

THE STANDING SENATE COMMITTEE ON HUMAN RIGHTS

EVIDENCE

OTTAWA, Monday, April 7, 2014

The Standing Senate Committee on Human Rights met this day at 2 p.m. to monitor issues relating to human rights and, inter alia, to review the machinery of government dealing with Canada's international and national human rights obligations.

Senator Mobina S. B. Jaffer (*Chair*) in the chair.

The Chair: Honourable senators, welcome to the eighth meeting of the Second Session of the Forty-first Parliament of the Standing Senate Committee on Human Rights. Our committee has been mandated by the Senate to examine issues related to human rights in Canada and abroad.

My name is Mobina Jaffer and, as Chair of the Committee, it is a pleasure to have the witnesses here today. This is a very special meeting as they have taken the time to come here. In a committee forum, they may not see a lot of senators today but I can assure them that a transcript is being taken of this meeting and there will be a record of it. I'm sure many of my colleagues, even those who are not members of the Human Rights Committee, will want to know what they have to say.

On behalf of the committee, I would like to expressly thank Senator Ngo for bringing the issues faced in Vietnam to our notice and for being persistent in arranging for us to meet with you. This meeting would not have taken place without Senator Ngo's efforts. I thank him for that so we have the opportunity to hear from the witnesses.

Senator Ngo: Senator Ngo representing Ontario.

The Chair: The steering committee on March 5 decided we wanted to hear from human rights activists and advocates from Vietnam. The witnesses are currently visiting Ottawa after attending the Vietnam Universal Periodic Review before the United Nations Human Rights Council during the session in Geneva from January 7 to February 7, 2014. They are involved in a campaign to visit North America and European countries to ask for support in promoting human rights in Vietnam.

For those who are listening to us today, I point out that Vietnam is a one-party Communist state. The country's constitutional laws provide for freedom of speech but in practice the government curtails this right through broad national security and anti-defamation laws. Given the restrictions on traditional media operations in Vietnam, blogs provide an important alternative source of information for the Vietnamese and a venue for activism and protest. However, bloggers are limited in what they can post. They risk politically motivated arrest and conviction as well as other forms of intimidation, including blocking of Internet services and surveillance. Blogging about topics such as corruption, democratic reform, human rights and territorial disputes with China has resulted in significant jail terms for bloggers.

I would like to welcome today to the Senate Standing Committee on Human Rights the following people: Tuan Nguyen, Activist, Network of Vietnamese Bloggers; Ann Pham, Board Member, VOICE Canada; Doan Trang Pham, Blogger from vietnamrightnow.com; Hoi Trinh, Executive Director, VOICE; and Long Trinh, Human Rights Lawyer, Vietnam Path Movement.

I understand you have opening remarks, after which we will have questions.

Hoi Trinh, Executive Director, VOICE: Thank you, Madam Chair and members of the committee. Before I begin my presentation and introduction of other members of the delegation, I want to thank not only you and members of the committee but also the office of Senator Ngo for liaising with the Canadian embassy in the Philippines and also in France in order to get visas for the activists from Vietnam. Without their help, the activists wouldn't be here today.

I would also like to thank especially Ms. Annie Lessard from the Department of Foreign Affairs. She was also helpful in arranging the visas. Without her help and the department's intervention, we would not have been able to get the visas.

I would like to introduce myself: My name is Hoi Trinh, and I am a Vietnamese-Australian lawyer. I was born and raised in Vietnam and later in Australia. I went back to Vietnam in 2007-08. However, I have not been allowed to return to my homeland since 2008 because of my work. What is my work, you may ask. I am the Executive Director of VOICE, which is a non-profit organization registered in the U.S. and the Philippines. We do two things: We help Vietnamese refugees fleeing for freedom to southeast Asian countries; and we help to develop civil society in Vietnam.

Any presentations or any issues really are about stories. Today it is about our story of Vietnam. In particular, it is a story about human rights in Vietnam. I want to focus that story on one person. It is about teacher Dinh Dang Dinh, who was sentenced to six years in prison in Vietnam in 2012 for, and this is a charge under Vietnamese criminal law in article 88, spreading propaganda against the state. I have his photo right here. The photo was taken and posted on Vietnamese state-owned media. His trial lasted 45 minutes. He was sentenced to six years' imprisonment. His crime was writing about democracy and freedom -- the very things that we are talking about right now. If we were to do in Vietnam what we are doing here, we would also be charged for spreading propaganda against the state.

He was sentenced to six years. The trial was closed and lasted for 45 minutes; and he did not have real legal representation. ASEAN, which Vietnam is a member of, could not offer any help and the international community could not help in pushing Vietnam to release him.

However, he was actually released on March 21, 2014, less than three weeks ago. He was sentenced to six years but released after two years. You may ask why. It's because he was found to have a terminal illness, and he was not given the chance to seek medical help when he was in prison. When his family requested medical help for him, they were denied and instead were harassed.

It is unfortunate that within those two years Mr. Dinh was not the only political prisoner in Vietnam. We have at least 300 political prisoners in Vietnam. Our list grows long.

Continuing from 2012, the Vietnam government continues to oppress, harass and persecute dissidents through the criminal provisions existing right now in Vietnam.

Each of the delegates will point out to you specifically the examples of those. But for our story to continue, he was released on March 21, 2014, and you can see his condition two years before he was sent to prison and two years after he was released. Sadly, he died four days ago. He died of a terminal illness, leaving three young daughters behind and a wife. One of those daughters had to quit school to help the family.

Yesterday was his funeral. Therefore today's hearing is really in honour of him and in honour of hundreds of political prisoners in Vietnam. Our story is that it's not all grim and it's all not hopeless. Hundreds of people attended his funeral and that is a sign of changes in Vietnam. There is now civil society in Vietnam rising up and daring to speak up. With me are three activists from Vietnam, who dare to travel abroad and tell you the truth and the reality in Vietnam.

On that account I would like to introduce the next delegate, Ms. Doan Trang Pham. She is a blogger representing vietnamrightnow.com and she is also a journalist. She can tell you a bit more about why stories like teacher Dinh is not well known in Vietnam, is not well known in the West and how we can help bring his story and other stories out to the public and to the world.

Doan Trang Pham, Blogger, vietnamrightnow.com: Good afternoon, ladies and gentlemen. My name is Trang. I am a journalist and blogger from Vietnam.

I'd like to start with some facts and figures about Vietnam's current media picture. As of December 2013, there are 838 print media agencies in Vietnam, which produce more than 1,000 publications. There are also 265 new sites, 67 broadcasting agencies, and I can tell you that the number of media agencies in Vietnam has been on an increase. The hidden fact is that all of these media agencies are working under tight control by the Vietnamese government in various forms.

Now let me go into more details as to how the Vietnam government, dominated by the ruling Communist Party, controls media in Vietnam.

As I said, the Vietnamese government has many different ways to control media, but in general there are six primary measures they love to take to restrict media freedom in Vietnam. First, they maintain a system of propaganda offices that work nationwide at both national and provincial levels. These offices hold weekly meetings to control media. They use a very nice euphemism, which is "discussions to guide media". In fact, these weekly meetings are meant to mould the press into the ruling party's line or to shape public opinion.

Second, they require that all editors-in-chief in Vietnam must be members of the ruling party. This may ensure that these editors-in-chief work on behalf of the Communist Party and for the interest of the party instead of the interests of the people.

Third, the government, or the Communist Party, also employ government-issued press cards to reject all kinds of independent journalists, especially bloggers like teacher Dinh and citizen journalists in general. On the one hand, they try to reject independent journalists and, on the other hand, they try to create division between the mainstream and unofficial media.

Fourth, by rejecting independent journalists they deny the obligation of protecting journalists and ensuring or promoting freedom of information in general. The government gives the green light for police and thugs to prosecute bloggers, even mainstream journalists who are not granted press cards.

Fifth, they technically hinder people from accessing information provided by alternative media; for example, by setting up fire walls or using other kinds of technical obstructions. Last but not least, they mobilize cyber troops or cyber warriors to harass citizens, especially to harass renowned bloggers and political dissidents like teacher Dinh. His funeral was held yesterday and, at the same time, I think there must be hundreds of comments against him by those types of troops.

About the consequences of state restrictions of media freedom, as you can see, bloggers who are not recognized by the state and journalists without press cards are subject to obstructions in their work. In the past few years hundreds of bloggers and journalists without press cards in Vietnam have fallen victim to physical assaults, harassment, surveillance by police forces, by thugs and the so-called outrageous masses or the supporters of the government.

Dozens of bloggers and journalists have been imprisoned in the past five years under legislation aimed to restrict media freedom in Vietnam, including article 88 and article 258 of the Penal Code, which gives quite lengthy prison terms to bloggers and political dissidents, but they especially target bloggers.

How civil society and alternative media responds to the restrictive policies by the government toward press freedom? The good news is that in the past five years some alternative media agencies in Vietnam have been set up and emerged, including the Bauxite Vietnam, which was established in 2009, the Nhat Ky Yeu Nuoc (Patriotic Diary), a Facebook page, and the Dan Lam Bao (-citizen journalism), established in 2010, and the Civil Society Forum, 2013, and vietnamrightnow.com, just established on March 24 of this year. Vietnamrightnow.com is the first alternative news site in English whose mission is to report human rights violations in Vietnam to the world.

All of these civil society media organizations have been trying their best to advocate for human rights and democracy in Vietnam, despite all kinds of difficulties as I mentioned. The good news is also that many people have now turned to using their Facebook pages as a tool or medium to raise opinions and disseminate their opinions to the community in defiance of political repression and other kinds of harassment they face.

The number of citizen journalists is also increasing and that is the light at the end of the tunnel. Thank you.

Mr. H. Trinh: Thank you for that presentation. We would like to now pass the microphone over to Tuan Nguyen. He represents the Vietnamese Bloggers Network and he will give a brief history and also reasons why this is a changing time in Vietnam's civil society.

Tuan Nguyen, Activist, Network of Vietnamese Bloggers: Good afternoon, ladies and gentlemen.

My name is Tuan Nguyen, a member of the Vietnamese bloggers network working on freedom of expression, especially Internet freedom. I am happy to be here today to present the situation of civil society and human rights in Vietnam.

My presentation has three main parts. The first one is how and when independent civil society organizations or CSOs in Vietnam appeared. In a communist country like Vietnam, civil society is seen as an enemy by the government. This leads to two things: first, the term "civil society" is sensitive to the public; and, second, most of these CSOs inside Vietnam are organized by the government. But, the Internet made a change when, for the first time, some Vietnam people used it to call for some demonstrations in Hanoi and Saigon, in 2011, which gave birth to the first independent CSO in Vietnam. So far there have been about 20 independent CSOs working on human rights inside of Vietnam. They have worked on freedom of expression, freedom of religion, freedom of assembly and the Internet freedom.

The second part is, what difficulties have independent CSOs in Vietnam faced? Comparing independent CSOs to government-organized ones, the former has faced more difficulties, especially from the government. First, they cannot be registered by the government. For example, my group has no bank account, so it's very difficult for us to apply for a grant from INGOs or from the Canadian embassy or from the Canadian government. They are usually subjected to harassment by the police and their works have been rejected by the authorities. Second, independent CSOs have lacked lots of things, such as capacity training, international support and funding.

The last one is what the Canadian government can do to help develop independent CSOs in Vietnam. I think the Canadian government can make the grants from the embassy and the government more accessible especially to unregistered groups inside Vietnam; organize training courses on civil society and human rights for independent CSOs, as well as human rights defenders in Vietnam; and organize public conferences on civil society and human rights with the participation of independent CSOs.

Thank you so much for coming here and for your contribution to fostering human rights and civil society in Vietnam.

Mr. H. Trinh: We now pass the microphone over to Long Trinh, who can give you more details on our efforts regarding the UPR of Vietnam, last February, and also our plans for post-UPR advocacy in Vietnam.

Long Trinh, Human Rights Lawyer, Vietnam Path Movement: Ladies and gentlemen, honourable senators, I am a human rights lawyer and representative of the Vietnam Path Movement.

First, I would like to thank the Canadian government for the huge support to promote and protect human rights in Vietnam. Today, I would like to present to you the participation of the Vietnam civil society sector in

the UPR process, as well as our post-UPR advocacy plan and how Canada can promote the improvement of the human rights situation in Vietnam.

In June 2013, we started to participate in the second UPR cycle of Vietnam by submitting a joint submission, along with Freedom House and three independent CSOs in Vietnam including VOICE, the Vietnamese Redemption Church and Dan Lam Bao, a dissident media agency in Vietnam. Last January, we organized the first UPR advocacy campaign involving seven leading independent CSOs in Vietnam through the United States, Brussels, Geneva and Australia. We met up with Congressmen, diplomats, officers, United Nations officers and international NGO representatives, as well as attended the UPR hearing session of Vietnam in Geneva on February 5.

After that, we decided to use the UPR process as a framework for human rights activities in Vietnam with a post-UPR advocacy plan among CSOs in Vietnam and beyond. Under that plan we are going to organize our conferences, seminars and training sessions on the UPR process and get government officers, foreign embassies, NGOs, as well as human rights defenders involved.

We expect these activities will be seen as human rights dialogue mechanisms in Vietnam, especially between the Vietnamese government and independent CSOs in Vietnam.

How can Canada help to implement its own recommendations in Vietnam in the next four years? At the UPR hearing session on February 5, 2014, the Canadian government gave the Vietnamese government five recommendations regarding, first, the protection of women against all forms of violence; second, the right to equality before the law to be presumed innocent until proven guilty; the right to a fair trial as well as the right to freedom from arbitrary arrest or detention; third, the reduction of administrative obstacles and registration requirements applicable to peaceful religious activities by resisted or non-registered religious groups in order to guarantee freedom of religion or beliefs; fourth, the amendment of Articles 78, 79, 88 and 258 of the Penal Code of Vietnam which are used to imprison human rights defenders in Vietnam; and, fifth, the possibilities for technical support through the working group on enabling and protecting civil rights and protecting civil society of the community of democracies.

The Vietnamese government will respond to these recommendations by the Canadian government in the twenty-sixth session of the UN Human Rights Council in June 2014.

We would highly appreciate it if the Canadian government could help us with three things. First, support independent CSOs in Vietnam by organizing or participating in the UPR conferences and seminars in Vietnam. It could be helpful if the Canadian embassy in Vietnam organized a seminar regarding the UPR recommendations by the Canadian government for Vietnam and invited non-registered CSOs like us.

Second, put more pressure on the Vietnamese government to have them accept the UPR recommendations of the Canadian government. According to a speech by a Vietnamese diplomat official, the Vietnamese government is considering denying 40 recommendations, including the recommendations on amending Articles 79, 88 and 258 of the Penal Code, which was raised by the Canadian government.

Third, reconsider the Canada aid program to Vietnam to include supporting CSOs in Vietnam whether registered or not.

Mr. H. Trinh: Last but not least is the presentation by Ann Pham. She will give details as to the efforts of the Vietnamese community in Canada and how they have been helping VOICE as well as human rights defenders in Vietnam.

Ann Pham, Board Member (VOICE Canada): Good morning, members of the committee. My name is Ann Pham, and I represent the board of VOICE Canada. Our board consists of members from across Canada, from Calgary to Edmonton and from Toronto to Ottawa. I was born and raised in Calgary, Alberta, and have been volunteering at VOICE, based in the Philippines, for the past year and a half. I just flew into Ottawa last night.

I speak before you today as a proud Canadian citizen, and also as a person of Vietnamese origin, on how you can support human rights development in Vietnam. First, let me begin by giving you a bit of background about VOICE and our collaboration with the Vietnamese Canadian Federation. As Hoi previously mentioned, VOICE originated as a legal aid office, providing assistance to Vietnamese refugees, and our predecessor has been operating in the Philippines since 1997.

In the last decade, VOICE has been working with the Vietnamese Canadian Federation to find a durable humanitarian solution for the last remaining Vietnamese boat people in the Philippines and have successfully resettled 300 refugees in Canada.

We're currently working to assist with the resettlement of the stateless Vietnamese boat people in Thailand.

In addition to refugee work, VOICE extended our mission to foster and build a genuine civil society in Vietnam by providing training and assistance to civil rights defenders, whose quest is to exercise their rights to information and expression in the country.

In support of VOICE work, VOICE Canada was developed in 2013 as a sister organization. Our primary objective is to assist in the refugee resettlement project and to implement the civil society development initiative.

As a Canadian citizen, I have always been proud of our strong voice for the protection of human rights and the advancement of democratic values, and I believe Canada can play a significant role in promoting human rights in Vietnam.

This can be accomplished by empowering individuals and supporting independent CSOs in Vietnam through close collaboration with the Vietnamese community in Canada in bringing human rights issues in Vietnam to the forefront, in arranging for activists from Vietnam to come to Canada to share their expertise in human rights dialogues, and in engaging with our office in Manila for logistical support and the sharing of expertise in our training programs, through the Canadian embassy there.

We would also like to extend an invitation to the Department of Foreign Affairs and members of the Canadian embassies in Southeast Asia to come to our training sessions and speak to members of Vietnam's independent civil society organizations. We recently just wrapped up a training session on the UPR for members of Vietnam's CSOs and had the privilege of meeting with the British ambassador to Thailand. We hope that, in our next training, we will have the opportunity to have a representative from Canada as we look forward to working closely with you to promote human rights in Vietnam.

Thank you for your time.

Mr. H. Trinh: That pretty much sums up our presentation today. We would like to give you the opportunity to ask us any questions regarding our presentation, not just on the difficulties each of us has faced in Vietnam but also regarding how Canada can help in furthering the development of civil society in Vietnam. Thank you.

The Chair: Thank you very much for your presentation. We certainly have found it very informative, and we will now go on to questions and start with Senator Ngo.

Senator Ngo: I have questions for the presenters. Anyone who would like to answer this one is fine with me. During the UPR in Geneva, in February 2014, Vietnam representatives stated that the new reform constitutions increase the priority placed on human rights. Would you say that the recent judicial reforms have allowed for greater social justice?

Mr. H. Trinh: Any of us can answer that. Maybe I'll start and then let Long, as a lawyer, answer.

Senator Ngo: I have three questions, but this is my first.

Mr. H. Trinh: I think there is a real distinction between what the law says and how it applies in Vietnam. I think everyone can agree on that. The new constitution is contradictory because one of its provisions will be about freedom of expression and guaranteeing freedom of expression and freedom of assembly and all of that. At the same time, article 4 of the constitution says that the Communist party of Vietnam is the guiding light, and the sole guiding light, of the nation. Therefore, if you have absolute power in one country and yet also have a provision guaranteeing, I don't think any reasonable person in this room could misunderstand that you cannot have both. You either have absolute power, or you have freedom of expression.

That would be my response. No, social justice will not be improved in Vietnam by just saying what's in the law.

Mr. L. Trinh: I think the Vietnamese constitution reveals that the Vietnamese Communist Party is the only political party in Vietnam, and that means that there is a lack of separation of powers in Vietnam. The judiciary is not independent, so that's why Vietnamese citizens cannot access justice in Vietnam because the judges are not independent. All of these judges must be members of the Communist Party, so that's why they cannot be independent to protect justice in Vietnam.

Senator Ngo: If that's the case, as the new member of the Human Rights Council, do you think Vietnam will be able to hold the highest standard of human rights?

Mr. Nguyen: Thank you for your question. I think it depends on what civil society groups, like us, do inside Vietnam. If we do more things, relying on recommendations that the Vietnamese government accepts, it's good, but, if we do nothing, the situation remains the same.

Senator Ngo: The other question I'm asking is: Do you think that, as the new members of the Human Rights Council of the United Nations, Vietnam will be able to hold to the highest standard of human rights? I agree with you when you say that the law is different, and then the practice is totally different. You say that the penal code, in sections 79, 88 and 258, is totally different from the practice, but now, as the new members of the Human Rights Council, do you think that they will uphold the standard?

Mr. H. Trinh: Can I just add that Vietnam was a member when the UPR session was on in Geneva on February 5, two months ago? Vietnam was a member already. It has been a member since November, but Vietnam continues to deny that it has political prisoners in Vietnam. Vietnam continues to say that it fully respects all of the international instruments it has signed. They said it specifically at the UPR session itself.

Furthermore, over the past two months, they have continued to sentence bloggers and independent journalists who are critical of the Vietnamese government, so my answer is no. However, I would like to say that I agree with Mr. Nguyen in that Vietnam will not be holding to the highest international standards, but Vietnam should be pressured so that, as a member of the Human Rights Council, it will improve its record if, and only if, civil society in Vietnam becomes strong, gets supported from the outside and, therefore, works to improve the situation itself.

The Chair: You had a third question?

Senator Ngo: I have three, yes. You were in Geneva for the UPR in 2014?

Mr. Trinh: All of us were.

Senator Ngo: What is the most important lesson you have learned from the testimony of Vietnam at the UPR?

Ms. T. Pham: Learned just from the testimony?

Senator Ngo: From the testimony of the Vietnamese delegation at the UPR sessions?

Ms. T. Pham: Vietnam attended the first cycle of the Universal Periodic Review session in May 2009. I was a practising journalist then. I can assure you that none of the journalists in Vietnam knew anything about such a human rights mechanism. Anyway, things have changed and since February 5, with the second cycle of the UPR, more people are aware of these human rights mechanisms; so it's a good thing. I used to be a very pessimistic journalist. From this meeting, the lesson that I learned was to look at things with a more optimistic view. It is good news that many have reported the second session on their Facebook pages and

blogs. This is a good thing. The lesson for Vietnamese activists like us is to seek support not only from international organizations, even the UN, but also from the international media. That is the lesson I learned from the whole UPR process, not just from the testimonials.

Mr. H. Trinh: Do you have your lesson?

Mr. L. Trinh: As a human rights lawyer, one of the most important things I learned during our UPR trip was how the UPR process and the international human rights mechanism work in reality? I found out that it takes a very long time for the international human rights mechanism to bear fruit in reality and that the UPR process is not only a legal process but also a political process. We can use the UPR process as a framework for human rights activities, to mobilize human rights defenders from inside Vietnam and to mobilize international support to improve the human rights situation in Vietnam.

This is the United Nations Human Rights Council mechanism, so it can help us to reduce risk for human rights defenders to participate in this mechanism. This is the multi-stakeholders platform, which involved the government and civil society. We have a chance to participate in this mechanism and raise our own voice beside that of the Vietnamese government.

Mr. H. Trinh: Ann, do you as a Canadian have anything to add? You were there.

Ms. A. Pham: I was there. I'm sorry, senator, was your question about what I learned from Vietnam's testimony?

Senator Ngo: Of the UPR process.

Ms. A. Pham: It was my first time at the UN. It was eye-opening to experience in person what you read about in school and what you learn. From the meetings we had with members of the UN, I learned about the practical things we could do to help Vietnamese activists. During the UPR process, I learned that Vietnam was very well prepared. I was impressed [sarcasm] by how they could stand up in front of the international community and present information that was far from the truth.

Mr. H. Trinh: If I could add my two cents worth, there are two lessons I learned. First, I learned that the international mechanism is quite limited. The UPR process, at the end of the day, is a political process. I'll give you an example. Canada, Australia, the U.S. and the EU were given one minute and five seconds each, just like Cuba and North Korea, to talk about human rights; so it's fairly limited. Cuba and North Korea and China applauded Vietnam's human rights record, as expected. Other countries like Canada, Australia and the U.S. were quite critical of Vietnam's human rights record; so it's quite limited.

There was something revealing in a conversation we had right after the UPR session, which ended at 6 p.m. At 6:30 p.m. all of us walked out with mothers and fathers of political prisoners in Vietnam. We approached one of the Vietnamese delegation members, an official from Hanoi. We asked how he could just lie like that. We asked how he could just say that Vietnam has a perfect human rights record. Do you know what he said? He said that his hands are tied and has to say that -- he has no choice.

Vietnamese officials from Hanoi are quite revealing of themselves unofficially, but officially they continue to toe the party line. I found that we have to do what we think is right, and we must continue our journey to free not only people inside the prison but also people outside Vietnam who are scared and cannot speak up.

Senator Andreychuk: You all seem to be bloggers. Can you tell me a bit about the traditional newspapers? Are they government controlled? Do they face the same comments that you are making about blogging?

Ms. T. Pham: I would refer to those comments as extrajudicial measures that the Vietnamese government has been taking advantage of. I used to think that they only targeted bloggers and journalists with press cards; but after last year, I have to change my point of view. I have learned that the cyber troops do not tolerate even mainstream media. When a mainstream or official media agency like the *Youth Daily* or my newspaper, the Ho Chi Minh City daily legal, says something a little critical of the government or thinks of ethical codes like protecting people and citizens' rights, bringing truth to the readers, protecting victims of injustice and so on, they always face attacks from cyber troops. Very recently, there was a massive campaign by cyber troops in Vietnam targeting any progressive journalist.

Under such circumstances, it's very hard for journalists in general in Vietnam, either mainstream or unofficial unregistered and unrecognized bloggers. It's difficult for most of them to be brave and straightforward and to stand on the side of the people. They have to protect the ruling party's interests first and foremost.

Mr. H. Trinh: All media outlets in Vietnam are state-owned. There is no independent media.

Ms. T. Pham: Some companies sell newspapers in the form of company newsletters, but they just focus on celebrities' lives and gossip. I think they are given free space. The government likes that because they want to make it known to the world that they have private media in Vietnam. You can practice media in Vietnam if you focus on celebrities' life and gossip -- just those stupid things instead of human rights or democracy.

Senator Andreychuk: Certainly in the early 1990s, all human rights were repressed that did not meet a standard of the Communist Party of the day; but there seemed to be a thawing and a movement toward a better day in Vietnam.

We saw movement on discussions about political activity, maybe not opening up to new parties but more freedom to express and be part of the political process, opening up the old, traditional Communist divisions, if I can call it that. There was a lot of talk about women's rights. There was talk about other freedoms.

You focused, here, on the journalism and freedom of the press. What's your take on other human rights issues in Vietnam? Is it more oppressive today than it was ten years ago or less?

Ms. T. Pham: My friend, Mr. Nguyen, will answer your question, but he's not so confident of his English skills. So Hoi will be his interpreter.

Senator Andreychuk: He's getting a good translation.

Mr. Nguyen: Please allow me to answer in Vietnamese, and Mr. Hoi Trinh can translate into English.

(Witness spoke in Vietnamese.)

Mr. H. Trinh: I think in general, not just relating to civil and political rights but also relating to other rights, there has been an improvement in the past ten years. But it did not come from the goodwill of the government because, as you can see, we still have hundreds of political prisoners in Vietnam, and they still remain in prison. The changes, I think, resulted from the pressure from the people themselves, as well as from the international community, in this age of globalization. I give you an example of the development of Facebook in Vietnam. It is now being used as a tool for us to communicate with the world. Vietnam now has more than 20 million Facebook users. A violation of human rights in Vietnam, right now, can be instantly reported within and outside of Vietnam, which could never have happened in the past. For me, that's the main reason as to why there has been an improvement.

Senator Andreychuk: You seem to come to blogging and Facebook all the time. I note that, around the world, there are many countries that want to control their societies. Sometimes they say that it's because of security issues, but sometimes it's simply control so that they maintain their own control of the country. They attack bloggers and Facebook and all of the new modern media, and some of the discussion is that those in power are older and don't use Facebook or know what blogging is and are afraid of it. It's a double thing. If you don't know that tool, you're hesitant about it, and you control it more.

Is that the case in Vietnam, or is the government starting to use blogging and modern media to get their message out?

Ms. T. Pham: As a political journalist who has a few years working with officials in Vietnam, I have to admit that it's very difficult for the people in Vietnam to know what the high ranking officials are really doing. We don't know whether they are using Facebook or not. We don't know how much they access information on the Internet. Anyway, we are quite confident that, although they may not use Facebook, their secretaries and assistants, cronies and friends do, and they have a lot of online spies, online police. They have special forces who help them to monitor the Internet and watch what we have been doing on the Internet. So the generation gap does not make sense in my opinion.

Mr. H. Trinh: I would like to respond to your question regarding whether or not they are afraid of Facebook because they don't use it. I don't think that would be the reason why they do it. I think it's the old saying that absolute power corrupts absolutely. I think, at the end of the day, in Vietnam, it's about absolute power. The Communist Party wants to retain absolute power, and they do not tolerate any kind of dissent in any form, whether it is through traditional media or social media, through dissent outside or inside of Vietnam. They do not tolerate dissent, and, therefore, they will criminalize dissent and imprison people to silence freedom of expression. That's what I think.

The Chair: I have a question for you. You all have been very brave and presented here today. That takes a certain amount of risk because this is a public hearing. Some of you have expressed that you are not even allowed to go back to Vietnam. I know VOICE works here in Canada. So that we can see what you're doing on an ongoing basis, what's next? What are you proposing to do next? I know that there will be the next UPR process, but that's some time away. What are your next steps?

Mr. H. Trinh: Like Attorney Long Trinh just suggested, VOICE, together with civil society organizations in Vietnam, would like Canada to help in implementing its own recommendations to Vietnam, whether Vietnam accepts it or not.

There's a strong chance that Vietnam would not accept Canada's recommendation because the five recommendations Canada made go to the heart of freedom of speech, freedom of assembly and freedom of expression in Vietnam. Recommendation two suggested that Vietnam should reconsider all of the provisions that criminalize people. Recommendation five says that Vietnam should help with civil society development and seek help, expertise and technical support outside. If Canada has to do only one thing, that would be to help civil society organizations in Vietnam and VOICE to implement its own recommendation, whether Vietnam accepts them or not. If Vietnam accepts its recommendations, Canada has its own plan to publicize such recommendations and to work closely with civil society organizations in Vietnam to monitor the situation.

If Vietnam does not accept Canada's recommendations, Canada should also have a plan to review its development aid, to tie that and to question Vietnamese officials as to why they do not accept Canada's recommendation despite Canada's huge development aid to Vietnam.

The Chair: I want to take this opportunity, once again, to thank you for your presentations here, and I can genuinely assure you that you have a very strong voice here in the Senate through Senator Ngo and then through the Human Rights Committee. He will make sure that your voices are heard. So we want to thank you for being here, and we look forward to hearing from you in the future. Thank you very much.

(The committee adjourned.)