one, but attendees were not allowed to return home for three to six months. During the 1970s, at least 200,000 inmates entered more than three hundred level-two camps<sup>2</sup>.

The level-three re-education camps, known as the socialist-reform camps, could be found in almost every Southern Vietnam province containing at least 50,000 inmates<sup>2</sup>. Most of them were educated people and thus less susceptible to manipulation than most South Vietnamese in the level-one and two camps. Therefore, the inmates (or prisoners) in these camps had to **suffer poorer living conditions, forced labor and daily communist indoctrination.**

The last two types of camps were used to incarcerate more “dangerous” southern individuals – including writers, legislator teachers, supreme court judges, province chiefs – until the South was stable to permit their release. By separating members of certain social classes of the old regime, Hanoi wanted to prevent them from conducting joint resistances and forced them to conform to the new social norms. In 1987, at least 15,000 “dangerous” persons were still incarcerated level-four and level-five camps<sup>2</sup>.

### **Camp Conditions and Deaths**

In most of the re-education camps, living conditions were inhumane. Prisoners were treated with little food, poor sanitation, and no medical care<sup>3</sup>. They were also assigned to do **hard and risky work such as clearing the jungle, constructing barracks, digging wells, cutting trees and even mine field sweeping** without necessary working equipments.

Although those hard work required a lot of energy, their provided food portions were extremely small. As a prisoner recall, the experience of hunger dominated every man in his camp. Food was the only thing they talked about. Even when they were quiet, food still haunted their thoughts, their sleep and their dreams. Worse still, various diseases such as malaria, beriberi and dysentery were widespread in some of the camps. As many prisoners were weakened by the lack of food, those diseases could now easily take away their lives.

Starvation diet, overwork, diseases and harshly punishment resulted in a high death rate of the prisoners. According to academic studies of American researchers, a total **of 165,000 Vietnamese people died** in those camps<sup>4</sup>.

### **The End of “Re-education” Period**

Most of the re-education camps were operated until 1986 when Nguyen Van Linh became the General Secretary of the Communist Party. He began to close the harsher camps and reformed the others<sup>5</sup>. Two year later, Washington and Hanoi reached an agreement that Vietnam would free all former soldiers and officials of the old regime who were still held in re-education camps across the country and allowed them to emigrate to the United States under the Orderly Departure Program (ODP). As of

August 1995, around 405,000 Vietnamese prisoners and their families were resettled in the U. S.<sup>6</sup>.

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### Sharing is Caring

(Cf.47a) Excerpts from Paris Peace Accords of 1973

#### Article 11

Immediately after the ceasefire, the two South Vietnamese parties will achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal and discrimination against individuals or organisations that have collaborated with one side or the other... ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organisation, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership, and right to free enterprise...

#### Article 15

The reunification of Vietnam shall be carried out step by step through peaceful means on the basis of discussions and agreements between North and South Vietnam, without

coercion or annexation by either party, and without foreign interference. The time for reunification will be agreed upon by North and South Vietnam...

**(Cf. 48)** Mental health in Vietnam

It was reported at a recent conference that 15-20 percent of Vietnamese population have mental disorders, but doctors at a major psychiatric hospital say the rate is actually much higher in reality.

La Duc Cuong, head of the National Psychiatric Hospital, told *Kham Pha* (Discovery) Magazine Friday that the rate reported by his institution at a seminar in Ho Chi Minh City earlier this week was "modest."

Had the hospital been sufficiently funded, it would have been able to conduct a large-scale survey and the figure would have been higher, he said.

In Vietnam, many people suffer from psychiatric disorders, but their families fail their illness, as mental disorders come in a variety of different forms with a variety of symptoms such as anxiety, insomnia, and the abnormal expression of emotions, Cuong said.

For instance, Nguyen Thi Van, a patient at the Hanoi hospital, suffered mental problems for 20 years before her disorder was detected and diagnosed.

Dr. Vuong Van Tinh said that after graduating from the University of Languages and International Studies, Van started showing signs of anti-social behavior such as refusing to communicate with people around her.

She later got married but after spending one night with her husband, she demanded a divorce.

When Van quit teaching and started reciting Buddhist scriptures, her family took her to the hospital for a check-up and discovered her illness.

On the other hand, despite knowing that their children are mentally ill, many families refuse to seek help for fear of social discrimination, Dr. Dang Thanh Vinh was quoted by the magazine as saying.

"They fear that their children will not be able to get married or find a job," he said.

Except when the patient is in serious and recognizable conditions, many families adopt self-treatment for them at home, so the reported prevalence of mental illness in Vietnam is still lower than in reality, according to Vinh.

Tinh said that the most common causes of psychiatric problems among Vietnamese are stresses related to work, life, domestic violence and dissatisfied sex lives.

Another cause is the impact of a slumping economy: farmers losing their land, workers losing jobs, and fresh graduates unable to find jobs, he said.

If illness is not detected early, it is difficult to treat the patient effectively, he said, adding that the situation affects the whole family.

When a person suffers a chronic mental disorder, 70 percent of members in his/her family are subject to stress disorders, worries and depression, he said. Not to mention economical problems, as they have to pay medical and other related expenses.

*Tuoi Tre* (Youth) newspaper quoted Dr. Nguyen Van Tho, dean of the Van Hien University Society and Humanities Department, as telling the recent seminar that psychotherapy is effective in improving the patient's physical and mental health.

But, in Vietnam, mental disorders are mainly treated with medication, he said.

According to Tho, psychotherapy is still underdeveloped and is not a subject offered by many local schools.

The seminar on psychotherapy was organized by Van Hien University in collaboration with the UK University of Worcester's Institute of Health and Society on Monday.

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### **( Cf. 49) Cancer rate in vietnam**

Vietnam has among world's highest cancer fatality rates

*The World Health Organisation (WHO) has continued ranking Vietnam among the countries with the highest rate of cancer fatalities, said Nguyen Chan Hung, chairman of Vietnam Cancer Association.*



*A surgery on a colorectal cancer patient in Vietnam*

Hung released the information at a national conference on cancer in Hanoi on October 6.

According to Hung, Vietnam along with Finland, Somalia and Turkmenistan stood 78th among 172 countries with a cancer death rate of 110 for every 100,000 people.

Cancer patient numbers in Vietnam have been on the rise with the figure forecast to reach 190,000 cases in 2020 compared to just 68,000 in 2000 and 126,000 in 2010.

Every year, around 115,000 people in Vietnam die of cancer, equal to 315 people per day.

Lung, liver, stomach, rectum and breast cancer were the biggest killers.

According to Dr. Tran Van Thuan, Director of K Hospital in Hanoi, up to 85% of lung cancer patients are related to smoking.

Thuan added that most cancer patients come to hospital quite late, so, treatment was often ineffective and costly, resulting in a high death rate.

The rate of patients who recover from cancer treatment in Vietnam is roughly between 30% and 40%, against 70%-80% in many developed countries.

A report of the Ministry of Health indicated that total cost for breast, lung, rectum, stomach, liver and cervical cancers in Vietnam reached VND25.78 trillion (USD1.2 billion) in 2012, accounting for 0.22% of annual GDP.

*Dtinews*

Tags:

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.htm)

**(Cf.60)** UN-DESA (vu kinh te va xa hoi cua LHP cung cap : con so 2,5 trieu nguoi Viet  
bo ra nuoc ngoai sinh song tu 1990-2015 (2,5million Viet left for abroad looking for  
jobs

**(Cf.61)** Ho Mai : moi nam hon 100000 Viet di cu ra nuoc ngoai 24/07/2016 trong VN  
Finance (every year, around 100000 Vietnamese migrated abroad

<http://veitnamfinance.vn/tai-chinh-quoc-te/moi-nam-gan-100-nghin-nguoi-viet-di-cu-ra-nuoc-ngoai-20160722095009241.html>)

Xuat khau lao dong : trong so 2,5 trieu la so chinh thuc khong ke nguoi di chui lau  
(Labor export of 2,5 million Vietnamese was on legal paper without counting the  
number of illegal ones)

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**(Cf.63)** Baokhongle.wordpress.com/2011/08/12 : Van de cong nhanTau tai VN (Problem of presence of Chinese workers in VN) : in 2009, around 35000 Chinese workers and other 800000 Chinese living in VN.About 1300 Chines factories and firms registered in VN. But others created by Vietnamese by resold to Chinese. So the overall number of Chinese firms is about 5000. if the overall number of Chinese working in each of their firms, the overall number of Chinese workers in VN is around 1,3million persons.

**(Cf.64)** Hieu trung blog concerning the corrupt properties of VC leaders in 2005.  
<http://vivi099.wordpress.com/2015/11/01>

**(Cf.65)** Theo loi to cao cua Trinh xuan Thanh, su bien thu dau hoa cua Tap doan dau khi len toi 36 ty USD moi nam, trong 10 nam la 360 ty USD.

(according to the denunciation ofTrinh xuan Thanh, former polit.bureau member, concurrently member of Directorate of VN Oil C°, the corrupt money of this oil company totaled 36US\$ billion/per year, so fore the last 10 year, the corrupt amount of money over the last &0 years woudl be US\$360 billions.

(<http://www.youtube.com/watch?McvgXfaOdho>).

## **(Cf.66)The Economic Lives of People with Disabilities in Vietnam**

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Through a series of focus group discussions conducted in northern and central Vietnam, this study gives voice to the lived economic experience of families with disabilities and how they manage the economic challenges associated with disability.

The dynamic of low and unstable income combined with on-going health care and other disability-related costs gives rise to a range of coping mechanisms (borrowing, reducing and foregoing expenditures, drawing upon savings and substituting labour) that helps to maintain living standards in the short-run yet threatens the longer-term welfare of both the individual with disability and their household. Current social protection programs were reported as not accessible to all and while addressing some immediate economic costs of disability, do not successfully meet current needs nor accommodate wider barriers to availing benefits.

## Figures

	Hanoi		Da Nang	Total
	Dong Da	Thanh Tri		
Mobility	20	18	0	43
Visual	4	9	0	13
Hearing	9	0	0	9
Speaking	1	0	0	1
Intellectual	2	2	0	4
Developmental	2	2	0	4
Autism	1	2	0	3
Total	39	33	0	77

doi:10.1371/journal.pone.0133623.t001

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## Introduction

The conceptual pathways between disability and poverty are often noted. Poverty may increase the risk of disability through malnutrition, lack of access to safe drinking water, unsafe living and working conditions, or limited access to essential health services such as maternal health care or immunization [1]. In the other direction which forms the bulk of currently available empirical evidence, disability may lead to lower living standards and poverty for the household due to any range of physical, attitudinal or environmental barriers [2–5]. Understanding the specific cost factors that contribute to poverty and their dynamics remains poorly documented. Even less well understood is how families are coping with these costs and their implications for members of the household over time. This issue is particularly timely as governments grapple with the task of including persons with disabilities in national social protection programs in accordance with their obligations under the United Nations Convention on the Rights of Persons with Disabilities (CRPD), and other human rights initiatives.

This study was undertaken in Vietnam, a country with a large disabled population. According to census data, 7.8% of the Vietnamese population or 6.7 million people were living with a disability in 2009 [6]. This estimate likely underestimates the true extent of disability in the country. Vietnam is a signature member of the CRPD (22 October, 2007) and regional Incheon Strategy (2013–2022), both of which call for a range of social protection supports for people with disabilities [7, 8]. The government also recently passed a national disability law (July 2010) which outlines the right to state support across a range of sectors including welfare, health care and rehabilitation, education, vocational training, employment, transport, sports and entertainment [9]. Additionally, persons with disabilities are recognized as one of several social beneficiary groups eligible for state social protections, including a monthly cash transfer, non-contributory health insurance and education assistance [10–13].

Vietnamese people with disabilities experience higher rates of poverty relative to the wider Vietnamese population when accounting for the additional costs of disability [5, 14]. To gain a deeper understanding of the relationship between disability and poverty, this study adopts a qualitative approach to the questions of disability costs. The research aim is broadly to aid understanding about the lived economic experience of disability for the household and their expressed needs in light of recent efforts to

extend formal social protections to persons with disabilities. Over the period November 2012 to September 2013, seven focus group discussions were held across northern and central Vietnam that addressed the following three key themes and questions: (i) What are the costs associated with disability for the household? (ii) What mechanisms do households use to cope with the costs of disability? (iii) How do available formal social protection supports perform against needs?

The following section, Section 2, provides a background on disability costs and their estimation. Section 3 describes the methodology and study design; Section 4 presents focus group interview results; Section 5 discusses the results; Section 6 addresses study limitations; and Section 7 concludes the paper with considerations for policy makers.

### **On the Economic Costs of Disability**

The economic costs associated with disability can be divided into indirect and direct costs [15]. The direct costs associated with disability include both additional expenditures on general items that any household may need, such as health care, transportation and food, as well as disability-specific costs such as rehabilitation and assistive devices, personal care assistance, and adaptations to housing and vehicles. Indirect costs do not represent an outlay of money but are foregone benefits (or opportunities) such as lost income of individuals or their caretakers who could not work or worked less due to disability. Lower earning capacity of the person with disability may result from limited work choice, anti-work incentives of government programs, longer amounts of time needed to complete tasks due to disability, or from educational, environmental, or social barriers to employment. Other family members may not be able to undertake paid work or may be restricted in the type, or number of hours of work they can perform due to care-giving responsibilities. Opportunity costs in foregone income for carers can be distinct from the actual number of hours spent care-giving. Having to care for a family member a few hours a day can preclude paid work, depending on the flexibility of scheduling. The full costs of care-giving might not be felt in economic terms until the future. For example, evidence shows that Vietnamese children with disabled adults in their household are significantly less likely to attend school [16].

Researchers have developed several different methodologies to estimate direct and indirect costs. We briefly summarize the key methodologies currently in use with a focus on direct cost estimation which forms the bulk of the literature. One approach is to directly measure consumption patterns in health and non-health expenditures between persons with and without disabilities whilst controlling for other sources of variation [2, 19, 20]. The limitation of this methodology is that studies are based on household expenditure survey data collected for the general population, where

disability-specific expenditures are not itemized in the survey. Furthermore, expenditure item prices are assumed to be consistent across the population when a person with a disability may require more costly transport associated with the purchase due to taxi hire, for example. Moreover, costs are actual reported expenditures and thus require that items are available, accessible and affordable, which is particularly problematic in low- and middle-income country (LMIC) settings.

A recent and growing body of studies has adopted an indirect method to estimate disability costs known as the Standard of Living (SOL) approach [5, 14, 17, 18, 21–24]. Because it is an indirect method the SOL approach does not identify the specific items which contribute to additional costs but rather estimates costs overall and how they can vary across the disabled population (e.g. by impairment severity and type, life cycle, geographic location). The approach imputes as disability costs the extra income required for a person with disability to reach the standard of living of an equivalent person without disability. Most applications use material indicators of SOL, such as assets, and thus do not capture non-material aspects of welfare such as community participation. It is also assumed that each member of the household shares the same standard of living which is questionable in view of reports of households diverting resources away from disabled members in favour of non-disabled members [25, 26]. Furthermore, living standards are assumed to increase with income irrespective of disability status which is also questionable given the likely barriers faced by disabled people in converting income into life quality, referred to by Amartya Sen as the 'conversion handicap' [27].

The above methods do not account for opportunity costs with respect to the loss of income due to disability and care-giving within the household—the 'earning handicap' as Sen puts it [27]. One straightforward approach in the literature is to compare head-count income poverty rates for disabled versus non-disabled households. This approach is problematic in LMIC contexts due to unreliability in the report of personal and household income associated with agrarian or informal labour markets and the high variability of income sources. Consequently, household consumption expenditure is commonly used as a proxy for permanent income and is divided by the number of household members to derive an individual income measure. Income is assumed to be equally distributed among disabled and non-disabled members of the household and therefore likely underestimates the extent of income poverty experienced by persons with disabilities. In a study of 15 LMICs, in only 3 countries were persons with disabilities found to have a higher rate of income poverty than persons without disabilities [2]. It is noted that the study finds a closer relationship between disability and multi-dimensional measures of poverty compared to proxy income based measures. The equalisation of household income furthermore does not account adequately for the opportunity costs in income experienced by other household members due to care-giving responsibilities, similar to methods which attempt to

estimate the income loss attributable to productivity gaps between disabled and non-disabled people [28].

In spite of the challenges in estimating the indirect costs among households with disabled members, the rate of income poverty is invariably increased when the direct costs of disability are taken into account [5, 17, 23, 24]. The SOL approach has been used to expand the concept of poverty beyond conventional income or consumption based constructs. The rationale is that standard poverty lines which assume that the minimum basket of resources encapsulated in the poverty threshold is sufficient to meet basic needs are insufficient for persons with disabilities because of the additional disability-related expenses. By failing to take account of these costs, standard poverty lines routinely underestimate the degree of income deprivation among the disabled population. For example, in Vietnam, the extra costs are estimated at 11.5% of income. Once these extra costs are taken into account, the poverty rate of families with disabled people increases from 17.6% to 22.3% [5].

Prevailing quantitative methodologies fail to provide a full picture of disability costs, the inter-connecting relationships of costs and their effect on the individual and household. The purchase of a wheelchair, for example, may reduce indirect costs on the household by leading to improved scores in independence (as measured by a care-giving support scale) and levels of employment and income [29]. How individuals and families negotiate competing economic demands, particularly when money and resources are most limited, are furthermore not explored. A small number of studies have recently examined the impact of household coping mechanisms [30–33]. The studies are quantitative in nature and thus limited by the data under study. Disability measures are imperfect and narrow in scope (e.g. the number of days unable to perform regular activities, such as employment or education, due to illness or injury in the past month), as is the range of coping mechanisms (reallocation of expenditures, loans and sale of assets). Like the majority of disability cost estimations, the time under study (2–4 years) is also unsuited to assess the longer-term impact on household welfare which is problematic since disability is often a long term or life-long condition as distinct from more transient health conditions.

For the above reasons, we undertook a qualitative study of disability costs in Vietnam. Using a series of focus groups, we give voice to the lived economic experience of families with disabilities and how they balance competing demands on household incomes. In light of the recent efforts on the part of the Vietnamese government to protect and promote the rights of persons with disabilities, we further asked study participants whether and how current social protection schemes contribute to improving the economic status of the household. Our approach suffers from the same limitations as other subjective approaches that rely upon expert panels, or disabled persons themselves, to assess disability costs [17]. Reported costs will depend upon

the nature and severity of impairment, as well as other individual, household, and community level factors, and there exists no counterfactual from which to level disability costs.

## **Methodology and Study Design**

Ethical approval for the study was obtained from the University College of London (No.:1967/005). Because of low literacy levels in the population under study, informed verbal rather than written consent was anticipated and applied for as part of our ethical approval process. Verbal consent was approved by the UCL Institutional Review Board and obtained from all study participants in accordance with verbal consent procedures and capacity to consent as determined by legally authorized disabled people's organizations. Parental or next of kin consent was obtained for persons under age 18 and all consent was documented on record.

A pilot focus group discussion (5 participants) was conducted in Da Nang city in November 2012 by two of the authors of this paper (MP, DM) at the central region office of Vietnam Association for the Handicapped (VNAH). Building on this, in September 2013, a series of six focus groups (72 participants) were organized in and around Hanoi in collaboration with research partners Inclusive Development Action (IDEA), a disabled people's association, and the University of Labour and Social Affairs (ULSA), the university arm of the Ministry of Labour, Invalids and Social Affairs which is responsible for the implementation of the national disability law. The six focus groups in the northern location were evenly divided into an urban ward in Hanoi (Đống Đa) and a semi-urban district outside of Hanoi (Thanh Trì) because we believed that economic costs and concerns might vary in these different localities e.g. labour markets and services (health care, care-giving, public transportation) are more limited in semi-urban and rural areas, for example.

All participants of the study were identified through local disabled people's associations since we wanted selection to be based upon people's own understanding of disability in their lived environment rather than legal or survey definitions so as to provide a nuanced understanding of how the heterogeneous nature of disability impacts the economic lives of families. Among the 77 participants recruited, the vast majority (68) were persons living with a disability of working age (range 17–65 years) as we wanted to better understand the economic priorities and concerns of disabled adults from their own perspective. The other nine participants were the parental guardians of persons with disabilities, including mothers or grandmothers of four children with disabilities (aged 5–7 years) who spoke specifically to the costs associated with raising a child with a disability.

Where possible, participants were selected evenly on the basis of disability type and gender. Thirty-nine of the 77 participants were female (51%). A breakdown of the

participants by disability type and location is provided in [Table 1](#). Over half of the participants had physical disabilities and approximately one third had sensory disabilities, with the remainder having mental disabilities as the main disability. Mental health disabilities were divided according to Vietnamese terminologies: trntalê chậm phát triển (learning or developmental disabilities), thiếu năng trí tuệ (intellectual disabilities), and hội chứng tự kỷ (autism spectrum disorder). Autism is classified as distinct from mental health disabilities in Vietnam [34].

	Hanoi		Da Nang	Total
	Đông Đa	Thanh Trì		
Mobility	20	18	5	43
Visual	4	0	0	4
Hearing	0	0	0	0
Speaking	1	0	0	1
Intellectual	2	2	0	4
Developmental	2	2	0	4
Autism	1	2	0	3
Total	28	22	5	55

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Table 1. Focus group participants by disability domain and interview location.

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Where possible, focus groups were organized to elicit information from participants within the same disability type so as to make participants feel more at ease and foster a rich discussion. This included a deaf group (with sign interpreter) in Đống Đa, a group of individuals who were blind or vision impaired in Thanh Trì, and a group with physical disabilities in each of the three locations. Two groups contained a mix of people with different disabilities in the northern locations.

Questions for the focus groups were developed from reviews of the literature and institutional knowledge of the policy context in Vietnam as well as previous in-country fieldwork on disability by two of the co-authors (DM, MP). To ensure clarity and cultural appropriateness, the questions were reviewed by research partners. Focus groups were conducted by a research team member from IDEA and ULSA, with one additional team member observing and taking notes. The discussions were digitally recorded, transcribed and thematic content analysis was performed. The key themes and quotes that emerged were then summarized and translated into English. Four key themes and linked sub-themes were identified from the discussions and are presented in the following section.

**Findings**

**Indirect costs**

**Indirect costs for persons with disabilities.**

The vast majority (88%) of disabled working-aged participants in our study were working. Due to the existence of multiple barriers in entering the formal labor market, persons reported that they often had to create their own jobs in the informal sector. Jobs were typically low-skilled such as small shop vendor, tailor, laborer, agricultural worker, handicraft worker or masseuse. The income derived from these jobs was low and unstable and often insufficient to meet expenditure needs:

There are some jobs that I can do but the income is so low that it does not meet my economic needs.

Sometimes I have work, sometimes I don't. We are a family of four with two children going to school. Because of unstable income and school fees are very high, economic challenges are always greatest for our family.

Limited education and lack of professional training certificates were repeatedly cited as barriers to entering the work force. As one young man with a hearing impairment said: "Most of us have not finished secondary school... in today's competitive labour market this is very difficult." Due to a lack of sign-interpreter supports in the classroom, and accessibility to hearing aids, it was difficult for deaf people to progress beyond primary school.

But even when people with disabilities had achieved higher qualifications, discrimination by employers was perceived as the greatest barrier to securing paid employment.

When arriving at an interview, I was told that they had found someone already. They said this maybe because they saw me as having difficulties in speaking and in weak health.

I studied pharmacy but I cannot find work as a pharmacy assistant. Nobody will employ me. I want to open my own small pharmacy shop but I do not have the capital.

I tried to create conditions for him (son) to continue studying at technical college in IT and he graduated with average marks. But when he applies for jobs, employers only encourage him, they never accept him.

Another barrier identified was that persons with disabilities repeatedly reported that they were anxious to work, but family members often did not believe in the self-reliance and work capability of members with disabilities, reflecting broader restrictive societal views on what persons with disabilities can do.

Teaching him how to take care of himself and how to maintain personal hygiene are already high hopes...I don't dare hope that he is capable of working.

People look down on us. When people see me, they ask me whether I could do anything and I tell them that I can do whatever you can do. You do it your way and I do it my way.

Hearing and speaking people always think our (sign) language is a joke, a humorous thing to make people laugh. But I don't think so. I think that is wrong.

### **Indirect costs for non-disabled household members.**

The majority of study participants did not have high carer support needs but often required transport or had to be accompanied by a family member when out and about in the community. The need for such support was an ongoing drain on carers' time and infringes upon their work schedules. For these study participants, care-giving duties were incorporated into the daily domestic duties of other family members.

It is very difficult to get permission to be late 2 hours for work to take my child to acupuncture. I must work over lunch and stay back late. I don't dare ask often because I am afraid that I will lose my job.

I am retired but I cannot do relief teaching and my monthly pension is low, 3 million (dong) per month, because I have to spend all of my time taking care of my son, taking him to school and to the hospital for check-ups.

In some cases the indirect opportunity costs of care-giving responsibilities were substantial, resulting in the partial or complete loss of income.

When I found out that my child had autism from the age of three, I quit my job to take care of him carefully.

I retired early to take care of my 30 year old son who has cerebral palsy and my grand child who has autism and hyper activism.

### **Direct disability costs**

Respondents reported a series of disability-related expenses clustered around several key topics that consistently proved a drain on household budgets. Hospitalization, school fees, and purchase of an assistive device or adaptation of a vehicle were large periodic expenses for some participants. More commonly, it was the relatively smaller on-going expenses associated with disability including medication, rehabilitation, travel, and private tuition that accumulated over time and proved to be costly for families.

### **Health care.**

Health care and related costs were consistently identified as the most burdensome. Episodic costs associated with hospital visits were compounded by costs associated with the hiring of a private taxi or specialized vehicle, as well as accommodation costs for accompanying family members to take care of the person with disability whilst in

hospital which is common due to limited nursing staff. Medication and rehabilitation were considerable on-going expense for many families, with several families reporting monthly medication expenses in excess of 1 million dong or over one-third of the minimum wage (2.7 million dong in greater Hanoi [35]; 1 USD ≈ 22,000 dong). As one blind respondent said, “Every time my eyes are sore I must buy some medications... it is not a small amount from my little income.”

### **Rehabilitation.**

Rehabilitation services are currently limited to basic physical rehabilitation services with orthopedic, speech and language, and occupational therapies in short supply across the country. Such services are for the most part only available at provincial level hospitals with a small number of beds relative to needs. In the province of Bac Ninh, for example, there are 200 hospital beds reserved for rehabilitation services including 150 beds at the provincial rehabilitation hospital and 50 beds in the rehabilitation wing of the main provincial hospital. Approximately half of the provinces in Vietnam have a rehabilitation hospital and each has a rehabilitation ward in the provincial level hospital. To claim rehabilitation services under insurance one must obtain a referral letter from the registered health facility or else incur a co-payment of 50%. As one respondent put it, “to receive the quality care you must have a letter of referral but to obtain this you need to have a good relationship with the doctor. If you do not, then it is difficult to get the letter.” A community-based rehabilitation (CBR) model is being developed across the country but is currently on a small scale. The primary rehabilitation services accessed by participants in our study were acupuncture and acupressure services, available in traditional medicine departments of district level hospitals and private outpatient clinics.

### **Assistive devices.**

The most common assistive devices identified by participants were basic and included walking sticks, crutches and spectacles. There is a large unmet need for assistive devices, particularly prostheses, wheelchairs and hearing devices. Such ‘modern’ assistive devices are not easily accessed and are prohibitively expensive:

It’s very difficult for me to pay for general medical expenses and I am incapable of buying modern hearing aid devices.

Mobile phones have to be designed specifically for us, not every blind person can find or afford them.

Assistive devices also entailed periodic costs for repair and replacement. One participant from Da Nang reported prostheses purchases totaling over 6 million dong or 2.5 months equivalent minimum income every three years [35]:

I have to buy a walking stick to support me. It costs around 120,000 dong or 150,000 dong and it needs to be replaced every six months.

Every three years I must replace the prosthetic pieces at a cost of 2.1 million dong for the groin piece and 4 million for the knee piece. In addition, I must spend approximately 800,000 dong per year on bandages and shoes for my disability. I have a health insurance card but I must pay everything myself.

### **Transportation.**

Outside of health-related expenses, transportation costs for taxis or motorcycle taxis were an on-going concern for many participants, over half of whom had mobility disabilities. Costs are attributable, to some extent, to difficulties in accessing public buses, lack of assistive device technology and motorized tricycles that would increase ability to travel within and beyond their communities. As a consequence, the ability to travel to work, to do errands or to seek medical care was limited by affordability of transportation. Family members were often relied on for transport, which carries a further and often forgotten cost for the household.

I had an accident recently. It affected my legs so I have to use a motorbike taxi to get around. However, it's quite expensive. It costs about 10,000 dong per kilometer.

I would like to buy a three wheel motorbike but they are very expensive, it costs an additional 4–5 million dong to adapt a two wheel motorbike. Instead, I must rely on my brother to transport me around on his motorbike but I feel like a burden to him.

### **Education.**

Focus group participants routinely reported economic limitations based on lack of education and vocational training earlier in life. The small group of mothers and grandmothers of disabled children who participated in focus groups shed additional light on this, reporting barriers to entry into public schools for children with disabilities. Because many disabled persons continue to be denied access to public schools many families are forced to seek alternative education for their disabled child through special schools or private home tutors. These are associated with significantly higher fees that are not affordable by all households, and represent a significant drain on household resources over a period of years.

I was faced with lots of difficulties when trying to enrol my child into a public school. Private schools or special schools have high fees, not all households can afford to go to such schools.

My child has autism and cannot join public schools with normal fees. She has to go to special schools or have a private home tutor which is much more expensive. It costs about 4–5 million (dong) per month.

I must hire a private tutor for my child which costs 200,000 dong per hour. Every month, I must pay about 3 million dong for my daughter's medicine, reflexology and her school fees.

The topic of vocational education/training was a greater concern in the focus groups due to the working age of most participants. Here again, few people had benefited from public vocational training programs. Instead they had to seek private vocational training (where available) which were reported as limited in scope and in some cases, prohibitively expensive. One focus group participant gave as an example:

There are not many (training) choices for us, even to complete the massage certificate costs 3 million dong which is not affordable to everyone.

### **Household coping mechanisms.**

Borrowing was a primary mechanism through which families coped with the major costs associated with disability. The majority of participants were able to access finance from state subsidized money lenders or the local disabled people's organization at a low rate of interest to start a business to generate more permanent income. Interest-free loans were secured from relatives and friends to pay for periodic medical or school fees. Difficulties in securing credit from formal money lenders was also mentioned:

If a person with a disability is not affiliated with an association (disabled person's association), nobody dares to lend him money, even as little as 1 million dong.

Other coping mechanisms reported were drawing upon private savings and substituting labour within the household, but these were less common. Households commonly had few savings to withdraw ("How could I possibly have savings?"). Labour substitution within the household related mainly to off-farm seasonal work in low-skilled manual jobs which were characterized by low and irregular income therefore supplemented household income only marginally.

I cannot do any work, I have a big family with three children going to school. My wife struggles alone to raise the family. Our main income is from agriculture. Between crops, my wife has to find other manual jobs to earn more income. However, income from these sources is low and unstable.

Individuals and families routinely reported cutting-back on, or foregoing, disability-related expenditures.

The fees for every time I have an operation are very expensive and I must pay everything. I have had four operations already and for two years I have not been to see a doctor after the last operation because I am afraid that I will have to have another operation and I do not yet have the money.

...the medicine for his brain is 2 million (dong) for one time so I only buy it occasionally.

I must pay 4 million dong per month for my child's school fees...after one year I had ran out of money so I sent him/her to back to the farm.

I would like to buy an electric bicycle so as to commute more conveniently and make me less tired but these days I just use my old bicycle.

## **Social Protection**

With the passing of the national disability law in 2010, Vietnam consolidated a range of social protection supports for persons with disabilities across the country [9, 36]. Persons with profound or severe disabilities are entitled to monthly income support, health insurance, education assistance, and public bus fare and other travel exemptions. Households with profoundly disabled members are also entitled to an additional monthly caregiver support allowance. Any person with a disability, identified under the law, is eligible for loans with preferential interest rates from the Social Policy Bank.

Determination of who is eligible for social protection supports is made by commune committees comprising a president, local Government and union representatives using a disability assessment tool [37]. Over half (58%) of our study participants were receiving income support and health insurance, either through the disabled person's association or local commune/ward committee. People either received all available social assistance or nothing as one respondent said: "My husband and I pay everything ourselves; there are no outside supports."

Social protection supports, in general, were gladly received but were not consistent with reported needs. The most successful program, as judged by respondents, was the social credit program where applicants could apply for a low-interest loan for business development and job creation activities. Bus fare waivers and education assistance were viewed as the least successful programs due to problems in accessing public buses and schools. Specific comments on each program included:

### **Monthly income support.**

According to our informants, the amount of money currently available through monthly payments did not make a major difference in the expenses of recipient households. Amounts varied from a minimum of 360,000 dong for a single person payment to a maximum of 720,000 dong for a household with an additional carer allowance. These sums constituted between 13–26% of the monthly minimum wage in the areas under study. As one recipient put it, "the amount is not even enough to buy rice (for the family)."

Other concerns raised were with complex application procedures and the fact that not all persons with disabilities were eligible for monthly support, including children.

I am currently preparing my application file, but the paperwork and administration is excessive/complicated so I am having difficulties. I don't know when I will receive the money.

The wish of every person with a disability is to receive the income support to ease some of their economic difficulties but in reality this is not the case.

### **Health insurance.**

The majority of recipients found the non-contributory health insurance programme and the health insurance card useful whereas others reported it was "virtually unused" due to out-of-pocket payments, perfunctory examinations, long waiting times and administrative procedures. A repeated concern was that insurance did not cover all of the costs of required services, equipment and medication with some respondents paying a significant proportion of the total health care costs out-of-pocket.

I have sleep apnea and it is not included in the list of exempted conditions hence I must buy all the necessary equipment.

My child needs acupuncture treatment. It costs about 10 million (per year) however insurance only covers 30%, the remaining 70% is a lot for us to cover.

My eyes often get sore and need medication. Health insurance covers a part but many types of medication are not included on the list of exempted or discounted medications.

Costs associated with assistive devices or travel to health facilities were not covered under insurance, and focus group members reported that often local doctors did not give the referrals needed for rehabilitation services available at provincial hospitals, which imposed higher costs on the families pursuing treatment. As was true of the Monthly Income Support programme, a widely voiced concern was that not all persons with disabilities were able to receive non-contributory health insurance.

Currently, only persons that are identified as social beneficiaries and eligible for the monthly income support can receive the free health insurance card. I do not think that this is fair as all people with disabilities have health care needs.

### **Public bus fare waivers.**

Few persons with disabilities reported being able to take advantage of the public bus fare waiver. Part of this was due to difficulties in getting on and off buses without assistance, particularly for people with mobility impairments. As one person stated: "catching a bus on my own is nearly impossible for me." Many bus drivers and members

of the public had little or no awareness of how to assist people with disabilities in getting on or off the bus. The result was, as another physically disabled person stated, “when catching a bus, I am often left behind. There are times I could not get on a bus even after two or three hours waiting.”

### **Low-interest loans.**

Loans sourced from the State Social Bank for business development or job creation activities were adjudged as suitably flexible to the needs of persons with disabilities. The loan conditions included a maximum amount of 20 million dong for a term of two years at a monthly rate of interest of 3.6% paid in monthly or tri-monthly instalments.

I think it (social credit program) is good. The interest rate is low and you do not need collateral, which suits us as most of us are poor. The application procedures are simple, not much paperwork. And you have options when you can pay back, this also suits us because sometimes we have money (to pay the loan), sometimes we don't.

It is noted, however, that some respondents reported using the loan for other than its intended purpose, instead being used to meet pressing medical expenses or to purchase an assistive device.

### **Education assistance.**

Because members of our focus groups were adults, few study participants had benefited from the 2010 Government decree on public school fee exemptions for poor children with disabilities, [13]. One issue raised by a number of informants, however, was that public schools were still not inclusive for all children with disabilities while special schools, which were prohibitively expensive even for non-poor families, were not subject to fee discounts. Vocational training was also consistently recognized as a large unmet need. As one participant noted: “what we blind people really need is programs that train us in professional job skills that are suitable to us and can earn a good salary, such as computing and accounting.”

## **Discussion**

Overall, the evidence from quantitative studies thus far points toward individuals with disability having sizable extra costs. These include both costs associated with opportunities foregone and those directly associated with disability. Quantitative methods tell us little explicitly about how costs interact and how individuals and families attempt to balance or manage these extra costs and what the longer-term impact on their welfare is. The qualitative approach adopted in this paper offers further insight into these issues in the context of Vietnam, a low-middle income country with a relatively advanced legal and institutional framework for the provision of social protection support for persons with disabilities. We explore the economic costs of

disability and how current state supports reflect and address the expressed economic needs of households.

With respect to the costs of disability, our study results points to a dynamic of low and unstable income combined with the extra direct costs of disability as the cause of economic difficulty for individuals and families. The majority of our disabled participants were working yet due to multiple barriers in entering the formal labour market, had to create their own employment in the informal labour market. The level of income generated through these informal jobs was not sufficient or stable enough to meet the costs associated with their disability. Findings are reflected in national living standards data where among persons with disabilities that were working (44%), the overwhelming majority were working the informal sector either as farmers or self-employees (87%) (our calculation using the 2006 Vietnam Household Living Standards Survey (VHLSS) and high disability threshold as defined in [5]).

Health care and related-costs were particularly burdensome for individuals and families. A major concern reported by our study participants were medication and travel costs associated with health facility visits. Once again, findings are consistent with national living standards data where these two cost items comprise 64% and 75% of total inpatient- and outpatient-related costs, respectively, for persons with disabilities [38]. Aside from costs associated with health care facility visits, households reported a variety of on-going expenses associated with disability, including medication, rehabilitation, travel and private tuition. The on-going costs concerned people most because they affected people's daily life and decisions. All direct costs reported occurred throughout the life cycle (all ages) hence they are expected to have an impact on today's economic wellbeing, but also a cumulative impact in the long term.

We found significant indirect costs for many households associated with caregiving, which included time spent transporting the family member with disabilities, and in accompanying them on health facility visits. Costs associated with care-giving were greatest for persons with disabilities that were not working, which further compounded income deprivation for these families. This was not the case for the majority of our study participants whose care-giving was incorporated into the daily domestic duties of other household members. People with high care needs were presumably less able to attend our focus groups. Another issue is that the majority of people in the focus groups were disabled adults and thus may be unaware of choices made by carers at some earlier point in their lives where opportunities or options for other types of work were forgone.

The costs associated with disability invoked a range of coping mechanisms among households. Borrowing was a primary mechanism through which families coped, consistent with quantitative findings on health and disability shocks from Vietnam [30,

[32]. The majority of participants were able to access cheap finance, which may be a reflection of the higher levels of social capital of the group under study. However, difficulties in gaining access to formal credit organizations were mentioned, which is a notable concern for people without access to cheaper forms of credit or informal networks such as ethnic minority persons with disabilities in remote areas of central Vietnam who draw upon high-interest loans and sold land to pay for medical costs [26]. Other cited coping mechanisms, including drawing upon private savings and substituting labour within the household, are supported by other disability research from Vietnam [26, 32].

Quantitative findings indicate that such coping mechanisms help Vietnamese households to maintain consumption in the short to medium term [32]. However, they are based upon actual expenditures and ignore the opportunity costs to the household. Foregoing expenditures on education, health care, medication, rehabilitation, assistive devices and specialized vehicles for family members with disabilities were all reported in our study due to a range of reasons including lack of availability, accessibility or affordability. Forgoing critical expenditures for persons with disabilities deprive them of the opportunity to participate more fully in productive, domestic and community life, which has spill-over effects on the lives of other family members.

Meeting school fees of children on a single income when one parent was not working due to disability was identified as a particular challenge in these focus groups, comparable with findings from India [25]. Furthermore, quantitative findings from Vietnam reveal a reduction in household education expenditures in the event of disability or illness [32], and that non-disabled Vietnamese children with disabled adults in their household are significantly less likely to attend school [16]. This is expected to carry lasting inter-generational effects to household welfare as returns to human capital investment in LMICs are high [39]. These findings have relevance to policy makers since typically, as in Vietnam, non-disabled children of persons with severe disabilities are not entitled to school fee exemptions.

Whilst the proportion of participants in this study receiving Government supports was higher than the national average, likely due to the political connectedness of the group, many households did not receive any social assistance supports. In 2006, about one-third and one-half of Vietnamese persons with a high disability threshold received monthly income support and health insurance, respectively (our calculations using VHLSS 2006). One concern consistently raised by focus group members was that not all persons with disabilities were eligible for social protection supports. Currently, under the national disability law only persons classified as having severe or profound disabilities—persons with disabilities who are unable to perform some or any basic activities of daily living such as walking, dressing, and personal hygiene—are entitled to social protection supports [36]. This likely only captures persons in the highest

disability threshold. The findings from this and other studies on disability and poverty in Vietnam [5, 14, 38] suggest that persons with mild/moderate disabilities, as defined under the law, also have high needs for social protection support: “persons with impairment which suffer functional limitation and difficulties in activities of daily living, work, or study” [9].

Another predominant theme among focus group members was the lack of the current social assistance programmes to provide adequate funding for persons with disabilities to meet their economic needs. Cash transfer amounts were low by income replacement standards, and health insurance did not offer financial protection against all of the costs of care consistent with quantitative findings from Vietnam [20, 40]. Assistive technology is a notable omission from insurance entitlements and a concern given the low level of usage and high cost of particular assistive technology found in this and in other studies in Vietnam [41]. Rehabilitation services are a recent addition to the list of claimable insurance services in Vietnam yet accessibility remains low due to supply side barriers, consistent with findings from a government survey of seven communes in 2011 where four percent of persons with disabilities reported accessing formal rehabilitation services [42]. Public bus and school benefits are also limited by accessibility barriers, which result in added direct and indirect costs for the household. Parents (and siblings) of children currently denied school attendance often either pay for prohibitively expensive private education or tutoring, or take additional time out of their days to provide some substitute educational efforts. Similar concerns are voiced among parents of children living with autism spectrum disorder in Hanoi [34].

It is important therefore not only that benefits are commensurate with needs but sufficient accommodations are made so that persons can avail themselves of benefits. The latter point is supported by quantitative evidence of improved district level health services, roads, and other indicators of good infrastructure lessening the link between disability and poverty in Vietnam [43]. A positive and unexpected finding from this research relates to the low-interest loan program, which likely has poverty alleviation effects in view of the difficulties that persons with disabilities face in securing paid employment and in accessing other microfinance programmes [44]. The longer-term implication of this indebtedness for the household remains unclear.

### **Study limitations**

We acknowledge an inherent bias in the recruitment of our sample in that not all persons and families with disabilities in Vietnam are associated with disabled people’s organizations from which participants were recruited. We did not find any significant disparities in the lived economic experience of persons, and their families, by focus group location (semi-urban vs. urban), which may reflect the fact that the semi-urban district was a part of greater Hanoi or that participants in the urban ward were not able to take advantage of increased formal employment opportunities. It is noted,

however, that many of the costs and barriers reported in this study are similar to those found among youth ethnic minority people with disabilities, and their families, in a remote area of central Vietnam [26]. Finally, the experiences and voices of persons with intellectual and mental health disabilities are less represented in this study due to difficulties in recruiting these persons as they were under-represented within the local disabled people's organizations.

## **Conclusion**

The economic lives of persons with disabilities and their families are distinct to other population groups with respect to the long-term intra-family effects. However, comparably little is understood on the economics of the population with disabilities. The majority of our study participants were working yet subject to economic hardship through the combination of low and unstable income with the additional burden of the extra costs of disability. The coping mechanisms commonly adopted by families to deal with these costs including borrowing and reducing and foregoing certain expenditures impeded their ability to invest in key expenditures for the individual with disabilities and other household members, threatening their economic welfare over the longer term. These findings show that there is a big gap between the goods and services used and those required thus drawing attention to the limitation of prevailing quantitative methods in the estimation of disability costs focused on the goods and services used.

Relative to other countries of equal or even greater level of development, Vietnam offers a strong suite of social protection supports for persons with disabilities. However, large challenges remain in extending supports to all those in need and in providing benefits commensurate with needs while providing sufficient accommodations in the environment so that persons can fully avail themselves of these benefits. One novel finding from this research is that low-interest loans may provide an important short-term safety net for persons with disabilities, and their families in Vietnam and perhaps more generally in countries where, social protection systems are in their infancy.

A conclusion based on these focus groups is that co-ordination across government is required to build a strong and integrated system to support the economic integration of persons with disabilities, which remains a considerable challenge for Vietnam and for LMICs in general. In addition, as in many countries, broader attitudinal barriers within the family and the wider community are significant barriers to improving the economic standing of persons with disabilities in Vietnam. Improving attitudes around the capabilities of persons with disabilities within the community may significantly reduce several of the costs associated with disability for the individual and the household.

(Cf.67) How environmental pollution is ruining the Mekong Delta

*The Mekong Delta is a land carpeted in endless shades of greens, a magical water world that is being destroyed by climate change and environmental pollution, says the Vietnam Environment Administration.*



Some 20 million people call the Mekong Delta home, and 60 million are dependent on the natural environment of river system for their livelihoods, says the Environment Administration.

The Mekong Delta, as local folklore suggests, is a lifelong partner of the Vietnamese that provides the people wisdom and guidance.

However, the use of pesticides and chemical fertilizers in farming and the discharge of solid waste from craft villages and households combined with the effect of climate change is destroying the Delta.

Le Anh Tuan, a researcher with The Climate Change Research Institute at Can Tho University, agrees with the Environment Administration. Mr Tuan says the Delta will be completely gone within the next one to two hundred years.

The river system that has sustained life for so many thousands of years is now dying because of the negative effects of climate change and pollution.

Climate change is causing sea levels to rise, and is triggering erratic weather patterns, to which the area is particularly vulnerable due to how flat it is, says Mr Tuan, who is the vice director of the Research Institute for Climate Change.

The Mekong Delta is an agricultural miracle area that accounts for just 10% of the country's land mass but produces more than one third of its food crops and 60% of its farm raised fish and shrimp.

Changes to the Delta, therefore, will have a catastrophic impact for the people of Vietnam, Mr Tuan cautions.

### **Erosion can kill at anytime**

Residents of the Mekong Delta have good reason for concern. River banks are eroding and earlier this year, in the district of Dam Doi of Ca Mau Province, more than 30 houses were swallowed by the river.

In April, another disaster in district of Nam Can in Ca Mau Province killed a family of four while they were sleeping. Everywhere, towns and homes are being consumed as riverbanks keep eroding.

Many residents have given up their long-time habit of living close to the sea and rivers, says one long-time resident, Tam Sau. Because life's lessons have taught them that erosion can kill at any time in the Mekong Delta.

Experts say the erosion is the result of groundwater extraction, which is happening at an ever-faster rate to support growing urbanization. At the same time, rising sea levels are flooding and taking over low lying coastal areas, which are losing hundreds of hectares of land annually.

### **Towns and homes are being engulfed by rivers**

As seawater penetrates up to 90 kilometres inland, vast swathes of farm land in the Delta once widely reputed as the rice bowl of Vietnam are dying along with the hardier fruit trees and coconut palms, Tam Sau explains.

### **Pressure from manufacturing and industrial parks**

The rural environment of the Mekong Delta is under pressure from manufacturing at industrial parks, says the Vietnam Environment Administration and impacts from climate change, such as rising sea levels, and natural disasters.

Environmental pollution risks also come from cultivation, animal husbandry, aquatic and farm produce processing, craft villages, and industrial production.

Poor planning and management, says the Environment Administration, along with the ineffective operation of waste treatment facilities have made protecting the Mekong Delta even more difficult.

Raising public awareness of the devastation that environmental protection is wreaking on the country is of paramount importance says the Environment Administration. It's the first step to changing the habits of people and saving the Mekong Delta.

*VOV*

**(Cf.68)** Marine pollution at alarming rate off Vietnam's coast

*Vietnam is facing serious marine pollution with mass fish deaths in some central provinces last April the latest incident recorded.*



*Dead fish are washed onto a beach in central Quang Binh province.*

The country boasts a coast of over 3,260km, an exclusive economic zone of more than 1 million sq. km and over 3,000 islands.

According to the Ministry of Natural Resources and Environment, the main cause of marine pollution is the widespread unplanned development of industry, tourism and aquaculture, growing population and poverty, low public awareness and policy loopholes.

About 70 – 80 percent of the waste at sea hails from the mainland where many factories and residential areas release untreated waste water and solid waste into coastal rivers or directly into the sea.

In aquaculture, one hectare of shrimp farming produces about 5 tonnes of solid waste and tens of thousands of cubic metres of waste water in one crop. With over 600,000ha of shrimp farms in Vietnam, nearly 3 million tonnes of solid waste will be discarded to the environment every year.

The Institute of Oceanography also blames marine pollution on the unreasonable use of coastal soil, leading to an increasing scarcity of fresh water, land erosion and soil settlement in littoral areas.

Tourism activities have also negatively influenced the marine environment. The Cat Ba National Park with 5,400ha of water surface in the northern region is an example. The environment there has been degraded due to irrational tourism and aquaculture that releases thousands of tonnes of waste into the sea every day.

Meanwhile, there have been more and more oil spills at sea as higher petroleum demand and excessive oil exploitation have caused more frequent incidents relating to oil drilling and tankers. Hundreds of offshore oil wells produce 5,600 tonnes of oil and gas waste every year, about 20 – 30 percent of which are dangerous and untreated.

More than 100 rivers in Vietnam pour some 80 cubic kilometres of water depositing 270 – 300 million tonnes of alluvium into the sea each year, which can carry pollutants such as heavy metallic elements and toxic substances from industrial, residential, aquatic farming and agricultural zones.

In 2010, large amounts of waste were recorded in coastal waters, including 35,160 tonnes of oil, 26 – 52 tonnes of nitrogen and 15 – 30 tonnes of ammonium a day. Coastal seawater has been found to be polluted with organic substances, zinc and pesticides.

The red tide phenomenon has also been seen in the waters off the south central coast such as in Khanh Hoa, Ninh Thuan and Binh Thuan provinces, killing aquatic species farmed there. More than 85 marine species have been listed as endangered at different levels, and some 70 of them are listed in Vietnam's Red Book of endangered species.

More than 50 percent of big cities, nearly 60 percent of the population and most industrial parks, export processing zones, aquaculture areas and tourism activities are at sea and coastal areas, which are rich in natural resources and economic development potential.

Those areas are recording fast population growth and migration. While the shrimp and fish volume in waters near the mainland are running out, about 600,000 fishermen in the 28 coastal provinces and cities are still seeking every possible way to harvest more. This is exhausting marine resources even more rapidly.

Marine pollution will culminate in the degradation of marine biodiversity, especially coral reefs which cover about 1,122 sq.km. of seabed off the country's coast.

According to the Vietnam Administration of Seas and Islands, about 20 percent of reefs have coral coverage of under 25 percent at present. Meanwhile, 60 percent of reefs have between 26-50 percent coral coverage and only 3 percent of reefs have coral covering more than 75 percent of their areas.

“Vietnam has never faced such a big challenge to its coral like it is at present. More than 50 tonnes of coral, excluding black coral in Quang Binh, Quang Tri and Quang Ninh provinces and Hai Phong city, disappear every year. If that trend continues, the country will be unable to see any coral in its offshore waters within the next 20 years,” the Institute of Oceanography warned.

**(Cf.69)** Air pollution is Vietnam’s silent killer

*Grave air pollution in Vietnam’s cities and towns, especially Hanoi, continues to cause severe health problems for Vietnam’s growing urban population. However, no effective measures have been taken to deal with the situation.*



*Hanoi’s average air pollution level last year was four times in excess of what is deemed acceptable by the World Health Organization*

This week, Nguyen Van Chuc will undergo his second examination and treatment at the Central Hospital for Tuberculosis and Lung Diseases in Hanoi. He went in two weeks ago for the first treatment spell, which lasts up to 15 days.

Chuc, 58, has worked as a builder in Hanoi for more than 30 years. He was told by the doctors that he suffers from tuberculosis, which will need at least five months' treatment. His weight has been reduced to only 54 kilogrammes from the initial 70, within just one month.

"I have stopped my work for a month, right after I was found to have the disease. In my work, I frequently have direct contact with dust, sand, smoke, and cement," Chuc told VIR, with a cloth mask covering his pale face. "The treatment has cost me several millions of dong [\$1 is equal to VND22,000]."

### **The silent killer**

Chuc is not alone in the hospital, which receives hundreds of new patients suffering from respiratory and lung-related diseases every day. The patients always wear masks, and suffer from churchyard coughs. Talking with VIR, many of them said they had worked in dusty environments, and one of the major causes behind their diseases is air pollution.

Air pollution has become one of the most concerning health and environmental hazards not only in Hanoi, but throughout Vietnam. The issue covers political, social, economic, and environmental spheres. The effects of air pollution act on people's health over the years and have reached alarming levels.

Nguy Thi Khanh, executive director and founder of the Green Innovation and Development Centre (GreenID) – a Vietnamese non-profit organisation promoting sustainable energy sector development – told VIR that according to a newly-released GreenID survey of Hanoi's air quality, Hanoi enjoyed only 38 days with good air quality a year, based on air monitoring data compiled at the US Embassy in Hanoi.

"Hanoi's air pollution levels are rising to match China's smog-prone capital, Beijing," Khanh said. "The average level of air pollution in Hanoi last year was four times higher than what is deemed acceptable by the World Health Organization's (WHO) air quality guidelines. I would say that the city is on an air pollution red alert."

The survey was conducted from December 25, 2017 to January 10, 2018 with more than 1,000 people in Hanoi participating, 95.4 per cent of whom were Vietnamese, with the rest being foreigners.

Up to 99 per cent of respondents said they were interested in air quality. Some 74.7 per cent of respondents believed that the air quality is worsening and badly affecting their health.

According to the latest analysis by GreenID based on air monitoring data from US embassies in some major cities in the world, Hanoi's particulate pollution is now worse than the Indonesian capital Jakarta's. Things are unlikely to improve as Vietnam plans to build more coal power plants, which are one of the key pollution creators. Exposure to high levels of air pollution, especially over the long term, can affect the human respiratory and immune systems, and can also lead to heart disease and cancer.

The Ministry of Natural Resources and Environment (MoNRE) reported that traffic activities are responsible for about 70 per cent of air pollution in Hanoi.

"Hanoi has more than four million vehicles and traffic activities are accounting for 85 per cent of carbon dioxide emissions, which are very harmful to human health," MoNRE stated in a report on urban environment released a few months ago.

"According to a study recently released at the World Economic Forum in Davos, Switzerland, by US universities Yale and Columbia, Hanoi is among the cities in the world with the heaviest air pollution. Data used for this study is based on collection by satellites," the MoNRE report said. "Hanoi has 3.5 million people living in the inner city. On average, each person spends more than VND1,500 (\$0.07) on treating respiratory diseases caused by air pollution every day. In total, they spend nearly VND2 trillion (\$90.9 million) on the treatments."

Do Manh Cuong, a representative from the Ministry of Health's (MoH) Health Environment Management Agency, said that WHO considers air pollution "a silent killer", one of the major causes behind a high rate of mortality in Vietnam. "WHO figures show that six out of the 10 diseases with the highest mortality rates in Vietnam are related to air pollution," Cuong said.

Air pollution is mainly found in the Red River delta, the Ho Chi Minh City area, and the upper reaches of the Mekong Delta, where industrial production and construction activities are surging.

Le Viet Phu, an economic expert from Fulbright University Vietnam, also said that total economic losses due to early deaths caused by air pollution were 5-7 per cent of Vietnam's GDP or \$11.4-15.9 billion last year, when at least 40,000 people died of diseases related to air pollution.

"The number of deaths caused by air pollution is four times higher than of those caused by traffic accidents, which is about 11,000 per year. It is expected that the annual number of deaths due to air pollution will rise to over 100,000 by 2035," Phu said.

In another report on Vietnam's air quality, MoNRE stated that Vietnam's urban areas have many different types of pollutants far exceeding permissible limits, causing health problems for people nationwide, especially in big cities like Hanoi and Ho Chi Minh City.

Over 4,200 in every 100,000 people suffer from bronchitis, while 6,900 in every 100,000 complain of throat diseases, the report stated.

In Ho Chi Minh City, the percentage of people suffering from tuberculosis due to air pollution topped the country at 0.18 per cent, followed by the provinces of Bac Giang and Quang Ninh (nearly 0.15 per cent each), Ninh Thuan (0.14 per cent), Dong Nai (0.13 per cent), and Haiphong (over 0.12 per cent). MoH figures also show that every year, tens of thousands of people in Vietnam suffer from diseases related to air pollution. About 4 per cent (3.76 million people) suffer from respiratory diseases. Those living in big cities like Hanoi, Haiphong, Ho Chi Minh City, and Dong Nai are much more prone to suffering from these diseases than people living in other localities.

### **Lack of effective measures**

WHO figures show that six out of the 10 diseases with the highest mortality rates in Vietnam are related to air pollution. – Do Manh Cuong  
Representative, Health Environment  
Management Agency

Grave air pollution in urban areas, especially Hanoi, is due to many factors, including a rise in construction works ; heavy industries including cement, steel, and coal ; an increase in car and motorcycle use ; and agriculture burning by farmers, GreenID said. GreenID underlined that Vietnam lacks regulations on air quality as well as public awareness of the issue and of effective solutions to minimise the effects – such as home air purifiers.

The GreenID survey showed that despite the threat of pollution, many people remain unaware of basic air-related knowledge. Specifically, 43.1 per cent of respondents didn't know about the air quality index (AQI), and only 12 per cent regularly monitor the AQI.

AQI is a standard value that translates the concentration of key air pollutants into many levels of health concerns. The higher the AQI value, the greater the level of pollution and the resulting impacts on health.

But many patients like Chuc at the Central Hospital for Tuberculosis and Lung Diseases feel unfamiliar to AQI.

"I don't know about it [AQI]. No one instructed me to protect myself from air pollution. My sole measure to protect myself is using masks," Chuc said. "What I need the most now is to be able to breathe easier and stop my cough."

In June 2016, Vietnam's government launched a national action plan on controlling air quality until 2020 with a vision to 2025, planning to monitor emissions and improve air

quality. The plan assigns lots of duties for ministries and agencies, while setting out many solutions to curb air pollution, such as green production, investment into new technology, installation of air monitoring stations, and limitation of the use of obsolete technologies in production.

However, while waiting for this plan to have tangible effects, hundreds of thousands of air pollution victims like Chuc in Vietnam still have to suffer, which has a heavy cost on their families – financially as well as emotionally.

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