



SPOTLIGHT ON VIET NAM

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Viet Nam

Regime type: Authoritarian regime since 1976.

State of emergency: No state of emergency declared.

Covid-19 democracy and human rights impact summary: Viet Nam has been recognized as having had one of the most effective Covid-19 responses in the world. This included a swift lockdown and containment measures, as well as efficient contact tracing and isolation of suspected Covid-19 cases. However, the Government has used its powers to clamp down on freedom of expression with measures that included restricting social media accounts and imposing heavy fines on those deemed to be spreading fake news. Viet Nam has also begun the development of its own Covid-19 vaccine, which is due to be rolled out later in 2021. Subsequent to an outbreak of a hybrid variant of the virus in May 2021, Viet Nam has reimposed restrictions in different regions to contain the spread.¹

FROM RAPID RESPONSE TO VACCINE CHALLENGES

Alongside neighbours Taiwan and the Republic of Korea, Viet Nam instigated one of the most effective initial pandemic prevention strategies anywhere in the world, despite comparatively less-developed technological and economic capacities. The country's proximity to China meant that it was exposed to Covid-19 from an early stage: indeed, some suggest that it was precisely this, combined with its traumatic earlier experience of the 2002–2004 SARS outbreak that led Vietnamese medical teams to make a rapid study of the new virus and develop appropriate response strategies.

The country's first infection case was confirmed on 23 January 2020. Less than a week later, the Health Ministry announced the establishment of mobile emergency response teams, and by early March the country was producing its own Covid-19 test kits. In the meantime, travel bans were instituted, wide-scale testing and quarantine measures were introduced, and the use of face masks was made mandatory.

Moving into 2021, while Viet Nam's pandemic containment strategy continued to earn it a 'regional success story' label, by late April it was recording a sharp increase in infection rates from the recently identified Delta variant. This development, in turn, served to highlight the authorities' failure to vaccinate the population (as of early June 2021, only 1.3 per cent had received a jab—the region's lowest figure) and meant that plans to revive international tourism—a significant national income earner—were postponed.

REASONS FOR VACCINE FAILURE

The failure to secure vaccine supplies can be attributed to three factors.

First, in common with the Republic of Korea and Taiwan, the other regional successes, as one commentator suggests, 'with low rates of infection [Viet Nam] simply did not pursue vaccines with any urgency. It did contract for supplies of vaccines, but . . . relatively late in the game, and far back in the queue.'²

Second, vaccine acquisition was partially side-tracked by the country's efforts to develop its own vaccine, something other countries in the region are also pursuing.

Third, in a sign of the pragmatism underlying the Vietnamese Communist Party's (VCP) pandemic response, in early June 2021—quite late—the authorities announced that they had accepted a large (5 million doses) vaccine donation from China. This decision was in stark contrast to existing and long-standing attitudes in the country that, alongside historical mistrust of Beijing, lead most Vietnamese people to treat anything with a 'Made in China' label on it as being of inferior quality.

COMMUNIST PARTY NATIONAL CONGRESS

Internal struggles over the country's political direction were on display during the VCP's 13th National Congress held in January 2021. Most significantly, the Congress elected a new politburo, which—the consensus agreed—indicated a high degree of ideological continuity with the past. The stamp of VCP Secretary-General Nguyen Phu Trong appeared to remain strong among the newly elected membership, both in terms of its loyalist composition (notably the new Prime Minister and career security official Pham Minh Chinh) and also its adherence to the VCP's established anti-corruption drive and its support for heightened crackdowns on political dissent.

FUNDAMENTAL RIGHTS AND CIVIL LIBERTIES

Moving into 2021, selective—and in particular social media-related—state repression has continued undiminished.³ On 31 March, for example, one activist received a 10-year jail sentence for posting over 500 allegedly 'anti-state' articles on Facebook, and by June it was estimated that at least 21 Vietnamese citizens had been charged with social media-related political offences in the year since January. Seemingly, too, the attention of the authorities is increasingly turning towards social media platforms themselves as well as their users.

While Facebook's presence in Viet Nam stands in contrast to its position in neighbouring China, which blocks it, in July 2021 the authorities tabled draft legislation to supplement the existing 2019 Cybersecurity Law. It would require 'cross-border' social media platforms to provide contact information for livestreaming users with more than 10,000 followers. (With an estimated 65 million Vietnamese users, Facebook would certainly fall into that category.) Moreover, platforms will be 'asked' to remove or block content within 24 hours of receiving what are termed 'justified requests' to do so.

To date, Facebook's willingness to accommodate official 'requests' has been a cause of concern to human rights activists both inside and outside Viet Nam. How far the company is prepared to bend to retain the platform's current 40 per cent share of Viet Nam's USD 760 million digital advertising market remains to be seen. More certain, however, is the continued online presence of a large army of official cyber-troopers, who—together with cohorts of 'opinion-shapers'—both police digital media for anti-government content and relentlessly disseminate VCP propaganda.

In early June 2020, for example, reports emerged that a long-time Vietnamese pro-democracy activist had 'disappeared' following earlier sentencing to 12 years in prison, ostensibly for 'financing terrorism'. And in early October 2020, prominent blogger Pham Doan Trang was arrested, hours after meeting United Nations officials to discuss human rights issues. Ms Trang has previously been repeatedly detained for her pro-democracy activities; this time she was accused of carrying out 'anti-state activities'.

In late August 2021, the army was called in to enforce strict lockdown restrictions, a move that further underlined the military's increasing role in anti-pandemic measures. Additionally there have been widespread reports that at an early stage of the pandemic, 68 military camps able to accommodate up to 40,000 people were established across the country.

Some, indeed, argue that an umbilical cord exists between such state repression and the authorities' pandemic response, with one analyst suggesting that the reason 'disease control mechanisms have been so effective . . . is that they are the same mechanisms that facilitate and protect the country's one-party rule . . . The structures that control epidemics are the same ones that control public expressions of dissent.'⁴

CONCERNS OVER TRACING APP

In common with several other countries in the region, Viet Nam rushed to develop its own tracing app following the outbreak of the pandemic. This was launched on 9 March 2020, followed a month later by Bluezone, a dedicated Bluetooth-based contact tracing app. Both of these have raised significant privacy concerns, with the latter's widespread take-up in particular raising questions about centralized data collection and who would be able to access that data and for how long.

PEOPLE'S TRUST IN INSTITUTIONS

In tandem with obvious concerns over the creeping authoritarianism implicit in such aspects of the country's pandemic response, it is also important to note that Vietnamese citizens routinely display high levels of trust in the authorities. Overall, to date, this has certainly proved true with respect to Covid-19: for example, a public opinion poll conducted between May and July 2020 found that around 97 per cent felt that the government was handling the crisis either 'very' or 'somewhat' well.⁵

Commenting, one analyst suggested that it was 'not much of an exaggeration to say that the [ruling] Communist Party hasn't been this popular since the Vietnam War'.⁶ Nor has this popularity appeared out of nowhere. Up until the spring 2021 infection wave, the relative paucity of pandemic-related deaths and infections compared with other countries in the region spoke directly to the efficiency and determination of the Vietnamese authorities' crisis response. Equally importantly, the official openness and transparency that have characterized that response remain central to popular trust levels.

Viet Nam's initial pandemic response was also significantly influenced by what was happening across the border in China, not least Beijing's strenuous efforts to retain control of the flow of information regarding developments. In this respect, two Hanoi-based analysts argue that: 'The government seemed to recognize that Chinese-style information blocking only worsened the situation, and that people questioned top-down disease propaganda campaigns . . . Vietnam is still considered a communist country, but in fighting the epidemic, the government put the existence and life of the people first and foremost.'⁷

Furthermore, it is worth considering another commentator's suggestion that people's essential willingness to trust the authorities' pandemic response stems, in part, from the fact that over 90 per cent of the population are now covered by health insurance. This means there is no longer any need for them to worry about the costs of, for example, Covid-19 testing, thereby also increasing their potential willingness to accept extensive contact tracing and quarantine measures.

WILL THE NEW-FOUND OPENNESS AND TRANSPARENCY OUTLIVE THE PANDEMIC?

Confronted with continuing economic difficulties, some argue that ultimately the regime may have little choice here: 'At the moment, the public remains unified and supportive of the government,' argues one analyst. 'But that may not last for much longer. Once today's "rally around the flag" sentiment wanes and the public start to feel the

real implications of a faltering economy, the government can either return to its secretive leadership and ramp up repression or realize that more transparency might be the only thing that can keep the public onside during the coming lean years.⁸

GENDER IMPACT

A May 2020 assessment of the pandemic's gender-related impacts offered an important set of findings, notably that, as in many countries, Viet Nam's school closures have increased the care burden on women, who usually take on the extra childcare involved. In addition, the garment and textile sector, where the workforce is estimated to be more than 80 per cent women, is one of those hardest hit by the pandemic, while the informal sector, comprising nearly 13 million workers, many of them women, is experiencing some of its most dramatic economic impacts. This applies to waste recyclers, street vendors and domestic workers—the last category consisting of an estimated 95 per cent women and/or migrants.

Specifically with respect to domestic violence, a late April 2020 report noted that local organizations dedicated to providing support to victims of gender-based violence were experiencing a noticeable increase in the number of calls to their helplines. Indeed, another report from a national shelter network providing refuge for women and children fleeing domestic violence, sexual abuse and trafficking indicates that demand for places had more than doubled in the first few months of 2020. In response, in conjunction with others, the UN has reportedly increased its support to the country's women's shelters.

ECONOMIC EQUITY

In terms of preserving a sustainable economic base for its citizens, Viet Nam has performed well during the pandemic to date. While the economy has undoubtedly suffered as a consequence of Covid-19, many analysts consider Viet Nam's strong overall economic performance to be the basis for a robust future bounce-back. For 2020, Viet Nam registered a 2 per cent growth rate, which is far lower than in the preceding years but still means it is the only country in the region to register a positive economic outcome. With growth initially projected at 6.7 per cent for 2021 by the World Bank—a figure that will undoubtedly prove over-ambitious given the spring surge in infections—it is commonly viewed as the second strongest economy in the region (after China). Underlying this is the perception that getting the pandemic under control has led companies increasingly to view Viet Nam as a 'safe' place in which to operate.

From an equity perspective, the pandemic has presented specific challenges in Viet Nam, notably due to the high numbers of migrant, informal and other workers in its garment industry. The pandemic's marginalizing impact on those already vulnerable groups, as well as on ethnic minorities, is palpable; there is clear evidence of the exacerbation of existing poverty and inequality levels, and with it, heightened exposure to economic and social protection-related risks for many.

LEGISLATURE

On 20 May 2020, Viet Nam's National Assembly (NA) met for the first time since social distancing was introduced in mid-April. The session took place via video conference, with deputies able to vote by mobile phone—a first for the country. MPs participated in the online sitting from their home province/city, while around 165 deputies in Hanoi attended at the National Assembly House itself.

Demonstrating the pandemic's centrality to deliberations in the legislature, item one on the agenda included a call for deputies to focus on identifying 'effective directions . . . to recover the economy after the pandemic, contributing to the achievement of goals and targets of the five-year plan and creating conditions for development'. The NA session continued online until May 29; thereafter, deputies gathered in Hanoi for plenary meetings from 8 to 18 June.⁹ The NA continued to sit into early June when the Viet Nam-European Union Free Trade Agreement was ratified. The NA Standing Committee continued to meet until 12 August.

JUDICIARY

In early March 2020, it was announced that the courts would not be accepting hand-delivered documents nor summoning litigants. Additionally, they would not be holding hearings, except in cases for which the settlement term had expired. For such hearings, no more than 20 people were permitted to attend, and social distancing and other relevant safety measures were required. Following the April 2020 National Social Distancing Directive, extended delays in court proceedings were anticipated: there would be no open court hearings, except for cases in which the time limit for trial preparation was about to expire. In addition, except under exceptional circumstances, all court officials were asked to work from home. While the Directive also encouraged local courts to hold online hearings, commentators pointed out that accompanying guidance on how such hearings should be conducted was not forthcoming.

TRANSPARENCY, CORRUPTION AND ACCESS TO INFORMATION

Data from a survey of provincial administrative performance conducted in early 2020 documents a turnaround, albeit a slow one, in people's perception of official transparency. In particular, enabled by a combination of the country's 2018 Access to Information Law and court judgments, now made publicly available for the first time, citizens reported that they were increasingly able to access official documents. As part of a wider ongoing anti-graft campaign, the pandemic also appears to have led to some (limited) moves to counter official corruption. Most notably, the Chief of the Hanoi Centers for Disease Control and Prevention was indicted on 23 April 2020 on charges of conspiring to artificially increase test kit costs. More broadly, confirmation of openness and transparency in the official pandemic response is provided by evidence that the Ministry of Health has been posting all reported cases of infection online.

PARTICIPATORY ENGAGEMENT

Some of the analysis above regarding Fundamental Rights relates directly to the question of civil society's engagement in the pandemic. In Viet Nam, as in other countries, a wide range of individuals and organizations have responded by donating meals, food products, masks and other essentials. One report noted that, along the streets of many towns, handmade signs stating 'Feel free to take a package if you are in need' were in evidence outside many houses and shops, while one entrepreneur in Ho Chi Minh City installed a homemade ATM that, rather than dispensing cash, provided 24/7 access to rice for those needing it.¹⁰

The ATM initiative proved so successful that plans to establish 'rice ATMs' are in progress in other districts and provinces, with the one proviso being 'with permission from local government', since experience has taught Vietnamese civic activists that private initiatives that do not seek official approval are likely to land those involved in trouble. By way of example, one report noted that a civic activist in Danang was invited to his area police station in May 2020 and investigated for several hours. Reportedly, these investigations stemmed from the fact that he was accused of violating the official social distancing edicts by gathering and donating food for local people.

In addition, the financial difficulties for civil society resulting from the pandemic should not be underestimated. According to one estimate, for example, 1 out of 10 civil society organizations face downsizing on account of pandemic-derived financial difficulties, while 1 out of 3 of those questioned reported that they were concerned about their post-pandemic future with respect to raising funds and accessing other key resources.

From International IDEA's Global Monitor of Covid-19's Impact on Democracy and Human Rights

- In October 2020, it was reported that garment workers were at risk of losing their jobs since global brands were demanding price cuts and delaying payments to suppliers during the pandemic. Viet Nam has laid off 10 per cent of its workers and may have to lay off more .
- It was reported in June 2021 that pandemic-related restrictions on movement, loss of employment opportunities and other socio-economic factors had increased vulnerability to trafficking, particularly for women and children in rural areas and ethnic minorities.
- Hundreds of migrants in Ho Chi Minh City who wished to return to their hometowns due to the city's strict lockdown in August 2021 were prevented from doing so by the military and local police at checkpoints. Lengthy lockdowns have resulted in the loss of jobs and incomes for migrants and many were reportedly fearing financial ruin.

ENDNOTES

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- ⁴ Hayton, B. and Ly Ngheo, T., 'Vietnam's coronavirus success is built on repression', *Foreign Policy*, 12 May 2020, <<https://web.archive.org/web/20210612005127/https://foreignpolicy.com/2020/05/12/vietnam-coronavirus-pandemic-success-repression/>>, archived 12 June 2021.
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