



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

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

SDIR • NUMBER 071 • 2nd SESSION • 41st PARLIAMENT

EVIDENCE

Thursday, May 14, 2015

—
Vice-Chair

Mr. Wayne Marston

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

Thursday, May 14, 2015

•(1310)

[English]

The Vice-Chair (Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP)): Good afternoon. I'm Wayne Marston, the vice-chair of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. This is our 71st meeting.

I want to welcome our guests here today. We have two by video conference, Mr. Nguyen and Ms. Do, and we have one by telephone conference as well, Mr. Van.

At this point we'll start with the testimony. We will start with either Ms. Do or Mr. Nguyen, whoever would prefer to start.

Mr. Dai Nguyen Van (Vice Director, Brotherhood for Democracy): My name is Nguyen Van Dai, a human rights lawyer from Hanoi, Vietnam.

First of all, I would like to thank the Canadian parliamentary committee on human rights for giving me the opportunity to represent the Brotherhood for Democracy and other civil society organizations in Vietnam. I will talk to you on the status of human rights in Vietnam. Then I will have a few recommendations.

The human rights situation in Vietnam in recent times has improved slightly, but the improvement was not coming from the goodwill of the government. The improvement was due to the pressure from the international community and the growth of civil society organizations in Vietnam.

In the period from 2006 to 2012, each year Vietnamese authorities arrested, tried, and imprisoned 10 to 40 people. The reason for those arrests is that they wanted to use freedom of speech and freedom of the press to express their political views through international websites, blogs, and Facebook. Some arrests were due to partisan political organization activities. Currently Vietnam is still holding about 120 political prisoners and 60 imprisoned religious minorities in the central highlands.

In the last two years, with the explosive growth of information technology, blogs, and social networking sites, Vietnam people, mostly young people, have access to the Internet and social networking sites. More than 30 million people in Vietnam use the Internet every day. According to Facebook, more than 20 million people in Vietnam have an account on Facebook. This makes the Vietnam government lose control over information distribution.

Human rights activists and social and community networks have been able to create waves of public opinion. Combined with the street protests, these waves have forced the government to change unfair and unjustified policy.

Before 2013, the government could arrest anyone it wanted, but international pressure and international integration do not allow it to continue to do so. To cope with the growth of democratic movements and human rights activists in Vietnam, the government has changed the method of repression. It used violence to attack those who are active. In 2013 and 2014, each year there were at least 10 cases. The activists who were attacked suffered injuries. In addition to physical assault of activists, security threw dirty things into houses, destroying the meetings of activists.

For those activists who have to rent rooms or houses, security pressured the landlords to cancel their lease contracts. It forced human rights activists to move house every two or three months.

I will speak of impeding freedom of movement within the country. Every time when there are marches or international delegations to Hanoi, hundreds of activists will be stopped at home. The government deploys dozens of security police, local civil defence agents, and neighbourhood women's league members to prevent them from leaving their homes. They cannot leave their homes to go to attend the events or to meet with international delegations.

Speaking of harassment, these pupils, college students participating in the movement, are summoned by security for questioning and often threatened. Security also pressures the school to threaten expulsion. Security also meets and threatens the parents of pupils and students.

•(1315)

The activists are regularly summoned by security or even kidnapped when they try to leave their homes.

On the right to work, most human rights activists in Vietnam do not have the opportunity to work for a living. If they lease a business venue, security threatens the landlord about renting. If they are employed, after a few months security will force the employers to fire them.

On obstructing the rights to travel abroad, in 2014 and the early months of 2015, there were nearly 100 human rights activists who had been banned from going overseas and their passports were seized. It can be safely said that 100% of human rights activists in Vietnam will be deprived of any chance of going abroad.

My recommendations are that the human rights committee of Parliament, the Canadian government, use economic relations and political diplomacy with Vietnam to pressure the Vietnamese government to respect human rights.

The Canadian Parliament should recommend to the Canadian embassy in Hanoi to organize regular contacts, meetings, and discussions with representatives of civil society organizations in Vietnam.

The Canadian Parliament, the Canadian government, needs to establish funds to support civil society organizations in Vietnam, because when civil society organizations in Vietnam grow, they can be a new force powerful enough to improve the human rights situation in Vietnam.

Thank you so much for taking the time to listen to my presentation.

• (1320)

The Vice-Chair (Mr. Wayne Marston): Thank you.

We'll move along to Ms. Do, if she is ready.

A voice: We have no voice.

The Vice-Chair: Hold it down for a moment. Push the button and hold it down for a moment, perhaps.

One more time, hold it down and let it up.

Mr. Bac Truyen Nguyen (Member, Vietnamese Political & Religious Prisoners Friendship Association): Made in China.

Voices: Oh, oh!

The Vice-Chair (Mr. Wayne Marston): It was good, we had it. She has to repeat it.

Ms. Thi Minh Hanh Do (Member, Viet Labor): Ladies and gentlemen, thank you for inviting me.

My English is not good, and I am trying to say everything I want to tell you.

As an advocate for the legitimate rights of workers, I am pleased to present the current status of the working class in Vietnam and the fate of those who fought for the right to form a union. In countries outside Vietnam, people always think that, when integrated with the world, life and benefits of the workers will also improve, along with economic growth, but in the Socialist Republic of Vietnam, we do not completely see that to be the case.

Since being forced to switch from a central planning economy to a market economy with integration into the world economic growth, the country is constantly increasing in economic growth, but only two groups are reaping the benefits: the rulers and the foreign capitalists. The working class, the front-line contributors to the output of social goods and wealth, is increasingly impoverished.

Cheap labour is the first advertisement that the state of Vietnam raises to attract and to offer to foreign investors. The objective of the Vietnamese government is to maximize profits from the investors to the rulers themselves by maximizing the exploitation of the workers by the foreign investors.

Investors are not always benevolent to and respectful of the employees, especially investors from Asian countries.

Since the 1990s, Vietnamese workers have had to work as slaves in their own country. They have to work 12 to 15 hours per day, but the average wage is only \$70 U.S. per month. They do not receive unemployment insurance or benefits for sickness, even though they work in hazardous environments and are not equipped with adequate health protection clothing. They are living in squalid quarters, and in many cases they are humiliated and even beaten by the owners.

Vietnam has a union, but it was established by the Communist Party to monitor and to restrain the workers and not to help them. The president of the Vietnam General Confederation of Labour is a member of the Central Committee of the Communist Party of Vietnam. The local union leaders are also Communist Party members. In addition, most local union leaders receive base salaries from the employers, so they are in essence just the tools of the employers.

Being exploited and not defended by anybody, the workers go on strike to fight for their rights, but the Vietnamese government cracks down, arresting the leaders of the strike.

To help and protect the rights of workers, on October 20, 2006, the establishment of independent unions was announced and then also the association of workers and farmers solidarity, but the authorities immediately suppressed, hunted, and assassinated the founders and the members.

• (1325)

Lawyer Le Thi Cong Nhan and many other people were sentenced respectively, to many years in jail. Their families have been implicated. Le Tri Tue, the vice-president, sought refuge in Cambodia, but the communist secret services pursued and arrested him. He has been missing for the last eight years.

Those who fought for the rights of workers, as we did, had to switch to covert operations under the name of Lao Dong Viet, the Viet labour movement. We were hunted relentlessly. In early 2010, after helping more than 10,000 My Phong factory workers on a peaceful strike to protect their rights, Mr. Nguyen Hoang Quoc Hung, Mr. Doan Huy Chuong, and I were arrested and sent to prison, even before a guilty verdict was reached. In jail we were held in isolation, severely beaten and treated like animals.

Doan Huy Chuong and I were each sentenced to seven years in prison, and Nguyen Hoang Quoc Hung, to nine years. I have experienced it myself, and I understand the hardships on a prisoner of the communist regime whether the prisoner is a man or a woman. I was often beaten by the wardens, forced to work as a labourer. When I fought back for my rights, I was subjected to solitary confinement, stripped naked, beaten, and humiliated by common criminals in the same jail cell assigned by the wardens. I've suffered through six different prisons in Vietnam. To force me to confess, the Vietnamese government moved me to the prison in the north with very harsh conditions and far from my family, with no visitation allowed. When transferred over long distances of nearly 2,000 kilometres, I was still handcuffed and shackled in the trunk like an animal. My friends Doan Huy Chuong and Nguyen Hoang Quoc Hung, as men, were treated so much worse than I was.

I do not know the specific conditions of detention of hundreds of other prisoners of conscience in Vietnam, but through personal experience, as a young woman I was living in hell.

Thanks to the enduring struggle of Vietnamese people inside and outside the country and the strong intervention of governments and international organizations, including the people and Government of Canada, the Vietnamese government had to release me unconditionally, but my friends still suffer a great deal in prison. Outside prisons, violent attacks by security personnel disguised as barbaric thugs are severely administered on dissidents, especially those who write for press freedom and those who are active in trade unions for Vietnam. I am also regularly threatened, intimidated, and my family harassed.

I urge you in your position to pressure the Vietnamese government to release Nguyen Hoang Quoc Hung and Doan Huy Chuong, who are only advocates helping to protect worker rights. I also urge you to compel the Government of Vietnam to release hundreds of other political prisoners.

The rights to establish independent trade unions are granted rights of the workers, but in Vietnam it is prohibited and punishable.

● (1330)

I also call on governments and investors, in their negotiations and relations with the Government of Vietnam, to set conditions permitting the establishment of an independent union representing real workers, not the tool of the Communist Party that the labour confederation of Vietnam is today.

I would like to thank you and wish you all good health today.

The Vice-Chair (Mr. Wayne Marston): Thank you very much.

We're going to move to Mr. Nguyen. Go ahead.

Mr. Bac Truyen Nguyen: Ladies and gentlemen, I would like to present four main points on the human rights situation in Vietnam.

Point one, the activists, bloggers, Dan Oan petitioners are the main targets in the list of political prisoners.

Since late 2006 and early 2007, the communist authorities have agreed to respect human rights as a condition for Vietnam's admission to the WTO, but in reality, arrests of activists for democracy and human rights took place in late 2006 and increased

thereafter. Up to now, about 250 activists and bloggers were arrested for fighting for basic human rights. I myself was arrested in late 2006, and was sentenced to three and a half years in prison and two years of house arrest for calling for democracy and campaigning for freedom of speech.

In about five years, tens of thousands of Dan Oan petitioners across Vietnam were deprived of lands, homes and properties. Then, hundreds of people were jailed. In the central highlands, in the north, in the Mekong Delta, people, such as the Jarai ethnic minority, Bahnar, Hmong, Khmer, hundreds of people were arrested, convicted and exiled far from home simply because they exercised their right to freedom of religion. Nobody could possibly obtain the statistics of persons arrested or convicted as Dan Oan petitioners or ethnic minorities because of the secrecy policy of the authorities.

My second point concerns the inhumane treatment of political prisoners.

The arrested activists, bloggers, Dan Oan petitioners, and ethnic minorities are treated inhumanely and are even subjected to corporal punishment or torture during the investigation or during the execution of the judgment.

I was arrested on November 17, 2006, and was detained in a room of approximately four metres square, without windows. Sunlight could not enter the room. The iron front cell door sealed the room completely and opened onto a small corridor built with a high wall. A light bulb was lit 24 hours a day. Even air could not enter, resulting in a lack of oxygen causing suffocation and headache. I was detained in such conditions for almost five months, without family contact.

Most political prisoners are denied fair trials. The trial, if any, is called a "pocket trial" because the verdict is decided before the trial begins. The evidence used for a conviction is staged and false. The accusations are generic and vague, such as can be found in article 88, propaganda against the state, article 79, conspiracy to overthrow the government, and article 258, abuse of democratic freedoms and undermining national unity policy, and so on.

In jail, the political prisoners were treated with discriminatory, harsh measures, much more brutal than those for common criminals.

● (1335)

They cannot read publications sent in by their families. They cannot exercise religious beliefs. They cannot call their families by phone. They are not allowed to have treatments, especially by a medical specialist. They will not receive a reduced jail sentence. They are harassed, provoked, beaten by other prisoners, subjected to solitary confinement in small rooms, and not allowed to go outside for small labour projects, sunshine, or physical exercise.

In addition, Vietnamese government policy also exiles political prisoners as a harsher punishment to other prisons far from home, from a few hundred to thousands of kilometres away, even though every local province or town has its own prison.

Being denied timely treatment by medical specialists means political prisoners can die shortly after release. Such a case happened to a teacher named Dinh Dang Dinh, who suffered gastric cancer after less than one year in prison. After serving two years in prison, he was released and died shortly after in 2014.

Prevention of infectious diseases is not considered important. Less than one year after their prison terms, political prisoners have died of HIV from infected inmates in prison. For example, Huynh Anh Tri died in 2014. Huynh Anh Tri was one of my fellow prisoners.

In Xuan Loc prison, from 2000 to 2012, there were around 10 political prisoners who died from life-threatening diseases. Many died from HIV by being forced to use a common razor at the barbershop at the K3 Xuan Loc prison camp in the years 2003 and 2004.

Ms. Mai Thi Dung, a Hoa Hao Buddhist follower in the southwest of Vietnam, was sentenced to 11 years in prison. She was released unconditionally at the end of April 2015 due to pressure from the governments and parliaments of countries like Canada, the United States, Germany, and Australia, as well as the UN Human Rights Council.

While being detained in Xuan Loc, she was diagnosed by a doctor and found to have many serious diseases, such as neurasthenia, gallstones, uterine fibroids, and heart failure. Xuan Loc prison told her to confess before receiving medical treatment. Ms. Dung disagreed and went on a hunger strike with a body weight of only 36 kilos, but the police moved her 2,000 kilometres by road from Xuan Loc prison to Thanh Xuan prison. During the trip, Mai Thi Dung fainted several times. When she got to Thanh Xuan prison, they again asked her to confess before getting medical treatment. Ms. Dung declined again.

Vietnam has participated in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment since late 2013.

Point three, political prisoners are used as hostages of the government in foreign policy and foreign businesses, for example, *[Inaudible—Editor]*.

Communist authorities use political prisoners as hostages to negotiate in trade issues, in diplomacy such as with the TPP, and to remove offensive arms embargo with the U.S.

• (1340)

Point four is about beating, abuse, and prevention of freedom of movement of citizens.

In 2014 and early 2015, there were nearly 40 cases of activists, bloggers, and Dan Oan petitioners assaulted, with many people hospitalized for treatment of wounds and injuries, such as Mrs. Tran Thi Nga.

I myself was attacked five times in 2014. In a typical case, on February 9, 2014, hundreds of policemen stormed the house,

arrested me, and hit me right in the house of my wife. Senator Thanh Hai Ngo has sent a letter to the Vietnamese ambassador to Canada to protest.

On February 24, 2014, my wife and I were on our way to the Embassy of Australia to present the human rights situation in Vietnam. We were assaulted by secret service agents in Hanoi while only 100 metres away from the embassy. The political counsellor of the embassy had to take us to the hospital.

On December 14, 2014, after receiving an invitation from Mr. Raymond Richhart, director of East Asian and Pacific affairs at the U.S. Department of State, secret service agents in Saigon prevented us from going to the meeting and then assaulted both of us at the inn where we were staying.

Currently, in the days when Vietnam authorities feel that they have to be sensitive, security forces surround the homes of activists and bloggers and do not let them out of the houses. They are very successful in this measure, as an activist could not resist dozens of policemen, secret service agents, civil defence forces, and even thugs.

Typically, Thich Quang Do, Thich Thien Minh, Dr. Nguyen Dan Que, lawyer Nguyen Van Dai, and I, although we are not under any house arrest sentence, are monitored regularly and continuously.

Here are our recommendations: One, the Hanoi government must respect human rights. Two, it must release all political prisoners, and while waiting for the release, the prisoners have to be treated humanely. Three, Vietnam must terminate all attacks and monitoring of activists and bloggers.

Thank you for your attention.

• (1345)

The Vice-Chair (Mr. Wayne Marston): Thank you very much for your presentations.

At this point, we will move to questions from members. Due to our late start, members will have one question per party, and it should be three minutes in length.

Mr. Sweet, go ahead.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you, Mr. Chair. I realize the restraint on time.

My question is for Thi Minh Hanh Do. I hope I have the pronunciation right.

You mentioned that you were sentenced to seven years. My understanding is that you had to serve four years in prison. Is the situation the same for you as it is for your colleague there beside you? Are you constantly monitored and threatened, or have they left you alone after your prison sentence?

Ms. Thi Minh Hanh Do (Interpretation): In my case, immediately and for a short time after my release I was followed very closely and my movements were monitored very closely. But after that, the monitoring and the following me around has relaxed, but I am still subjected to harassment, and my family is also in the same situation.

On the other hand, I had a lot of difficulty trying to leave Vietnam. When I tried to leave Vietnam, I was detained for 13 hours without any food or drink. At the same time, whenever I moved about, I would notice that somebody was watching me.

•(1350)

Mr. David Sweet: Please tell her she's a very brave woman. I'm certain that all Vietnamese are proud of her.

The Vice-Chair (Mr. Wayne Marston): We'll move to Mr. Benskin, please.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): I thank all of you for your presentations. I echo the comments of my colleague and salute your bravery in coming forward and sharing your stories, making us more aware of what's happening in Vietnam.

This is an open question for anyone who cares to answer.

Since the Vietnamese government agreed to respect human rights, how much access has the international community had to Vietnam to monitor or observe the situation of human rights in Vietnam?

Mr. Bac Truyen Nguyen (Interpretation): Sir, the situation is not like what they say. Even though they have said they have relaxed the control over the people who fight for freedom and human rights, in reality we are still very much restricted. Whenever there is a visit from an international organization or from foreign agencies, they try to use every means possible to prevent us from getting in touch with those organizations. They harass us. They forbid us to leave the house.

Sometimes the restriction is so harsh that we cannot even get out of the house to buy food or other necessities of life. As well, if some of us, like me, are brave enough to get out of the house, then they hire thugs to beat us up, to harass us, and cause trouble and injuries to us.

•(1355)

The Vice-Chair (Mr. Wayne Marston): Our final questioner is Ms. Duncan, please.

Ms. Kirsty Duncan (Etobicoke North, Lib.): I thank all of you for your courage and for the information you've provided today.

I'm wondering, in your opinion, to what extent the judiciary is impartial and independent of the Communist Party of Vietnam. Are judges free to decide cases involving dissident bloggers and journalists freely and without outside influence?

Mr. Bac Truyen Nguyen (Interpretation): Madam, in the government system of Vietnam there is no separation of powers between the judiciary, the executive, and the legislative organizations. All the judges are appointed by resolution of the party, and when they are to preside over a trial, normally the conviction and the sentence already have been made before they preside over the trial, and all they have to do is read it out and be done with it. They don't even listen to the arguments of the lawyers. As a result, many people have been wrongfully sentenced and we can do nothing about that at all.

The Vice-Chair (Mr. Wayne Marston): At this point we have concluded the questions.

I want to apologize, but thank you for your patience with the media problems we had at the beginning. I want to say to you that the three presentations that were given to us, the typed editions, give us quite a bit of information.

Again, thank you very much for your courage. We know the risk factors in the evidence that you've given us today. On behalf of the membership of our committee, I want to thank you for testifying.

At this point, members, the meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>