

VIETNAM 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

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

Civilian authorities maintained effective control over the security forces.

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

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

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were multiple reports indicating officials or other agents under the command of the Ministry of Public Security or provincial public security departments committed arbitrary or unlawful killings, including reports of at least 15 deaths of persons in custody. In most cases, authorities either provided little information regarding investigations into the deaths or stated the deaths were the result of suicide or medical problems. Authorities sometimes harassed and intimidated families who questioned the police determination of cause of death. In a small number of cases, the government held police officials responsible, typically several

years after the death. Despite guidance from the Supreme People's Court to charge police officers responsible for causing deaths in custody with murder, such officers typically faced lesser charges.

On May 3, Nguyen Huu Tan, a follower of Hoa Hao Buddhism, died while in custody at Vinh Long provincial police station after his May 2 arrest on charges of committing "propaganda against the state." The provincial police announced that Tan committed suicide by cutting his throat and promised to conduct an investigation into the case. Following his death, Tan's family reported repeated harassment from the Vinh Long police, urging them to accept the official version of events. The government claimed it had evidence of suicide, which, it said, it shared with the community. At the end of the year, there was no information regarding investigation or accountability.

On July 18, Luu Ngoc Hai died while in custody at Dak Po district police station, Gia Lai Province, where he was being held pending investigation on drug charges. The initial local police forensic examination showed Hai died of "internal bleeding" without any influence of external forces, but photos circulated on the internet appeared to show Hai's body with his throat cut. At year's end, there was no information regarding investigation or accountability.

In some cases, the government held security officers responsible for arbitrary deprivation of life. On May 10, the Van Ninh District People's Court in Khanh Hoa Province sentenced police officer Le Minh Phat to eight years' imprisonment on charges related to the death of Tu Ngoc Thanh, a teenager Phat beat to death on the way to the police station in 2013.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits physical abuse of detainees, but suspects commonly reported mistreatment and torture by police, plainclothes security officials, and compulsory drug-detention center personnel during arrest, interrogation, and detention. Police, prosecutors, and government oversight agencies seldom conducted investigations of specific reports of mistreatment. Some activists reported receiving death threats from security officials.

On February 27, plainclothes security officials reportedly abducted, robbed, and beat with iron rods prodemocracy advocate and pastor Nguyen Trung Ton and his associate in Quang Binh province, resulting in Ton's hospitalization. The Ministry of Public Security subsequently arrested Ton in July for "carrying out activities aimed at overthrowing the people's administration" and continued to hold him in pretrial detention at year's end. On April 13, also in Quang Binh province, plainclothes security officials reportedly abducted two activists, Tran Hoang Phuc and Huynh Thanh Phat, robbing and beating them before releasing them in a remote area in central Vietnam. Police later arrested Phuc for "storing, making, (and) posting videos to the internet, which convey messages against the State" and continued to hold him in pretrial detention.

There were also numerous reports of police mistreatment and assaults against individuals who were not activists or involved in politics. On January 2, approximately 10 public security officers in Dinh My Ward, Thoi Son District, An Giang Province, searched Le Minh Hoang's home without a warrant for evidence of gambling and beat five persons, hospitalizing two. Afterwards, senior Ministry of Public Security officials called for an investigation and reassigned the officers.

Prison and Detention Center Conditions

Prison conditions were austere and occasionally life threatening. Insufficient diet and unclean food, overcrowding, lack of access to potable water, and poor sanitation remained serious problems. According to Amnesty International and former prisoners of conscience, prison authorities singled out political prisoners and ethnic minority prisoners, particularly in the Central Highlands and other sensitive ethnic minority regions, for physical abuse, solitary confinement, denial of medical treatment, and punitive prison transfers.

Physical Conditions: Authorities generally held men and women separately, with some reported exceptions in local detention centers. Although authorities generally held juveniles in prison separately from adults, on rare occasions authorities reportedly held juveniles in detention with adults for short periods.

In March the Ministry of Public Security released a five-year review of its execution of criminal judgements, covering 2011-16. The report acknowledged lack of quality infrastructure and overcrowded detention centers were ongoing challenges. The report stated the average floor space was 5.44 square feet per

prisoner compared to the standard requirement of 6.6 square feet per prisoner.

Prisoners had access to basic health care, although there were instances of officials preventing family members from providing medication and not reviewing pre-detention health records of prisoners. Family members of imprisoned activists who experienced health problems claimed medical treatment was inadequate and resulted in long-term health complications. Heating and ventilation were inadequate in many prisons.

During the year the family of imprisoned Hoa Hao Buddhist and land rights activist Tran Thi Thuy reported that prison officials at An Phuoc Prison in Binh Duong Province continued to deny her medical treatment for a tumor on her uterus and an open wound on her abdomen, despite repeated requests for treatment. Authorities reportedly told Thuy that she would not receive treatment unless she “confessed” to the crimes for which she was convicted.

Serious health conditions exacerbated by poor or delayed medical care, forced prison labor, poor sanitation, and malnutrition caused most deaths in prison. Media reported the suicide death of one convicted prisoner during the year by hanging. The investigation remained ongoing. Imprisoned activist Luu Van Vinh reportedly told his wife that prison officials at the Chi Hoa detention facility in Ho Chi Minh City did not take action after an inmate threatened to beat him to death. He remained in pretrial detention during the year.

Prisoners generally were required to work but received no wages. Authorities placed prisoners in solitary confinement for standard periods of three months, although officials often subjected political prisoners to more extended periods of solitary confinement. Prison authorities reportedly also placed some transgender individuals in solitary confinement due to confusion over whether to place them in male or female quarters. Ministry of Public Security officials often prohibited reading and writing materials, especially for political prisoners; however, imprisoned democracy activist Tran Huynh Duy Thuc’s family reported authorities at No. 6 Detention Center in Nghe An province allowed family members to send a flashlight and batteries for Thuc to read in his cell.

Family members continued to make credible claims prisoners received extra food or other preferential treatment by paying bribes to prison officials.

Prison authorities often held political prisoners far from their homes, making visitation from family difficult. On August 18, the Ministry of Public Security

informed family members of democracy activist Nguyen Bac Truyen that they had transferred him to the B14 detention center in Hanoi, nearly 1,000 miles from his home in Ho Chi Minh City. His wife shared that she received no communication from him from the time of his late July arrest despite repeated requests to prison authorities.

Activists reported Ministry of Public Security officials assaulted political prisoners to exact confessions or used other means to induce written confessions, including instructing fellow prisoners to assault them or making promises of better treatment.

Some former and existing political prisoners reported prisoners received insufficient food and that of poor quality. Several former prisoners reported they received only two small bowls of rice and vegetables daily, often mixed with foreign matter, such as insects or stones.

Administration: There was no active system of prison ombudsmen, but the law provides for oversight of the execution of criminal judgments by the National Assembly, people's councils, and the CPV's Vietnam Fatherland Front (VFF), an umbrella group that oversees the country's government-sponsored social organizations.

Authorities limited prisoners to one family visit of no longer than an hour per month and generally permitted family members to give various items, including money, supplemental food, and bedding to prisoners. Political prisoners and their family members reported that prison authorities at times revoked, denied, or delayed visitation rights and did not allow them provide items to family members.

On December 28, Ha Nam Province prison authorities allowed Vietnamese Women for Human Rights member activist Tran Thi Nga to visit with her husband and two small children after 11 months in detention and after repeated requests. Authorities reportedly separated Nga from her children through a glass window, and prison officials monitored the visit. Authorities arrested Nga on January 23 and courts sentenced her to nine years in prison on July 25 for "using the internet to spread propaganda videos and writings." Courts upheld her sentence on appeal on December 22.

Political prisoners sometimes staged hunger strikes. Religious leaders and former political prisoners reported that Ministry of Public Security officials did not permit prisoners to conduct religious services or receive visits by religious leaders.

Family members and some former prisoners reported certain prison authorities did not permit prisoners to have religious texts while in detention.

Independent Monitoring: Local and regional International Committee of the Red Cross officials neither requested nor carried out prison visits during the year. The government did not allow foreign diplomats or NGOs to conduct credible monitoring of prison conditions.

d. Arbitrary Arrest or Detention

The constitution states that a decision by a court or prosecutor is required for the arrest of any individual, except in the case of a “flagrant offense.” The law allows the government to arrest and detain persons for significant periods of time under vague national security provisions of the penal code.

The government arrested some 30 individuals for peacefully expressing political or religious views, an increase from approximately 10 such arrests in 2016. The arrested included members of the prodemocracy group Brotherhood for Democracy, Viet Labor, bloggers, students, and those involved in expressing dissent or organizing demonstrations related to the 2016 industrial spill by the Taiwanese-owned Formosa Ha Tinh Steel company that led to a mass fish kill in central Vietnam. A large number of those arrested were for “attempting to overthrow the people’s administration” and/or, “conducting propaganda against the state,” the two articles of the penal code that carry the most severe punishments. The former can carry up to life imprisonment or the death sentence.

On July 30, former political prisoner and democracy activist Pham Van Troi was arrested, reportedly based on his connections to the group Brotherhood for Democracy; he remained in pretrial detention. On May 15, authorities arrested labor rights activist Hoang Duc Binh for “abusing democratic freedoms” after posting online content about the government’s response to the Formosa spill that significantly affected workers. He remained in pretrial detention (see section 1.d.).

Authorities regularly subjected activists and suspected criminals to administrative detention or house arrest.

Role of the Police and Security Apparatus

The Ministry of Public Security is responsible for internal security and controls the national police, a special national security investigative agency, and other internal

security units. Provincial and local-level police often maintained significant discretion in their activities. The Bureau of Investigation of the Supreme People's Procuracy (national-level public prosecutor's office) examines allegations of abuse by security forces. Four of the 18 members of the Politburo were actual or former Ministry of Public Security officials.

The government appointed existing and former Ministry of Public Security officials to a range of senior positions, including President Tran Dai Quang, Standing Deputy Prime Minister Truong Hoa Binh, chairman of the Office of the Communist Party Central Committee Nguyen Van Nen, chief justice of the Supreme People's Court Nguyen Hoa Binh, and chairman of the Government Committee on Religious Affairs Vu Chien Thang. Former security officials also held key leadership positions in a number of provincial-level governments, including Hanoi People's Committee chairman Nguyen Duc Chung and Thai Nguyen Province party secretary Tran Quoc To.

People's committees (the executive branch of local governments) had substantial authority over police forces and prosecutors at the provincial, district, and local levels. Although the Supreme People's Procuracy had authority to investigate security force abuse, police organizations operated with significant discretion, little transparency, and limited public oversight. Police officers sometimes acted with impunity. At the commune level, guard forces composed of residents or members of government-affiliated social organizations commonly assisted police and sometimes committed human rights abuses. Police were generally effective at maintaining public order, but other police capabilities, especially investigative, were very limited.

The Ministry of Public Security is responsible for internal security. The Ministry of Public Security Department of Immigration Management is responsible for overseeing migration out of the country.

Arrest Procedures and Treatment of Detainees

The law includes provisions related to arrest procedures and the treatment of detainees prior to case adjudication. Police and other investigative agencies usually executed warrants for arrest, custody, and temporary detention. By law police usually need a decision by the People's Procuracy to arrest a suspect, although in some cases a court decision is required. In most cases, the People's Procuracy at the state, provincial, or district levels issued such arrest warrants. Under urgent circumstances, such as when evidence existed that a person was

preparing to commit a crime or when police caught a person in the act of committing a crime, police could make an arrest without a warrant. In such cases, the People's Procuracy must issue a decision to approve or not to approve the arrest within 12 hours of receiving notice from police.

Plainclothes security officials arrested multiple individuals without a warrant, reportedly due to such urgent circumstances, including author and activist Le Dinh Luong who was critical of the government's handling of the Formosa spill. He remained in pretrial detention (see section 1.d.).

The People's Procuracy must issue a decision to initiate a formal criminal investigation of a detainee within three days of arrest; otherwise, police must release the suspect. The law allows the People's Procuracy to request two additional three-day extensions allowing for an extension of the custody time limit to a maximum of nine days.

By law, authorities may detain individuals pending investigation for up to 24 months, in four-month increments, for "especially serious offenses," including national security cases. During this period of detention, authorities have the discretion to deny family visits, which they routinely did for those arrested under national security articles.

The law allows for bail as a measure to replace temporary detention, but authorities infrequently used it. The law authorizes investigators, prosecutors, or courts to allow for the depositing of money or valuable property in exchange for bail.

The law requires authorities to inform persons held in custody, accused of a crime, or charged with a crime of their rights under the law, including the right to an attorney. Under most circumstances, once advised, the accused are responsible for obtaining their own attorney.

The law affords detainees access to counsel from the time of their detention, but authorities continued to use bureaucratic delays to deny timely access to legal counsel. In many cases, authorities did not provide attorney's access to their clients or the evidence against them until immediately before the case went to trial and without adequate time to prepare their cases.

In cases investigated under national security laws, the government has authority to prohibit access by defense lawyers to clients until after officials complete an investigation and formally charge the suspect with a crime, which it routinely did.

Court authorities did not allow Nguyen Van Duc Do to meet with an attorney until December, 13 months after being detained. Suspects were routinely denied judicial authorization and were not brought promptly before a judicial officer. Before a formal indictment, detainees have the right to notify family members.

Arbitrary Arrest: Arbitrary arrest and detention, particularly for political activists and individuals protesting land seizures or other injustices, remained a serious problem.

Police generally informed families of detainees' whereabouts, although the Ministry of Public Security held a number of detainees suspected of national security violations incommunicado, failing to inform their family of the detainees' whereabouts and provide an arrest warrant. There were numerous reports of plainclothes security officials making arrests, including of former political prisoner and Christian activist Nguyen Van Oai while he was returning from fishing near his home. On September 18, courts sentenced Oai to five years in prison and four years on probation for violating the terms of his probation and "resisting persons on duty."

Authorities subjected many religious and political activists to varying degrees of arbitrary detention in their residences, in vehicles, at local police stations, at "social protection centers," or at local government offices. Officials also frequently detained human rights activists upon their return from overseas trips.

On January 16, Ho Chi Minh City police and plainclothes security officials placed numerous activists under house arrest when a foreign minister visited the city.

On August 17, 10 plainclothes security officials abducted Nguyen Quang A near his Hanoi home and detained him for six hours at a local police station to question him about upcoming overseas travel. Authorities abducted and questioned Quang A in November following a meeting with foreign diplomats in Hanoi, marking the 14th time police questioned him over a period of 20 months without charging him with a crime.

Pretrial Detention: The allowable time for temporary detention during an investigation varies depending on the level of offense. Investigations sometimes exceeded legal limits, which ranged from a maximum of four months for less serious offenses to 24 months for the most serious cases. Activists reported police and prosecutors used these lengthy periods of pretrial detention to punish or to

pressure human rights defenders to confess to crimes. By law, authorities must provide justification for detention beyond the initial four months, but there were reports that court officials routinely delayed such justifications for activists.

Authorities held human rights activist and lawyer Nguyen Van Dai and human rights activist Le Thu Ha in pretrial detention for 24 months. Police arrested them in 2015 for “conducting propaganda against the state.” On July 30, the government announced additional charges of “attempting to overthrow the state administration.” On December 28, Dai’s wife told international media that Dai sent her a letter saying that authorities had concluded the investigation against him on December 12. On December 28, Nguyen Van Dai’s wife told international media the state had assigned a lawyer to represent Dai who was not of the family’s choosing and that the three lawyers selected by the family had not been permitted to meet with Dai during his 24 months of pretrial detention.

The Ho Chi Minh City People’s Procuracy reported that prolonged pretrial detention is rampant in Ho Chi Minh City and that, as of May 31, a total of 452 persons had been in custody for over 12 months without trial. Also as of May 31, local police had detained seven persons past the maximum period allowed by law for cases under investigation. The Ho Chi Minh City’s People’s Procuracy stated the delays were due to disagreements between the police investigation agency, the People’s Court, and the People’s Procuracy on whether to charge detainees under criminal or civil codes.

On June 18, media reported that authorities released Do Thi Luan following an investigation by the Ho Chi Minh City People’s Council over her detention. Authorities detained her for 72 months on suspicion of “swindling,” and the courts could not agree on charges.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained often were not entitled to challenge in court the legal basis or arbitrary nature of their detention and obtain prompt release or compensation if detention is found to be unlawful.

Amnesty: The government shortened the sentences of prisoners in some instances under amnesty provisions. On January 8, authorities released Nguyen Ngoc Cuong 10 months before the end of his seven-year sentence. On July 27, the government suspended the sentence of Pastor Nguyen Cong Chinh approximately six years before the end of his 11-year sentence to permit his relocation abroad.

e. Denial of Fair Public Trial

The law provides for an independent judiciary and lay assessors, but the judiciary was vulnerable to influence by outside elements, such as senior government officials and CPV leadership. During the year there were credible reports that political influence, endemic corruption, and inefficiency strongly distorted the judicial system. Most, if not all, judges were members of the CPV and underwent screening by the CPV and local officials during their selection process to determine their suitability for the bench. The party's influence was particularly notable in high-profile cases and other instances in which authorities charged a person with challenging or harming the party or state. Defense lawyers routinely complained that in many of their cases, it appeared judges made a determination of guilt concerning the accused prior to conducting the trial.

There continued to be credible reports that authorities pressured defense lawyers not to take religious or democracy activists as clients and questioned their motivations for so doing. Authorities also restricted, harassed, arrested, disbarred, and, in some cases, detained human rights attorneys who represented political activists.

On November 26, the Phu Yen Bar Federation disbarred Vo An Don four days before he was to represent political activist and blogger Nguyen Ngoc Nhu Quynh at her appeal trial.

In many such cases, authorities did not provide attorneys' access to their clients until immediately before the case went to trial and without adequate time to prepare cases. By law, authorities must request the local bar association, legal aid center, or the VFF to appoint an attorney for criminal cases involving juveniles, individuals with mental or physical disabilities, and persons formally charged with capital crimes.

Trial Procedures

While the constitution provides for the right to a fair and public trial, this right was not uniformly enforced. The law states that defendants are innocent until proven guilty. Defendants have the right to prompt, detailed information of the charges levied against them, but defendants did not always experience such treatment. Defendants have the right to a timely trial, and public trials generally were open to the public, but in sensitive cases, judges closed trials or strictly limited attendance. Authorities generally upheld the rights of defendants to be present at their trial and

to have a lawyer of their choosing. Defendants have the right to communicate with a lawyer at trial for a criminal charge that could result in a 15-year sentence or more, although it was not necessarily the lawyer of their choice.

Defense lawyers routinely reported having little time before trials to talk to their clients. Although the defense has the right to cross-examine witnesses, there were multiple instances in which neither defendants nor their lawyers had knowledge of which witnesses would be called or the opportunity to cross-examine witnesses or challenge statements. A defendant has a right to present a defense, but the law does not expressly state that the defendant has the right to call witnesses. Judges presiding over politically sensitive trials often did not permit defense lawyers and defendants to exercise their rights under the law.

The law stipulates that the spoken and written language of criminal proceedings is Vietnamese, but the state provides interpretation if participants in a criminal procedure use another spoken or written language. The law did not specify whether such services are free of charge. By law, the government provides a lawyer to defendants unable to afford one only in cases involving a juvenile offender, someone with mental or physical disabilities, or when the possible sentence is life imprisonment or capital punishment.

The court uses an inquisitorial system, where the judge plays the primary role of asking questions and ascertaining facts in a trial. Prosecution and defense attorneys and people's assessors play a limited role. In cases involving individuals charged under national security articles, judges occasionally silenced defense lawyers who were making arguments on behalf of their clients in court. Convicted persons have the right to at least one appeal.

Political Prisoners and Detainees

According to Human Rights Watch, more than 100 persons were in prison in the country for political or religious reasons.

The court convicted International Woman of Courage awardee and human rights blogger Nguyen Ngoc Nhu Quynh (known as Mother Mushroom) to 10 years in prison after she gained a large social media following on her blog covering human rights, land issues, and environmental concerns.

The government asserted there were no political prisoners in the country.

Civil Judicial Procedures and Remedies

The constitution provides that any person illegally arrested and detained, charged with a criminal offense, investigated, prosecuted, brought to trial, or subjected to judgment enforcement illegally has the right to compensation for material and mental damages and restoration of honor. The law provides a mechanism for pursuing a civil action to redress or remedy abuses committed by authorities. Administrative and civil courts heard civil suits, with legal procedures being similar to criminal cases and using members of the same body of judges and people's assessors to adjudicate the cases. Administrative and civil courts continued to be vulnerable to corruption and outside influence, lack of independence, and inexperience. Very few victims of government abuse sought or successfully received redress or compensation through the court system.

Although the law provides for a process for civil redress in cases of human rights violations by a civil servant, there was little effective recourse to civil or criminal judicial procedures to remedy human rights abuses, and few legal experts had relevant experience.

The government continued to prohibit class-action lawsuits against government ministries, thus rendering ineffective joint complaints from land rights petitioners.

Property Restitution

Widespread complaints persisted of inadequate or delayed compensation, official corruption, and a general lack of transparency and due process in the government's process of confiscating land and displacing citizens to make way for infrastructure projects. The law gives considerable decision-making authority over land pricing, allocation, and land reclamation for local people's committees and people's councils, which many asserted contributed to unfair business practices and corruption. Furthermore, the law allows for land seizures for socioeconomic development as well as national defense and public welfare.

During the year there were numerous reports of clashes between local residents and authorities at land expropriation sites. Disputes over land expropriation for socioeconomic development projects remained a significant problem, causing public grievances. Many villagers whose land the government forcibly seized protested at government offices for failure to address their complaints. Some coercive land seizures resulted in violence and injuries to both state officials and villagers. There were also reports of suspected plainclothes individuals or "thugs"

hired by development companies intimidating and threatening villagers or breaking into activists' homes. Authorities arrested and convicted multiple land rights protesters on charges of "resisting persons on duty" or "causing public disorder."

From April 15 to 22, villagers in the Dong Tam commune, located on the outskirts of Hanoi, detained 38 police officers during a land dispute. The standoff ended after Hanoi mayor Nguyen Duc Chung signed a pledge not to file criminal charges and stated he would investigate the management and the land use in Dong Tam and the allegations that police injured the village leader in the altercation. Discussions between the villagers and police remained ongoing at year's end.

A public security officer of Thua Thien Hue Province was reportedly among 100 plainclothes individuals who damaged and destroyed monastery property during a land dispute at Thien An Monastery on June 29. On July 12, the Thua Thien Hue Provincial People's Committee, clerics from the monastery, and Hue Diocese officials began negotiations regarding the land dispute, which both sides reported as ongoing at year's end. The meeting, coming nearly 30 years after the monastery filed a lawsuit in 1988 over the confiscation of 121 acres of its forestland, marked the first official meeting between the monastery and the local government.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions but the government did not consistently protect these rights and at times violated them.

By law, security forces need public prosecutorial orders for forced entry into homes, but Ministry of Public Security agents and local police officers regularly entered homes, particularly of activists, without judicial authority. They often intimidated residents with the threat of repercussions for failure to allow entry. According to social media, on May 2, approximately 10 plainclothes security officials broke into a private residence at Tran Nao Street, District 2, Ho Chi Minh City, where activist Le My Hanh was staying with two female friends, and physically assaulted the three women.

Authorities opened and censored targeted private mail; confiscated packages and letters; and monitored telephone conversations, email, text messages, blogs, and fax transmissions. The government cut telephone lines and interrupted cell phone and internet services of a number of political activists and their family members.

The Ministry of Public Security maintained a system of household registration and block wardens to monitor unlawful activity. While this system was less intrusive than in the past, the ministry closely monitored individuals engaged, or suspected of engaging, in unauthorized political activities. Family members of activists widely reported incidents of physical harassment, intimidation, and questioning by ministry officials. Such harassment included denying education, jobs, or business opportunities to family members of former or existing political prisoners or activists.

On September 30, authorities issued an arrest warrant against human rights defender Tran Minh Nhat for breaching the terms of his four-year probation.

The constitution stipulates that society, families, and all citizens implement “the population and family planning program.” The law states that couples or individuals have the right to give birth to one or two children, with exceptions based on government decree. There is no legal provision punishing citizens who have more children than the stipulated number.

The CPV and certain ministries and localities issued their own regulations, applying only to CPV members and government officials, regarding family size. A decree issued by the Politburo subjects CPV members to reprimand if they have three children, removes them from a ranking position if they have four children, and expels them from the CPV if they have five children. Violating the decree also decreases the likelihood of promotion and may lead to job termination. The CPV did not enforce these provisions consistently.

CPV membership remained a prerequisite to career advancement for nearly all government and government-linked organizations and businesses. Nevertheless, economic diversification continued to make membership in the CPV and CPV-controlled mass organizations less essential for financial and social advancement.

Family members of activists alleged numerous and sometimes severe instances of harassment by Ministry of Public Security officials and agents, ranging from making threatening telephone calls and insulting activists in local media and online to attacks on activists’ homes with rocks, shrimp paste, and other substances. There were reports of significant abuses, such as physical assault during interrogation, including ones that caused injury and trauma requiring hospitalization.

In July police in Ho Chi Minh City reportedly interrogated and beat the son of detained activist Le Dinh Luong while he was holding his young child.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provides for freedom of expression, including for the press; however, in practice the government did not respect these right and several laws specifically encroach on freedom of expression. The government continued to use broad national security and antidefamation provisions to restrict these freedoms. The law defines the crimes of “sabotaging the infrastructure of socialism,” “sowing divisions between religious and nonreligious people,” and “propagandizing against the state” as serious offenses against national security. It also expressly forbids “taking advantage of democratic freedoms and rights to violate the interests of the state and social organizations.”

Freedom of Expression: The government continued to restrict speech that criticized individual government leaders, criticized the party, promoted political pluralism or multiparty democracy, or questioned policies on sensitive matters, such as human rights, religious freedom, or sovereignty disputes with China. The government also sought to impede criticism by monitoring meetings and communications of journalists and activists, including in academic institutions.

On March 17, police arrested blogger Bui Hieu Vo for “conducting propaganda against the state” by criticizing the government on his Facebook page. He remained in pretrial detention at year’s end.

Press and Media Freedom: The CPV, government, and party-controlled mass organizations exercised legal authority over all print, broadcast, online, and electronic media, primarily through the Ministry of Information and Communications under the overall guidance of the CPV Propaganda and Education Commission. Private ownership or operation of any media outlet remained prohibited. Media independent of government authority operated on a limited basis online, primarily via blogs and social media, but independent journalists faced government harassment.

On January 1, a new media law came into effect that maintains prohibitions from the 1999 media law on “providing information that is untruthful, distorted,

slanderous, or harmful to the reputation of an organization or agency, or the honor and dignity of an individual.”

The law allows for the government to punish publishers if they publish “untruthful information” in the fields of statistics; atomic energy; management of prices, charges, fees, and invoices; education; civil aviation; vocational training; hydrometeorology; cartography; and health.

The law limits satellite television access to senior officials, foreigners, luxury hotels, and the press, but persons throughout the country continued to be able to access foreign programming via home satellite equipment or cable.

The government permitted foreign-based media outlets although the law requires foreign television broadcasts to run on a 30- to 60-minute delay to enable content monitoring. In practice such channels ran on a 10-minute delay. Viewers reported obstruction of various commentaries, documentaries, and movies on human rights incidents in the country, the Vietnam War, the Cold War, the Soviet era, or events in China.

Major foreign media outlets reported the government refused to issue visas for reporters who previously covered sensitive political topics, particularly reporters for the overseas Vietnamese-language press. Foreign reporters also reported authorities turned them away at airports, even if they had valid entry visas.

Government regulations authorize the information ministry to revoke licenses of foreign publishers, and each foreign publisher must reapply annually to maintain its license.

Violence and Harassment: There continued to be a significant number of reports of security officials attacking, threatening, or arresting journalists and independent bloggers because of their coverage of sensitive stories.

On November 27, a court sentenced Nguyen Van Hoa, a citizen journalist who reported for Radio Free Asia’s Vietnamese service, to seven years imprisonment for “conducting antistate propaganda” after he was held incommunicado for more than a week following his January 11 arrest. Hoa covered protests against Formosa (see section 1.d.).

Foreign journalists noted they continued to be required to notify authorities about travel outside Hanoi when it was to an area considered sensitive, such as the

Northwest or Central Highlands, or involved a story the government otherwise might consider sensitive.

Censorship or Content Restrictions: The Ministry of Information and Communications and the CPV Propaganda and Education Commission frequently intervened directly to dictate or censor a story.

On October 17, *Nha Bao & Cong Luan*, an online newspaper, reportedly removed an article implicating the vice minister of Ministry of Industry and Trade a few hours after it appeared online. Social media reported the author of the article resigned following the incident.

Propaganda officials forced editors of major press outlets to meet regularly to discuss what topics were off-limits for reporting. More often, pervasive self-censorship, including among independent journalists and bloggers, due to the threat of dismissal and possible arrest enabled the party and government to control media content. The government continued its practice of penalizing journalists for failing to self-censor, to include revoking journalists' press credentials.

On August 1, the government-affiliated Vietnam Journalists Association announced the launch of software to monitor local news outlets' posting, editing, and removal of articles. The Ministry of Information and Communications also approved a software project to identify, block, collect, and process "misleading" information on the internet.

State and international media reported the government banned journalist Duong Hang Nga from going abroad for three months following articles she published criticizing a construction project in Danang.

National Security: The law tightly restricts press freedom and stipulates fines of 20 million to 30 million Vietnamese dong (VND) (\$880 to \$1,330) for journalists, newspapers, and online media that publish or broadcast information deemed harmful to national interests and up to 50 million dong (\$2,200) for information considered distorting history and the revolution's achievements--if these violations are not serious enough for criminal proceedings.

The law authorizes the government to fine journalists and newspapers, with fines ranging from five million to 10 million VND (\$220 to \$440) for journalists who fail to cite their sources of information and for journalists and newspapers that "use

documents and materials from organizations and personal letters and materials from individuals.”

Citing laws protecting national security, police arrested and charged journalists to restrict criticism of government policies or officials.

The government arrested more than 16 individuals under national security antipropaganda charges. Independent journalist and reported member of the Brotherhood for Democracy, Truong Minh Duc, was arrested during the year for “attempting to overthrow the people’s administration.”

Internet Freedom

The government restricted and disrupted access to the internet, censored online content, and monitored private online communications without appropriate legal authority. It allowed access to the internet through a limited number of internet service providers (ISPs), all of which were fully or substantially state-controlled companies. The government monitored Facebook posts and punished activists who used the internet to organize protests or publish content critical of the government. The government sometimes blocked websites it deemed politically or culturally inappropriate, including sites operated by overseas Vietnamese political groups in addition to the websites of Radio Free Asia, Voice of America, and the BBC Vietnamese news service. State-owned ISPs routinely blocked domestic Vietnamese-language websites that contained content criticizing the CPV or promoting political reform.

The law requires all companies and organizations operating websites providing content on “politics, economics, culture, and society” or social networks, including blogging platforms, to register with the government. Under the decree, such companies and organizations must locate at least one server in the country to facilitate requests for information from the government and store posted information for 90 days and certain metadata for up to two years.

The government forbids direct access to the internet through foreign ISPs, requires domestic ISPs to store information transmitted on the internet for at least 15 days, and requires ISPs to provide technical assistance and workspace to public security agents to allow them to monitor internet activities. The Ministry of Public Security has long required “internet agents,” including cyber cafes, to register the personal information of their customers, to store records of internet sites visited by customers, and to participate in government investigations of online activity.

Internet cafes continued to install and use government-approved software to monitor customers' online activities. The Ministry of Public Security enforced these and other requirements and monitored selectively.

The Ministry of Information and Communications required all internet companies, social networking sites, and websites that provided information or commentary about "politics, economics, culture, and society" based in the country to register and obtain an operating license. The ministry also required such owners to submit detailed plans of their content and scope for approval.

In March the Ministry of Information and Communication instructed both local and foreign companies to stop advertising on YouTube until it deletes clips that they believe "defame," "oppose," and "tell lies" about the state. In addition, the government routinely asked both Facebook and Google to help it eliminate fake accounts and other "toxic" content, such as antigovernment material. In March the government stated it had identified up to 8,000 YouTube videos that should be taken down. On December 22, the ministry claimed that Facebook had removed 159 accounts and that Google had removed 4,500 videos that the government found "defamed" the state or political leaders.

On December 26, Ministry of National Defense senior lieutenant general Nguyen Trong Nghia announced the establishment of "Force 47" to combat misinformation and antistate propaganda online.

Authorities continued to suppress online political expression through politically motivated arrests and convictions of bloggers as well as through short-term detentions, surveillance, intimidation, and illegal confiscations of computers and cell phones of activists and family members. The government continued to use national security and other vague provisions of the penal code against activists who peacefully expressed their political views online. Political dissidents and bloggers reported that the Ministry of Public Security routinely ordered disconnection of their home internet service.

Authorities arrested and convicted Thai Nguyen University student Phan Kim Khanh for "conducting antistate propaganda" for blog posts deemed critical of the government. Courts sentenced Khanh to six years in prison and four years' probation.

Social network and blog users are required to provide their full name, national identification number, and address before creating an account. In-country website

and social network operators must allow authorities to inspect local servers upon request and must have a mechanism to remove prohibited content within three hours of detection or notification by authorities.

The government provided implementing guidance that expanded the government's authorities under the telecommunications laws, including limiting content that could be harmful to national security or that opposes the government; empowering authorities to compel the removal of toxic information from foreign entities' websites that have Vietnamese users or businesses that base their servers in Vietnam; and giving the government the authority to block such content should providers fail to promptly comply with takedown requests.

Despite these controls, internet access and usage continued to grow. According to Internet Live Stats, 52 percent of the population had access to the internet in 2016.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Foreign academic professionals temporarily working at universities in the country could discuss nonpolitical topics widely and freely in classes, but government observers regularly attended classes taught by both foreigners and nationals. The government continued to require international and domestic organizations to obtain advance approval to host conferences involving international sponsorship or participation.

The government continued to prohibit any public criticism of CPV and state policy, including by independent scientific and technical organizations, even when the criticism was for a purely academic audience.

The government controlled art exhibits, music, and other cultural activities.

Local authorities denied a permit to organizers of a women's march in Hanoi in April. Authorities continued to restrict public art displays and musical performances through requirement of substantial permission procedures, although Ho Chi Minh City authorities permitted the country's first-ever nude art exhibition in 2017. The government allowed universities more autonomy over international exchanges and cooperation programs, but visa requirements for visiting scholars and students remained onerous.

Many activists reported Ministry of Public Security officials threatened university leaders if they did not expel activists from their respective universities and pressured them and their family members not to attend certain workshops, although their political activities were peaceful. Multiple activists also reported academic institutions refused to allow them to graduate due to their human rights advocacy.

On July 22, Hanoi officials ultimately permitted a concert by the group Mai Khoi and the Dissidents to continue in Tay Ho District, Hanoi, with heavy security presence and after several hours of negotiations. Mai Khoi subsequently shared on social media that security forces pressured her landlord to evict her following the concert.

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

The government restricted freedom of peaceful assembly. Law and regulations require persons wishing to gather in a group to apply for a permit, which local authorities issued or denied without explanation. Only those arranging publicized gatherings to discuss sensitive matters appeared to require permits, and persons routinely gathered in informal groups without government interference. The government generally did not permit demonstrations perceived to be political. The government also restricted the right of certain religious groups, both registered and unregistered, to gather for worship. The law permits security forces to detain individuals gathering or protesting outside of courthouses during trials.

The Ministry of Public Security and local police routinely prevented activists from peacefully assembling. There were numerous reports of police dispersing gatherings of environmental activists, anti-China activists, land rights advocates, human rights defenders, bloggers and independent journalists, and former political prisoners.

Throughout the year, authorities reportedly disrupted demonstrations, sometimes assaulting protestors, in central Vietnam related to the Formosa spill (see section 1.d.). In February, Nghe An police prevented hundreds of individuals from traveling to Ha Tinh province to file petitions on behalf of victims of the spill. On March 21, several demonstrators were reportedly beaten in Ky Anh District, Ha Tinh province, following demonstrations related to the spill (see section 1.d.).

On March 16, a group of mothers attempted to gather in front of Luong The Vinh elementary school in Ho Chi Minh City to raise voices against alleged child abuse at the school, but police prevented the protest, according to media reports.

Freedom of Association

The constitution affords individuals the right of association, but the government continued to restrict severely freedom of association. The government prohibited the establishment of private, independent organizations, insisting that persons work within established, party-controlled mass organizations, usually under the aegis of the VFF. Some entities, including unregistered religious groups, operated outside of this framework with little or no government interference, and authorities demonstrated some increased tolerance of independent NGOs. Some registered organizations, including governance and environment-focused NGOs, reported increased scrutiny of their activities due to leadership transitions and ongoing protests related to the Formosa spill (see section 1.d.). Multiple members of the prodemocracy group Brotherhood for Democracy were arrested during the year, and other members reported being under surveillance and restriction of movement. The country's legal and regulatory framework codifies the primacy of the CPV and establishes mechanisms for restricting freedom of NGOs to act and organize, including by restricting freedoms of association, assembly, expression, and the press. The government used complex and politicized registration systems for NGOs and religious organizations to suppress unwelcome political and religious participation.

Laws and regulations governing NGOs restrict their ability to engage in policy advocacy or conduct research outside of state-sanctioned topics and prohibits organizations focused on social science and technology from operating in fields such as economic policy, public policy, political issues, and a range of other areas considered sensitive. Authorities also do not permit them to engage in the public distribution of policy advocacy positions.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government imposed some limits on the movement of certain individuals, especially those convicted under national security or related charges or those outspoken in their criticism of the government. The government generally cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs), refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Some members of ethnic minority groups who fled the Central Highlands for Cambodia or Thailand, some reportedly due to abuse, asserted that authorities threatened them to return. Authorities then abused, detained, or questioned them upon their return. Family members also reported police closely monitored both those who had fled to Cambodia and Thailand and their relatives.

Abuse of Migrants, Refugees, and Stateless Persons: The Ministry of Public Security questioned individuals who had migrated or attempted to migrate to other countries, including asylum seekers, upon their return to Vietnam.

In-country Movement: Several political dissidents, amnestied with probation or under house arrest, along with others not facing such legal restrictions, were officially restricted in their movements, including Nguyen Tien Trung, Bui Thi Minh Hang, and Dinh Nhat Uy. Authorities continued to monitor and selectively restrict the movement of many prominent activists including Nguyen Dan Que, Le Cong Dinh, Pham Chi Dung, Pham Ba Hai, Nguyen Hong Quang, Thich Khong Tanh, Le Cong Cau, and Duong Thi Tan, among many others. Several activists reported authorities had confiscated their national identification cards, preventing them from traveling domestically by air or conducting routine administrative matters. Activists and religious leaders reported less freedom of in-country movement compared with previous years.

Some activists reported authorities prevented them and their family members from leaving their homes during politically sensitive events, (see also section 1.d.).

A government restriction regarding travel to certain areas required citizens and resident foreigners to obtain a permit to visit border areas, defense facilities, industrial zones involved in national defense, areas of “national strategic storage,” and “works of extreme importance for political, economic, cultural, and social purposes.”

Local police required citizens to register when staying overnight in any location outside of their own homes; the government appeared to enforce these requirements more strictly in some Central and Northern Highlands districts. Foreign passport holders must also register to stay in private homes, although there were no known cases of local authorities refusing to allow foreign visitors to stay with friends and family. There were multiple reports of police using the excuse of “checking on residency registration” to intimidate and harass activists and prevent them from traveling outside of their place of registration (see sections 1.d. and 1.f.).

In general, authorities did not strictly enforce residency laws, and migration from rural areas to cities continued unabated. Moving without permission, however, hampered persons from seeking legal residence permits, public education, and health-care benefits.

Foreign Travel: Prospective emigrants occasionally encountered difficulties obtaining a passport or exit permission, and authorities regularly confiscated passports, at times indefinitely. There were multiple reports of individuals who fled abroad via the land borders with Laos or Cambodia because they were unable to obtain passports or exit permission.

The Ministry of Public Security continued to use foreign travel prohibitions against certain activists and religious leaders, including Vu Quoc Ngu and Pham Doan Trang. Authorities banned and prevented dozens of individuals from traveling overseas or entering the country, withheld their passports on vague charges, or refused to issue passports to certain activists or religious leaders without clear explanation.

The government continued to prohibit several former political prisoners from traveling overseas, including Le Quoc Quan, Le Cong Dinh, and Nguyen Hong Quang. Authorities also refused to issue passports to the family members of certain activists. The wife of former political prisoner Le Quoc Quan received a passport in early December, but immigration authorities continued to prohibit his two brothers from traveling overseas.

Exile: On June 10, the government revoked the citizenship of Pham Minh Hoang, a former political prisoner, and forcibly exiled him to France, where he also held citizenship.

Protection of Refugees

Access to Asylum: The law does not provide for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees.

Stateless Persons

Authorities reported that by 2013 they had naturalized nearly all of the 10,000 stateless individuals previously resident in Cambodia. The government also worked to restore citizenship for over 1,000 stateless women who had lost Vietnamese nationality after moving abroad to marry foreigners but had subsequently returned to Vietnam upon losing their foreign citizenship (in many cases due to divorce). Approximately 100 applications of these women awaited approval by the government. The government with the support of UNHCR continued to improve identification of stateless persons.

Section 3. Freedom to Participate in the Political Process

The constitution provides the ability directly to elect representatives to the National Assembly, people's councils, and other state agencies. Under the law, National Assembly elections take place once every five years by secret ballot. Although the constitution provides that one may vote at age 18 and run for election to the National Assembly or People's Council at age 21, the ability of citizens to change their government democratically was severely limited. The CPV screened all candidates through a process overseen by the VFF.

Elections and Political Participation

Recent Elections: The most recent elections to select members of the National Assembly, in May 2016, allowed limited competition among CPV-vetted candidates but were neither free nor fair. The CPV's VFF chose and vetted all candidates through an opaque, multistage process. CPV candidates won 475 of the 496 seats. The remaining 21 were non-CPV candidates unaffiliated with any party. There were no candidates from a party other than the CPV. The national election committee later disqualified two candidates, one for having dual nationality and another due to a corruption investigation, leaving 494 total National Assembly members at the end of the year.

According to the government, 99 percent of eligible voters cast ballots in the May 2016 election, a figure activists and international observers considered improbably

high. Voters may cast ballots by proxy, and officials charged local authorities with assuring that all eligible voters cast ballots by organizing group voting and verifying that all voters within their jurisdiction had voted. There were numerous reports throughout the country that election officials had stuffed ballot boxes and artificially ensured high turnout.

The law allows citizens to “self-nominate” as National Assembly candidates and submit applications for the VFF election vetting process. In the months leading up to the May National Assembly elections, an informal coalition of legal reformers, academics, activists, and human rights defenders attempted to register as self-nominated, non-CPV “activist independent” candidates. In contrast to the party’s candidates, these candidates actively used Facebook and social media to advertise their policy platforms. VFF officials refused, however, to allow any activist independent candidates to make the final ballots, and authorities instructed official media to criticize certain activist independent candidates. According to press reports, the VFF allowed two self-nominated candidates on final ballots, but both individuals were party members.

The National Assembly, although largely composed of CPV members, continued to take incremental steps to assert itself as a legislative body and sponsored multiple open forums to debate laws related to human rights and religious freedom. Authorities did not permit NGOs to monitor the election process.

Political Parties and Political Participation: Political opposition movements and other political parties are illegal. The constitution asserts the CPV’s role as “vanguard of the working class and of the Vietnamese nation” and the “leading force in the state and society,” a broad role not given to any other constitutional entity, and states that “all Party organizations and members of the CPV operate within the framework of the constitution and the laws.” The CPV Politburo functioned as the supreme decision-making body, although technically it reported to the CPV Central Committee.

Participation of Women and Minorities: No laws limit participation of woman and/or members of minorities in the political process, and they did participate. The law requires 35 percent of final candidates for the National Assembly and provincial people’s councils to be women and 18 percent of final candidates for the National Assembly to be from minority groups.

Section 4. Corruption and Lack of Transparency in Government

Although the law provides criminal penalties for corruption by officials, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. The number of arrests and prosecutions of high-ranking officials for corruption increased during the year, including the December 8 arrest of Politburo member and Ho Chi Minh City party secretary Dinh La Thang related to his former position as chairman of the Board of Directors of PetroVietnam.

Corruption: The lack of public consultation on land use plans and government land compensation frameworks was the primary driver of land corruption and land conflicts in different provinces in recent years and the main source of the rise in land complaints over the past decade of rapid urbanization.

During the year the government implemented new anticorruption measures. In May Communist Party general secretary Nguyen Phu Trong, who served concurrently as the head of the Central Steering Committee for Anticorruption, signed Plan 64-KH/BCDTW and Decision 65-QD/BCDTW. These documents set up eight inspection teams to inspect and supervise the investigation, prosecution, and trial of serious corruption and economic cases related to the standing boards of 20 provincial party committees.

In September the deputy inspector general of government inspectorate, Dang Cong Huan, held a plenary session of the National Assembly's Judiciary Committee to discuss corruption prevention work. The plenary session revealed that corruption cases during the year had resulted in over 1.35 trillion VND (\$59.5 million) in damages, of which only 158.8 billion VND (seven million dollars), four houses, and one apartment had been retrieved. The General Department of Civil Judgment Enforcement processed 128 new cases of corruption involving over 5.1 trillion VND, (\$225 million), of which 86 cases had been resolved, accounting for over one trillion VND (\$44 million).

From October 2016 to July 31, the investigating bodies in the public security sector investigated 282 cases and convicted 628 defendants for corruption (195 new cases, 393 defendants). They concluded the investigation of 122 cases with 355 persons accused and were investigating 145 cases with 251 defendants. Meanwhile, the People's Procuracy at all levels prosecuted 241 cases with 595 individuals accused of corruption crimes. Provisional authorities ousted several deputy ministers and ministers for graft, abuse of power, or mismanagement causing serious consequences.

In September a court sentenced former PetroVietnam chairman and former general director of OceanBank, Nguyen Xuan Son, to death for embezzlement, abuse of power, and economic mismanagement and sentenced Ha Van Tham, the former OceanBank chairman, to life in prison.

Corruption among police remained a significant problem at all levels, and police sometimes acted with impunity. Internal police oversight structures existed but were subject to political influence.

Financial Disclosure: The anticorruption law requires senior government officials and National Assembly members to disclose their income and assets and explain changes from the previous year's disclosure. In addition, supervisors have the right to question an employee's disclosure. The law provides for possible reprimand, warning, suspension, or removal for noncompliant civil servants as it relates to corruption as a first step before further investigation.

In September the government reported more than 1.1 million government workers disclosed their finances, but only identified three persons with incorrect disclosures. Media questioned the government's capacity to verify tax returns for its workers and highlighted examples of civil servants driving fancy cars or sending children to study overseas on small official salaries.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The government did not permit independent, local human rights organizations to form or operate, nor did it tolerate attempts by organizations or individuals to criticize its human rights practices publicly. The government used a wide variety of methods to suppress domestic criticism of its human rights policies, including surveillance, detention, prosecution, and imprisonment, interference with personal communications, and limits on the exercise of the freedoms of speech, press, and assembly. The government occasionally allowed representatives of international human rights organizations to visit the country but usually strictly controlled their itineraries.

The United Nations or Other International Bodies: In November the government permitted a visit by the UN special rapporteur on the right to food.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law prohibits using or threatening violence against women or taking advantage of a person who cannot act in self-defense. It also criminalizes rape, including spousal rape, for men and women. The law subjects rapists to two to seven years' imprisonment, or up to 15 years in severe cases, including organized rape, a repeat offense, or extreme harm to a victim. Authorities prosecuted rape cases but did not release arrest, prosecution, conviction, or punishment statistics.

Authorities treated domestic violence cases as civil cases unless the victim suffered injuries involving more than 11 percent of the body. The law specifies acts constituting domestic violence and stipulates punishments for perpetrators ranging from warnings and probation to imprisonment for three months to three years.

Domestic violence against women was common. One November 2015 NGO survey reported 59 percent of married women had suffered physical or sexual abuse at least once in their lives, typically from a male partner or member of the family. Another study revealed 83 percent of women and girls in Hanoi and 91 percent of those in Ho Chi Minh City had experienced at least one form of sexual harassment during their lives.

Officials acknowledged domestic violence as a significant social concern, and the media discussed it openly. Social stigma prevented many survivors from coming forward due to fear of harassment from their spouses or family. While police and legal systems generally remained unequipped to deal with cases of domestic violence, the government, with the help of international and domestic NGOs, continued to train police, lawyers, community advocates, and legal system officials in the law and continued to support workshops and seminars that aimed to educate women and men about domestic violence and women's rights and highlight the problem through public awareness campaigns.

Sexual Harassment: The law prohibits sexual harassment in the workplace. Publications and training on ethical regulations for government and other public servants did not mention the problem of sexual harassment. In serious cases, victims may sue offenders under a provision that deals with "humiliating other persons" and specifies punishments that include a warning, noncustodial reform for up to two years, or a prison term ranging from three months to two years. Nevertheless, there were no known prosecutions or sexual harassment lawsuits.

Coercion in Population Control: The government continued to encourage couples to have no more than two children. While the law does not prohibit or provide penalties for those having more than two children, some CPV members reported informally administered repercussions for doing so, including restrictions on job promotion (see section 1.f). Estimates on maternal mortality and contraceptive prevalence are available at:

www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The law provides for gender equality, but women continued to face societal discrimination. Despite the large body of law and regulation devoted to the protection of women's rights in marriage and the workplace, as well as provisions that call for preferential treatment, women did not always receive equal treatment in employment, education, or housing, particularly in rural areas.

Gender gaps in education declined, but certain gaps remained. According to a 2013 UN Women-funded report, professional qualifications of female workers were lower than those of male workers. There were substantial differences in the education profile of men and women at the postsecondary level. The number of female students enrolled in higher education applied technology programs was much smaller than the number of men enrolled.

Although the law provides for equal inheritance rights for men and women, women continued to face cultural discrimination. A son was more likely to inherit property than was a daughter, unless otherwise specified by a legal document, and even then authorities did not split the land equitably between son and daughter.

The Women's Union and the government's National Committee for the Advancement of Women continued to promote women's rights, including political, economic, and legal equality, and protection from spousal abuse.

Gender-biased Sex Selection: According to the Ministry of Health, the national average male-female sex ratio at birth for the first half of the year was 113.4 to 100. The government acknowledged the problem, highlighted reduction of the ratio as a goal in the national program on gender equality, and continued to take steps to address it.

Children

Birth Registration: By law the government considers anyone born to at least one citizen parent to be a citizen. Persons born to non-Vietnamese parents may also acquire citizenship under certain circumstances. The law requires a birth certificate to access public services, such as education and health care, and the choice by some parents, especially ethnic minorities, not to register their children affected their ability to enroll them in school and receive government-sponsored health care.

Education: Education is free, compulsory, and universal through age 14, although many families were required to pay a variety of school fees. Under a government subsidy program, ethnic-minority students were exempt from paying school fees. Nevertheless, authorities did not always enforce the requirement or enforce it equally for boys and girls, especially in rural areas, where government and family budgets for education were limited, and children's contributions as agricultural laborers were valuable.

Child Abuse: The government did not effectively enforce existing laws on child abuse and physical and emotional mistreatment was common.

Early and Forced Marriage: The legal minimum age of marriage is 18 for girls and 20 for boys, and the law criminalizes organizing marriage for, or entering into marriage with, an underage person.

Sexual Exploitation of Children: Sexual exploitation of children under age 16 is illegal. The law criminalizes all acts of sale or deprivation of liberty of children as well as all acts related to child prostitution and forced child labor. Sentences range from three years' to life imprisonment, and fines range from five million to 50 million VND (\$220 to \$2,200). The law also specifies prison sentences for acts related to child prostitution, including harboring prostitution (12 to 20 years), brokering prostitution (seven to 15 years), and buying sex with minors (three to 15 years). The law similarly prohibits all acts of cruel treatment, humiliation, abduction, sale, and coercion of children into any activities harmful to their healthy development and provides for the protection and care of disadvantaged children.

The minimum age of consensual sex is 18. Statutory rape is illegal and may result in life imprisonment or capital punishment. Penalties for sex with minors between the ages of 16 and 18, depending upon the circumstances, vary from five to 10 years in prison. The penalty for rape of a child between the ages of 13 and 16 carries a sentence of imprisonment from seven to 15 years. If the victim becomes pregnant, the rape is incestuous, or the offender is in a guardianship position to the

victim, the penalty increases to 12 to 20 years' imprisonment. The law considers all cases of having sexual intercourse with children less than 13 years of age to be rape of children, with sentences including 12 to 20 years' imprisonment, life imprisonment, or capital punishment. The government enforced the law, and convicted rapists received harsh sentences. The production, distribution, dissemination, or selling of child pornography is illegal and carries a sentence of three to 10 years' imprisonment. The country is a destination for child sex tourism.

Displaced Children: Media reported that approximately 21,000 children lived on the streets and sometimes experienced police harassment or abuse.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at www.travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

There were small communities of Jewish foreigners in Hanoi and Ho Chi Minh City, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The constitution provides for the protection of persons with mental and physical disabilities. The law prohibits discrimination against or mistreatment of persons with physical and mental disabilities. Overall, the national government continued to increase coordination with foreign governments, international organizations, NGOs, and private companies to review legal provisions governing implementation of the treaty, conduct feasibility studies, share international best practices, conduct informational workshops, promote the hiring of persons with disabilities, and hold awareness activities.

A majority of persons with disabilities still faced challenges in exercising their rights and could not access government services due to lack of policy implementation and social stigma.

In recent years representatives from a broad range of ministries--construction, finance and planning, transport--have begun incorporating considerations for persons with disabilities in joint planning. The government budgeted 18 billion VND (\$790,000) during the fiscal year to support persons with disabilities, a 50 percent increase from the previous year.

While the law requires that the construction of new or major renovations of existing government and large public buildings include access for persons with disabilities, enforcement continued to be sporadic, particularly for projects outside of major cities. During the year the Ministry of Transportation's Civil Aviation Authority installed elevators and accessibility improvements in several airports and started developing additional services for passengers with disabilities.

Access to education for children with disabilities, particularly deaf children and children with intellectual disabilities, remained extremely limited. The Ministry of Education and Training estimated 500,000 children with disabilities had some access to education at the primary, secondary, and tertiary levels.

There is no legal restriction on the right to vote for persons with disabilities, although many polling stations were not accessible, especially to persons with physical disabilities.

While the provision of social services to persons with disabilities remained limited, the government made some efforts to support the establishment of organizations of persons with disabilities and consulted them in the development or review of national programs, such as the National Poverty Reduction Program, vocational laws, and various education policies. The National Coordination Committee on Disabilities, the Vietnam Federation on Disability, and their members from various ministries continued to work with domestic and foreign organizations to provide protection, support, physical access, education, and employment. The government operated a small network of rehabilitation centers to provide long-term, inpatient physical therapy.

NGOs reported they continued to face challenges applying for funding and offering training for disability-related programs from certain provincial governments, who hampered access for international staff to conduct training.

National/Racial/Ethnic Minorities

The law prohibits discrimination against ethnic minorities, but societal discrimination was longstanding and persistent. Local officials in some provinces, notably in the highlands, acted in contravention of national laws and discriminated against members of ethnic and religious minority groups. Despite the country's significant economic growth, the economic gap between many ethnic minority communities and ethnic Vietnamese (Kinh) communities persisted, although ethnic minority group members constituted a sizable percentage of the population in certain areas, including the Northwest and Central Highlands and portions of the Mekong Delta.

International human rights organizations and refugees continued to allege authorities harassed and intimidated members of certain ethnic minority groups, including a group collectively described as "Montagnards" and ethnic minority Christians in the Central Highlands. There were multiple reports that members of these groups fled to Cambodia and Thailand, seeking refugee status as victims of persecution; the government claimed these individuals were illegal migrants who left Vietnam in pursuit of economic opportunities. Human rights groups alleged the government pressured Cambodia and Thailand to refuse to grant these individuals refugee or temporary asylum-seeker status and to return them to Vietnam.

According to a report submitted to the UN special rapporteur on torture, commune police in Ea So arrested Giang A Lang, an ethnic minority member, and his uncle on April 30 because they suspected them of trying to find a new Christian homeland. His uncle later died in custody.

On October 11, the Communist Party disbanded regional steering committees through which it had implemented policies in regions with significant ethnic minorities, including the Northwest Region, the Central Highlands, and the Southwest Region committees, reportedly in an effort to streamline the political system. The government continued to monitor certain highland minorities closely, particularly several ethnic groups in the Central and Northwest Highlands.

Authorities used national security provisions of the penal code to impose lengthy prison sentences on members of ethnic minorities for their connections to overseas organizations that the government claimed espoused separatist aims. In addition,

activists often reported an increased presence of Ministry of Public Security agents during sensitive occasions and holidays throughout the region.

The government continued to address the socioeconomic gap between ethnic minority and ethnic Kinh communities through programs to subsidize education and health facilities and expand road access and electrification to rural communities and villages. The government also continued to allocate land to ethnic minorities in the Central Highlands.

The law provides for universal education for children regardless of religion or ethnicity. Members of ethnic minority groups were not required to pay regular school fees. The government operated 300 boarding schools in 50 provinces for ethnic minority children, mostly in the Northwest and Central Highlands and the Mekong Delta. The government also worked with local officials to develop local-language curricula. Implementation was more comprehensive in the Central Highlands and the Mekong Delta than in areas of the Northwest Highlands. The government also subsidized several technical and vocational schools for ethnic minorities.

The government granted preferential treatment to domestic and foreign companies that invested in highland areas populated predominantly by ethnic minorities. The government also maintained infrastructure development programs that targeted poor, largely ethnic-minority areas and established agricultural extension programs for remote rural areas.

Acts of Violence, Discrimination, and Other Abuse Based on Sexual Orientation and Gender Identity

The law does not address discrimination based on sexual orientation or gender identity. The civil code, which took effect on January 1, gives individuals who have undergone a “sex change” the right to register their new status. Sexual orientation and gender identity were still a basis for stigma and discrimination.

HIV and AIDS Social Stigma

HIV and AIDS social stigma and discrimination hindered HIV/AIDS prevention efforts.

According to the 2015 *Stigma Index* study, 11.2 percent of persons with HIV, 16.6 percent of female sex workers, 15.5 percent of persons who inject drugs, and 7.9

percent of men who have sex with men reported having experienced rights violations within the 12 months prior to the survey. Multiple indicator cluster surveys taken in 2014 showed stigma and discrimination against HIV-positive persons was widespread, with approximately 70 percent of female respondents reporting having faced some form of stigma and discrimination. Individuals with HIV continued to face barriers accessing and maintaining employment.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution affords the right to association and the right to demonstrate but limits the exercise of these rights, including preventing workers from organizing or joining independent unions of their choice. While workers may choose whether to join a union and at which level (local or “grassroots,” provincial, or national), the law requires every union to be under the legal purview and control of the country’s only trade union confederation, the Vietnam General Confederation of Labor (VGCL). Only Vietnamese citizens may form or join labor unions by law.

The law gives the VGCL exclusive authority to give legal recognition to unions and confers on VGCL upper-level trade unions the responsibility to establish workplace unions. The VGCL’s charter establishes the VGCL as the head of the multilevel unitary trade union structure and carries the force of law. The law also stipulates that the VGCL answers directly to the CPV’s VFF, which does not protect trade unions from government interference in or control over union activity.

The law also limits freedom of association by not allowing trade unions the legal right to have full autonomy in the administration of their affairs. The law subjects all workers’ organizations to the organizational structures and rules, confers on the VGCL the rights and responsibilities of ownership over trade-union property, and gives the VGCL the right to represent lower-level unions. Under the law, trade union leaders and officials are appointed rather than elected by union members.

The law requires that, where a workplace trade union does not exist, an “immediate upper-level trade union” must perform the tasks of a grassroots union, even where workers have not so requested or have voluntarily elected not to organize. For nonunionized workers to organize a strike, they must request that the strike “be organized and led by the upper-level trade union,” and if nonunionized workers wish to bargain collectively, the upper-level VGCL union must represent them.

The law stipulates that trade unions have the right and responsibility to organize and lead strikes, and it establishes certain substantive and procedural restrictions on strikes. Strikes that do not arise from a collective labor dispute or do not adhere to the process outlined by law are illegal. In contravention of international standards, the law forbids strikes over “rights-based” disputes. This includes strikes arising out of economic and social policy measures that are not a part of a collective negotiation process, as they are both outside the law’s definition of protected “interest-based” strikes.

The law prohibits strikes by workers in businesses that serve the public or that the government considers essential to the national economy, defense, public health, and public order. “Essential services” is defined to include enterprises involved in electricity production; post and telecommunications; maritime and air transportation, navigation, and management; public works; and oil and gas production. The law also grants the prime minister the right to suspend a strike considered detrimental to the national economy or public safety.

The law prohibits strikes among workers across different employers, resulting in a ban on sector- and industry-level protests and prohibits workers and unions from calling for strikes in support of multiemployer contracts. The law states that the executive committee of a trade union may issue a decision to go on strike only when at least 50 percent of workers support it.

Laws stipulate an extensive and cumbersome process of mediation and arbitration before a lawful strike over an interest-based collective dispute may occur. Unions or workers’ representatives have the right either to appeal decisions of provincial arbitration councils to provincial people’s courts or to strike. The law also stipulates strikers may not be paid wages while they are not at work. The law prohibits retribution against strikers. By law individuals participating in strikes declared illegal by a people’s court and found to have caused damage to their employer are liable for damages. Provisions of the penal code have the potential to suppress union activity.

The laws include provisions that prohibit antiunion discrimination and interference in union activities while imposing administrative sanctions and fines for violations. The laws do not distinguish between workers and managers, however, and fail in prohibiting employers’ agents, such as managers who represent the interests of the employer, from participating or interfering in union activity. Penalties were not adequate to deter violations.

In June 2016 the Hai Phong Economic Zone Trade Union and five Korean manufacturing enterprises based in the Trang Due Economic Zone signed the country's first multienterprise collective bargaining agreement negotiated between a group of foreign-invested enterprises and trade unions to decide basic conditions of work, including recognition of union rights. The agreement would affect nearly 2,500 workers through improved recruitment and female worker policies, increased base wages, better bonuses, allowances, leave, and rest time as well as conditions for ensuring trade union operations in the enterprises.

According to the VGCL, more than 80 percent of the strikes in the first eight months of the year were in foreign direct-investment companies (mainly Korean, Taiwanese, Japanese, and Chinese companies). None of the strikes followed the authorized conciliation and arbitration process, and thus authorities considered them illegal "wildcat" strikes. The government took no action against the strikers and, on occasion, actively mediated agreements in the workers' favor. In some cases, the government imposed heavy fines on those employers, especially foreign-owned companies that engaged in illegal practices leading to strikes. In September approximately 6,000 garment workers went on a wildcat strike over salaries and benefits, gaining the concession of the employer on most of their demands.

Because it is illegal to establish or seek to establish labor unions independent from the VGCL, there were no government-sanctioned domestic labor NGOs involved in labor organizing. Local labor NGOs, however, supported efforts to raise awareness of worker rights and occupational safety and health issues and to support internal and external migrant workers. Multiple international labor NGOs collaborated with the VGCL to provide training to VGCL-affiliated union representatives on labor organizing, collective bargaining, and other trade union issues. Through its participation in an International Labor Organization (ILO) industrial relations program, the VGCL engaged in a new form of bottom-up, worker-centered approach to organizing workers rather than having VGCL leaders determine when and where to form a union.

Labor activists and representatives of independent (non-VGCL) worker organizations faced antiunion discrimination. Independent labor activists seeking to form unions separate from the VGCL or inform workers of their labor rights sometimes faced government harassment.

On June 15, authorities prevented Do Thi Minh Hanh, chairwoman of the independent Viet Labor Movement, from traveling abroad. Authorities also

stopped Hanh's sister, Do Ngoc Xuan Tram, from leaving the country two days later at Tan Son Nhat Airport in Ho Chi Minh City; authorities ultimately permitted her to leave on July 25. Border authorities stopped both sisters for "national security" concerns.

b. Prohibition of Forced or Compulsory Labor

The constitution and law prohibit forced or compulsory labor. The labor code's definition of forced labor, however, does not explicitly include debt bondage. The penal code does not establish a specific offense concerning forced labor, and the decree on administrative sanctions does not provide any penalty for violation of the labor code provisions prohibiting forced labor.

NGOs continued to report the occurrence of forced labor of men, women, and children within the country (see also section 7.c.).

Labor recruitment firms, most of which were affiliated with state-owned enterprises, and unlicensed brokers reportedly charged workers seeking international employment higher fees than the law allows, and they did so with impunity. Those workers incurred high debts and were thus more vulnerable to forced labor, including debt bondage.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The constitution prohibits "discriminatory treatment, forced labor or the employment of persons below the minimum working age." The law defines underage employees as anyone under age 18. The law prohibits children under 18 from working heavy, hazardous, and dangerous jobs. The law limits children between 15 and 18 to working a maximum of eight hours per day and 40 hours per week. Children between the ages of 13 and 15 may work only in light jobs, as defined by the Ministry of Labor, and considerations must be made for schooling, working conditions, labor safety, and hygiene. The law permits children to register at trade training centers, a form of vocational training, from age 14 without parental consent. While the law generally prohibits the employment of children under 13, it allows those under 13 to engage in specific types of work, as regulated by the ministry.

The Ministry of Labor is responsible for enforcing child labor laws and policies. Government officials may fine and, in cases of criminal violations, prosecute employers who violate child labor laws. As part of the government's 2016-20 *National Plan of Action for Children and National Program for Child Protection*, the government continued efforts to prevent child labor and specifically targeted children in rural areas, disadvantaged children, and children at risk of exposure to hazardous work conditions. Ho Chi Minh City approved its plan in March and was one of the leading regions building public awareness, training employers, and targeting interventions of vulnerable migrant children.

There were reports of children between the ages of 10 and 18--and some as young as six--working under conditions of forced labor producing garments. The most recently available information from government raids, NGOs, and media reports indicated that groups of children were laboring in small, privately owned garment factories and informal garment workshops. Reports indicated that these employers were beating or threatening the children with physical violence. In addition, there was evidence that children as young as 12 were working while confined in government-run rehabilitation centers. Employers forced these children to sew garments without pay under threat of physical or other punishments.

International and domestic NGOs noted successful partnerships with provincial governments to implement national-level policies combatting child labor. In March, Blue Dragon, a NGO working to stop child labor in Vietnam, reported rescuing six children from a garment factory in Ho Chi Minh City.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in employment, labor relationships, and work but not explicitly in "all aspects of employment and occupation." The law prohibits discrimination based on gender, race, disability, color, social class, marital status, belief, religion, HIV status, and for membership in a trade union or participation in trade union activities. The law does not prohibit discrimination based on political opinion, age, language, national origin, sexual orientation, or gender identity.

No laws prohibit employers from asking about family or marital status during job interviews.

The government did not effectively enforce laws related to employment discrimination. The government took some action to address employment discrimination against persons with disabilities. Companies with a workforce

composed of at least 51 percent employees with disabilities may qualify for special government-subsidized loans.

Discriminatory hiring practices existed, including discrimination related to gender, age, disability, and marital status. No laws prohibit employers from asking about family or marital status during job interviews. Women in the public sector were expected to retire at age 55, compared with age 60 for men, affecting women's ability to rise to managerial ranks and have higher pensions and incomes.

Female-led enterprises continued to have limited access to credit and international markets and inadequate knowledge in operation and financial management, in addition to the burden of social and family responsibilities. A woman's average hourly salary was only an estimated 80 percent of that of her male counterpart. Many women found it difficult to find a job after the age of 35, and there were recent reports of women receiving termination letters at age 35. The VGCL's Institute of Workers and Trade Unions noted that women over age 35 accounted for roughly half of all unemployed workers in the country.

Social and attitudinal barriers and limited access to the workplace remained problems in the employment of persons with disabilities. The government took some action to address employment discrimination against persons with disabilities.

e. Acceptable Conditions of Work

The minimum wage for enterprises ranged from 2.58 million VND (\$114) per month to 3.75 million VND (\$165) per month, depending on the region. In August the National Wages Council agreed to a 6.3 percent increase in the minimum wage, the lowest increase in recent years, to take effect in 2018, bringing the minimum wage range to 2.76 million VND (\$121).

The law limits overtime to 50 percent of normal working hours per day, 30 hours per month, and 200 hours per year, but it provides for an exception in special cases, with a maximum of 300 overtime hours worked annually, subject to stipulation by the government after consulting with the VGCL and employer representatives.

In July 2016 the country's first law on occupational safety and health, which also extends legal protections and accident prevention efforts to the informal economy, came into force. The law regulates the work of providing for occupational safety

and health, describes procedures for persons who are victims of labor accidents and occupational diseases, and delineates the responsibilities of organizations and individuals in the occupational safety and health fields. The law provides for the right of workers to remove themselves from situations that endanger health or safety without jeopardy to their employment. The law protects “labor subleasing” as a new pattern of employment and thus extends protection to part-time and domestic workers.

The Ministry of Labor is the principal labor authority, and it oversees the enforcement of the labor law, administers labor relations policy, and promotes job creation. The Labor Inspections Department is composed of labor inspectors who are responsible for conducting inspections in accordance with labor laws and occupational safety and health laws. Inspectors may use sanctions, fines, withdrawal of operating licenses or registrations, closures of enterprises, and mandatory training. Inspectors can take immediate measures where they have reason to believe there is an imminent and serious danger to the health or safety of workers, including temporarily suspending operations, although such measures were rare. The ministry acknowledged shortcomings in its labor inspection system and emphasized the number of labor inspectors countrywide was insufficient.

It was unclear how strictly the government enforced provisions for wages, hours, and benefits or occupational safety and health restrictions, including in the informal economy. Enforcement was irregular for many reasons, including low funding and a shortage of trained enforcement personnel. The VGCL asserted that authorities did not always prosecute violations. The VGCL stated, and the Ministry of labor acknowledged, that fines on firms for labor violations were too low to act as an effective deterrent against violations.

There continued to be credible reports that factories exceeded legal overtime thresholds and did not meet legal requirements for rest days, including in a 2016 impact evaluation of the ILO’s Better Work program. The report stated that the major factor behind noncompliance was the use of incorrect and unlawful salary calculation formulas, which led to incorrect payment of overtime wages.

Migrant workers, including internal economic migrants, were among the most vulnerable workers, and employers routinely subjected them to hazardous working conditions. Other workers who often worked in the informal economy included members of ethnic minority groups. According to the ILO, informal workers in the country typically had low and irregular incomes, endured long working hours, and lacked protection by labor market institutions. On-the-job injuries due to poor

health and safety conditions and inadequate employee training remained a problem. In 2016 the government reported 7,981 occupational accidents with 8,251 victims, including 799 fatal incidents with 862 deaths.