

SOUTHEAST ASIA NGO DIRECTORY

동남아시아의 민주주의·인권·평화관련 NGO 목록

· 발 행 : 민주화운동기념사업회

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VIETNAM

Location: Southeastern Asia, bordering the Gulf of Thailand, Gulf of Tonkin, and South China Sea, alongside China, Laos, and Cambodia

Area: total: 329,560 sq km; land 325,360 sq km; water 4,200 sq km

Population: 82,689,518 (July 2004 est.)

Population growth rate: 1.3% (2004 est.)

GDP: \$203.7 billion (2004 est.)

GDP - real growth rate: 7.2% (2004 est.)

GDP - per capita: purchasing power parity - \$2,500 (2004 est.)

Labor force: 45.74 million (2004 est.)

Unemployment rate: 6.1% (2004 est.)

Internet country code: .vn



The conquest of Vietnam by France began in 1858 and was completed by 1884. It became part of French Indochina in 1887. Independence was declared after World War II, but the French continued to rule until 1954 when they were defeated by Communist forces under Ho Chi Minh, who took control of the North. US economic and military aid to South Vietnam grew through the 1960s in an attempt to bolster the government, but US armed forces were withdrawn following a cease-fire agreement in 1973. Two years later, North Vietnamese forces overran the South. Despite the return of peace, for over two decades the country experienced little economic growth because of conservative leadership policies. Since 2001, Vietnamese authorities have committed to economic liberalization and enacted structural reforms needed to modernize the economy and to produce more competitive, export-driven industries.

Vietnam today is a one-party socialist state, governed by the Communist Party of Vietnam (CPV). In recent years, the CPV gradually reduced its formal involvement in government operations and allowed the Government to exercise significant discretion in implementing policy. While the National Assembly remained subject to CPV direction, the Government continued to strengthen the capacity of the 498-member National Assembly and to reform the bureaucracy. The National Assembly plays an increasingly independent role as a forum for local and provincial concerns and as a critic of local and national corruption and inefficiency and made progress in improving transparency in the legal and regulatory systems.

Internal security is primarily the responsibility of the Ministry of Public Security (MPS); however, in some remote areas, the military forces are still the primary government agency, providing infrastructure and all public safety functions, including maintaining public order in the event of civil unrest. Since 2001, the military has played a large role in the Central Highlands by enforcing restrictions on gatherings, detaining individuals, and enforcing travel restrictions. The MPS controls the police, a special national security investigative agency, and other units that maintain internal security. The MPS enforces laws and regulations that often significantly restrict individual liberties and violate other human rights. It also maintained a system of household registration and block wardens to monitor the population, concentrating on those suspected of engaging, or being likely to engage in, unauthorized political activities; however, this system has become less obvious and pervasive in its intrusion into most citizens' daily lives. While the civilian authorities generally maintained effective control of the security forces, there were reports that elements of the security forces acted independent of government authority.

Human Rights

The Government's human rights record remained poor, and it continued to commit serious abuses. The Government continued to deny the right of citizens to change their government. Police sometimes beat suspects during arrests, detention, and interrogation. Several sources also reported that security forces detained, beat, and were responsible for the disappearances of persons during the year. Incidents of arbitrary detention of citizens, including detention for peaceful expression of political and religious views, continued. With some exceptions, prison conditions remained harsh, particularly in some isolated provinces, and some persons reportedly died as a result of abuse in custody. Prisons usually required inmates to work for little compensation and no wages.

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 : 1.3% (2004)
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 (CPV: Communist Party of Vietnam)
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The judiciary was not independent, and the Government denied some citizens the right to fair and expeditious trials. The Government continued to hold a number of political prisoners. The Government restricted citizens' privacy rights, although the trend toward reduced government interference in the daily lives of most citizens continued. The Government significantly restricted freedom of speech, freedom of the press, freedom of assembly, and freedom of association. The Government continued its longstanding policy of not tolerating most types of public dissent and stepped up efforts to control dissent on the Internet.

Security forces continued to enforce restrictions on public gatherings and travel in some parts of the country, primarily in the Central Highlands and the Northwest Highlands. The Government allowed elected officials and ordinary citizens in approved forums somewhat greater freedom of expression and freedom of assembly to express grievances. The Government prohibited independent political, labor, and social organizations; such organizations existed only under the control of the VFF.

The Government restricted some core worker rights, such as freedom of association, although the Government cooperated with the International Labor Organization (ILO) and international donors to improve implementation of the Labor Law. There were reports that children worked in exploitative situations. Trafficking in women and children for the purpose of prostitution within the country and abroad continued to be a serious problem, and there were reports of the trafficking of women to China and Taiwan for arranged and forced marriages.

The Government restricted freedom of religion and operation of religious organizations other than those approved by the State. In particular, Buddhists, Hoa Hao, and Protestants active in unregistered organizations faced harassment as well as possible detention by authorities. The Government imposed some limits on freedom of movement of particular individuals whom it deemed threatening to its rule. .

Access to the Central Highlands by foreign observers improved from 2002, but visitors to the area were generally monitored and often accompanied by security officials. There were credible reports that some members of ethnic minorities in the Central Highlands and Northwest Highlands who were either arrested or detained did not return to their families.

Democracy

The Government continued to restrict significantly civil liberties on grounds of national security and societal stability. The CPV continued its efforts to strengthen the mechanism for citizens to petition the Government and for victims of injustice to obtain compensation. The Government did not permit human rights organizations to form or operate. Violence and societal discrimination against women remained problems.

The law prohibits arbitrary arrest and detention; however, the Government continued to arrest and detain citizens arbitrarily. Some persons were arrested and detained for the peaceful expression of their political and religious views. The Criminal Code provides for various rights of detainees, including the right of the accused to have a lawyer present during interrogation; however, in practice the authorities sometimes ignored these legal safeguards. Moreover, a long-standing directive on administrative probation gives security officials broad powers to subject individuals to a form of house arrest, if they believe that a suspect is a threat to "national security" or even on less serious grounds, without trial.

During the year, CPV and government officials likely exerted influence over court decisions by making clear their wishes to both the lay assessors and the judges who sat on a panel together to decide cases. Military tribunals operate under the same rules as other courts, but the Ministry of Defense (MOD) provides their funding. Tribunal judges and assessors are military personnel, chosen jointly by the SPC and the MOD but supervised by the SPC.

There was a shortage of trained lawyers and judges and no independent bar association. At the Supreme Court level, there was a 20 percent shortage of qualified judges in 2002. According to a U.N. official, 30 to 40 percent more judges were needed at the provincial level. Low salaries hindered the development of a trained judiciary. The few judges who had formal legal training often studied abroad in countries with socialist legal traditions. Young educated judges usually had little influence within the system.

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The Government continued to imprison persons for the peaceful expression of dissenting religious and political views. There were no reliable estimates of the number of political prisoners, because the Government usually did not publicize such arrests, rejected the concept of political and religious prisoners, and sometimes conducted closed trials and sentencing sessions. There were 14 prisoners known to be held for political reasons and 21 prisoners held for religious reasons. Other sources estimated that numbers could be much higher. Among those believed to be detained or imprisoned were political activists Dr. Nguyen Dan Que, Col. Pham Que Duong, Tran Van Khue, Tran Dung Tien, Pham Hong Son, Nguyen Vu Binh, Nguyen Dinh Huy (who reportedly was suffering from Parkinson's disease), Le Chi Quang, Nguyen Khac Toan, journalist Pham Thai, and religious persons Father Nguyen Van Ly, Ngo Van Thong, Pham Minh Tri, Le Minh Triet, Nguyen Chau Lang, Truong Van Duc, Bui Van Hue, Dinh Troi, Pham Van Tuong, Ho Van Trong, Ha Hai, Thich Thien Minh, Nguyen Thien Phung, Hoang Trong Dung, Nguyen Van Lia, Ly A Hu, and Ly A Cho.

The Government claimed that it did not hold any political or religious prisoners and that persons described as political or religious prisoners were convicted of violating national security laws or general criminal laws. The Government did not allow access by humanitarian organizations to political prisoners.

The Government continued to prohibit free speech that questioned the role of the CPV, criticized individual government leaders, promoted pluralism or multiparty democracy, or questioned the Government's policies on sensitive matters such as human rights or the border agreement with China. There continued to be an arbitrary line between what constituted private speech about sensitive matters, which the authorities would tolerate, and public speech in those areas that they would not tolerate. The right of assembly is restricted in law, and the Government restricted and monitored all forms of public protest. Persons who wish to gather in a group are required to apply for a permit, which local authorities can issue or deny arbitrarily.

In general, the Government did not permit demonstrations that could be seen as having a political purpose.

The Constitution does not provide the right for citizens peacefully to change their government, and citizens could not freely choose and change the laws and officials that govern them. All authority and political power is vested in the CPV, and the Constitution delineates the leadership of the CPV. Political opposition movements and other political parties are illegal. The CPV Politburo is the supreme decision-making body in the nation, although it technically reports to the CPV Central Committee. During the first session of the Ninth Congress of the CPV in April 2001, the CPV replaced the standing board, consisting of the 5 most senior members of the Politburo, with a Secretariat, originally consisting of the General Secretary, 4 lower ranking Politburo members, and 4 non-Politburo Central Committee members but now with a total of at least 11 members, to oversee day-to-day implementation of leadership directives.

The Government continued to restrict public debate and criticism to certain aspects of individual, state, or party performance determined by the CPV itself; however, legislators continued to question and criticize ministers in bi-annual National Assembly sessions that were broadcast live on television. No public challenge to the legitimacy of the one-party State is permitted; however, there were instances of unsanctioned letters critical of the Government from private citizens, including some former party members, which circulated publicly.

The Government does not permit private, local human rights organizations to form or operate. The Government generally did not tolerate attempts by organizations or individuals to comment publicly on government human rights practices and used a wide variety of means to suppress domestic criticism of its human rights policies, including surveillance, limits on freedom of assembly, interference with personal communications, and detention. The Government generally prohibited private citizens from contacting international human rights organizations, although some activists were able to do so. The Government did not allow any visits by international NGO human rights monitors; however, it did allow a representative from the UNDP to visit the Central Highlands in August and a UNHCR local official to visit in September. The Government criticized almost all public statements on human rights issues by international NGOs and foreign governments.

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Trafficking in Persons

The Penal Code prohibits trafficking in women and children; however, trafficking in women and children for the purpose of sexual exploitation and for labor, both domestically and internationally, was a serious problem. The country was a source country for trafficking in persons. Women were trafficked primarily to Cambodia and China for sexual exploitation and arranged marriages. According to one report, between 1990 and 2000, approximately 20,000 young women and girls were sent to China to become brides, domestic workers, or prostitutes; however, it was not clear how many were victims of trafficking. Between 1995 and 2000, approximately 5,000 women and children were trafficked to and escaped from Cambodia.

Some Vietnamese women also were trafficked to Singapore, Hong Kong, Macau, Thailand, Taiwan, the United Kingdom, and the United States. There also were reports that some Vietnamese women going to Taiwan, Hong Kong, Macau, and China through arranged marriages were victims of trafficking. An NGO advocate estimated that the average age of trafficked girls was between 15 and 17 years of age. Some reports indicated that the ages of girls trafficked to Cambodia typically was even lower. Although statistics were not reliable, women and girls were trafficked from southern delta and highland provinces to Cambodia and from northern provinces into China generally for the purposes of prostitution, domestic work, or marriage.

There were reports that some women from Ho Chi Minh City and the Mekong Delta who married men from Taiwan were forced into prostitution after their arrival in Taiwan. Diplomatic sources estimated that between 15,000 and 18,000 Vietnamese women married Taiwanese men each year, although government and NGO observers believed that most were not trafficked.

Poor women and teenage girls, especially those from rural areas, were most at risk for being trafficked. It appeared that most trafficking victims came from some Mekong Delta provinces, such as Can Tho and An Giang and some northern provinces, such as Quang Ninh. Some were sold by their families as domestic workers or for sexual exploitation. In some cases, traffickers paid families several hundred dollars (a large sum for many families) in exchange for allowing their daughter to go to Cambodia for an "employment offer." Many victims faced strong pressure to make significant contributions to the family income.

Corruption was a serious problem at all levels, and some officials were involved in the flow of overseas workers into exploitative conditions or into trafficking. While it was likely that some individual officials assisted traffickers, there was no evidence of official, institutional, or government involvement in trafficking in persons.

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