



TRENDS IN SOUTHEAST ASIA

**ISEAS**  
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# A STUDY OF VIETNAM'S CONTROL OVER ONLINE ANTI- STATE CONTENT

Dien Nguyen An Luong

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## FOREWORD

The economic, political, strategic and cultural dynamism in Southeast Asia has gained added relevance in recent years with the spectacular rise of giant economies in East and South Asia. This has drawn greater attention to the region and to the enhanced role it now plays in international relations and global economics.

The sustained effort made by Southeast Asian nations since 1967 towards a peaceful and gradual integration of their economies has had indubitable success, and perhaps as a consequence of this, most of these countries are undergoing deep political and social changes domestically and are constructing innovative solutions to meet new international challenges. Big Power tensions continue to be played out in the neighbourhood despite the tradition of neutrality exercised by the Association of Southeast Asian Nations (ASEAN).

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# **A Study of Vietnam's Control over Online Anti-state Content**

By Dien Nguyen An Luong

## **EXECUTIVE SUMMARY**

- Over the past two decades, the fixation on anti-state content has shaped the way Vietnamese authorities deployed various censorship strategies to achieve the dual goals of creating a superficial openness while maintaining a tight grip on online discourses. These considerations dictated how several regulations on Internet controls were formulated and enforced.
- Vietnamese censors also selectively borrowed from China's online censorship playbook, a key tenet of which is the fear-based approach. The modus operandi for the authorities is to first harp on what they perceive as online foreign and domestic threats to Vietnam's social stability. Then those threats are exhaustively used to enforce tougher measures that are akin to those implemented in China.
- But unlike China, Vietnam has not afforded to ban Western social media platforms altogether. Realizing that they would be better off exploiting social media for their own gains, Vietnamese authorities have sought to co-opt and utilize it to curb anti-state content on the Internet. The lure of the Vietnamese market has also emboldened Facebook and Google's YouTube to consider it fit to acquiesce to state censorship demands.
- The crackdown on anti-state content and fear-based censorship are likely to continue shaping Vietnam's Internet controls, at least in the foreseeable future. The question is how both Internet users and the authorities will make the most of their unlikely—and fickle—alliance with social media to fulfil their agendas.



# A Study of Vietnam’s Control over Online Anti-state Content

By Dien Nguyen An Luong<sup>1</sup>

## INTRODUCTION

The authorities in Vietnam have never ceased to fret over “toxic content” (*nội dung xấu độc*) on the Internet; and indeed the definition of “toxic content” has shifted over the years.<sup>2</sup> In the 1990s, “toxic content” was mostly associated with pornography. In December 1996, for example, in order to convince the authorities to allow for the arrival of the Internet in Vietnam, its advocates reportedly had to prove to Vietnam’s top leaders that pornographic websites could be effectively blocked.<sup>3</sup> They succeeded, and the Internet was officially launched in Vietnam a year later,<sup>4</sup> but on condition that the World Wide Web was placed under

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<sup>1</sup> Dien Nguyen An Luong is Visiting Fellow with the Media, Technology and Society Programme of the ISEAS – Yusof Ishak Institute, Singapore. The author would like to thank Dr Yatun Sastramidjaja and Ms Lee Sue-Ann for their constructive comments and suggestions.

<sup>2</sup> Dien Luong, “Vietnam Wants to Control Social Media? Too Late”, *New York Times*, 30 November 2017, <https://www.nytimes.com/2017/11/30/opinion/vietnam-social-media-china.html>

<sup>3</sup> Huy Duc, *Ben Thang Cuoc*, vol. 2 (Saigon, Boston, Los Angeles, New York: OsinBook, 2012), p. 330.

<sup>4</sup> Duc Hoang, Chau An and Dinh Nam, “Connected for 20 years: How the Internet Has Changed Lives in Vietnam”, *VnExpress International*, 22 November 2017, <https://e.vnexpress.net/news/travel-life/connected-for-20-years-how-the-internet-has-changed-life-in-vietnam-3674013.html> (accessed 18 December 2020).

state scrutiny and censorship. The stated need to censor pornographic content, however, masked a greater concern of the powers that be, and that was that the Internet would open the floodgates for anti-government propaganda and facilitate a freer flow of information, which would end up posing major threats to the Communist Party.<sup>5</sup>

This fixation on anti-state content shaped the way Vietnamese authorities deployed various censorship strategies aimed at the goal of projecting some level of openness while maintaining a tight grip on online discourses. Like China,<sup>6</sup> Vietnam also hoped to rein in the Internet from the outset. But while Beijing was able to erect a system that is now more akin to a nationwide intranet than the Internet, Hanoi's more ambivalent approach bred a hybrid infrastructure that keeps developing and that evolves faster than the government's ability to regulate and control it.

The Internet and social media being a threat started haunting Vietnamese authorities in the mid-2000s, when informal groups of intellectuals, retired government officials, professors, students, writers and independent activists took great strides in mustering up the power of the blogosphere to rail against government thinking and policy.<sup>7</sup> Such threats probably became more manifest during the Arab Spring, when uprisings, fuelled by social media, forced Vietnam's leaders to acknowledge the possibility of a similar revolution breaking out in the country.<sup>8</sup>

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<sup>5</sup> Le Hong Hiep, "The Political Economy of Social Media in Vietnam", *ISEAS Perspective*, no. 2019/77, 27 September 2019, pp. 1–7.

<sup>6</sup> Elizabeth C. Economy, "The Great Firewall of China: Xi Jinping's Internet Shutdown", *The Guardian*, 29 June 2018, <https://www.theguardian.com/news/2018/jun/29/the-great-firewall-of-china-xi-jinpings-internet-shutdown> (accessed 18 December 2020).

<sup>7</sup> Thiem Hai Bui, "The Influence of Social Media in Vietnam's Elite Politics", *Journal of Current Southeast Asian Affairs* 35, no. 2 (2016): 93, <https://nbn-resolving.org/urn/resolver.pl?urn:nbn:de:gbv:18-4-9554>

<sup>8</sup> Ben Bland, "Vietnam: A Question of Balance", *Financial Times*, 24 November 2011, <https://www.ft.com/content/0ae832b0-15e1-11e1-a691-00144feabdc0>

This paper examines how over the past two decades, from the import of the Internet in Vietnam to the blossoming era of social media, the Vietnamese government has justified employing various online censorship tactics at different junctures to crack down on perceived anti-state content. It also offers a detailed glimpse into how the authorities have constantly bent the definition, interpretation and implementation of a slew of regulations and tactics in order to rationalize thwarting anti-government propaganda online. It also describes how the authorities have become increasingly adept at exploiting social media, chiefly Facebook, to curb anti-state content. The paper concludes with some observations of the perplexing dynamic of Vietnam’s social media landscape and offers some projections about the factors that will shape Internet controls in the foreseeable future.

## REGULATING CONTENT

As Gray (2015) points out: Vietnam has embraced all three “generations of Internet controls”.<sup>9</sup> First-generation controls involve a China-modelled Internet firewall for blocking specific websites. Vietnam also uses second-generation controls to justify enacting a raft of laws and regulations, coupled with launching distributed denial of service (DDoS) attacks on high-profile activists or influential blogs and websites that are considered threatening to or critical of the ruling Communist Party.<sup>10</sup> Those measures, along with “the correct dose of technological prowess”, aim to instil fear of being watched among Internet users, eventually helping to induce self-censorship.<sup>11</sup> When it comes to third-generation controls,

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<sup>9</sup> Michael Gray, *Control and Dissent in Vietnam’s Online World* (Canada: The SecDev Foundation, Tia Sang Vietnam Research Report, February 2015), p. 7, <https://secdev-foundation.org/wp-content/uploads/2015/02/Vietnam.ControlandDissent.Feb15.pdf>

<sup>10</sup> Ibid.

<sup>11</sup> Jessica Li and Bryan Druzin, “Censorship’s Fragile Grip on the Internet: Can Online Speech Be Controlled”, *Cornell International Law Journal* 49, no. 2 (2016): 371, <https://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=1883&context=cilj>

however, Vietnam's lack of political and technological wherewithal has thwarted its efforts to match China's model of a "national Internet" that can block Western social media platforms.<sup>12</sup>

From another perspective, as Roberts points out, governments all over the world—authoritarian, semi-authoritarian or democratic—have employed three techniques to censor online content: fear, friction and flooding.<sup>13</sup> Fear-based censorship "affects the flow of information by deterring the media or individuals from distributing, analysing, collecting or consuming certain types of information".<sup>14</sup> Its ultimate purpose dovetails with that of second-generation controls: weaponize the law to sow fear among Internet users, deterring them from posting or accessing content they would perceive to be sensitive.<sup>15</sup> Like first-generation controls, the strategy of friction involves using technology to block websites, remove social media posts, or reroute search results.<sup>16</sup> Though friction could be easily circumvented by tech-savvy Internet users, it makes the most of the short attention spans, impatience and indifference of Internet users, who generally balk at investing time and energy to learn more about what mainstream media fail to cover.<sup>17</sup> Deploying government-sanctioned cyber troops to overwhelm social media platforms with mostly politically neutral and misleading messages, the flooding approach faces the same hurdles stacked against third-generation controls: Vietnam's market's economy of scale does not allow for the development of alternative domestic platforms such as China's Weibo or WeChat, making the prospect of building a more robust domestic Internet ecosystem that could elbow out Facebook or YouTube impossible.

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<sup>12</sup> Dien Luong, "Vietnam Wants to Control Social Media? Too Late".

<sup>13</sup> Margaret E. Roberts, *Censored: Distraction and Diversion Inside China's Great Firewall* (New Jersey: Princeton University Press: 2018).

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

The three generations of Internet controls and the three techniques of fear, friction and flooding complement one another, with the former being observed from the perspective of the authorities and the latter from that of Internet users (Table 1).

During the 2001–7 period, or the pre-social media era, fear-based censorship was Vietnam’s strategy of choice; it has since remained the country’s “key strategy of digital governance”.<sup>18</sup> A pattern emerged: The authorities would enact a raft of broadly worded laws and regulations designed to solidify the legal scaffolding of its Internet controls (Table 2)

**Table 1: Online Censorship Mechanisms**

<p><b>First-Generation Control</b> A China-modelled Internet firewall is set up to block specific websites.</p>	<p><b>Second-Generation Control</b> A raft of laws and regulations are enacted and denial of service launched.</p>	<p><b>Third-Generation Control</b> A “national Internet” is created to enforce the blocking of Western social media platforms.</p>
<p><b>Fear</b> Laws are weaponized and high-profile people are targeted in order to sow fears among other Internet users.</p>	<p><b>Friction</b> Technology is employed to block websites, remove social media posts, or reroute search results.</p>	<p><b>Flooding</b> Government-sanctioned cyber troops are deployed to overwhelm social media platforms with mostly politically neutral and misleading messages.</p>

*Source:* Compiled by the author.

<sup>18</sup> Giang Nguyen-Thu, “Vietnamese Media Going Social: Connectivism, Collectivism, and Conservatism”, *Journal of Asian Studies* 77, no. 4 (2018): 895–908.

**Table 2: Internet Control Regulations during the pre-Facebook Period (2001–5)**

<b>Regulations</b>	<b>Issued</b>	<b>Content</b>
Decree 55	2001	Seeks to “balance maintaining security and cultural values with developing scientific, research, educational, health-related, governmental, and software development uses of the Internet”.
Circular 04, Department General of Posts and Telecommunications	2001	Bans private ISPs from allowing access to filtered content.
Decision 27, Ministry of Culture and Information	2002	Compels local web content providers to obtain approval and a licence from the Ministry of Culture and Information.
Decision 92, Ministry of Posts and Telematics	2003	“Strictly prohibits” the use of Internet resources to “oppose the State of the Socialist Republic of Vietnam, disturbing security, economy, social order and safety; undermine the nation’s fine tradition and custom; infringe upon the legitimate rights and interests of organizations and individuals; and illegally obstruct the operation of the national system of domain name system (DNS) servers.”
Directive 06, Ministry of Posts and Telematics	May 2004	Requires postal, telecommunication and Internet enterprises to “intensify examination and close supervision of activities of internet and telecommunication service agents.”
Directive 07, Ministry of Posts and Telematics	July 2004	Seeks to hold Internet agent owners accountable for service users’ access to “unhealthy information [that] may cause harms to the political security, social order and safety and national cultural identity of Vietnam”.
Joint Circular 02, Ministry of Posts and Telematics, Ministry of Culture and Information, Ministry of Public Security, and the Ministry of Planning and Investment	July 2005	Prohibits “storing military, economic, security, or other secrets on Internet-connected computers; using the Internet to oppose the Vietnamese state or disturb security, or creating websites or online forums to enable others to perform such prohibited activities”.

Source: Compiled by the author.

while entrusting a handful of government agencies to rein in social media (Table 3). The first of many regulations on Internet controls, Decree 55, was issued way back in 2001, outlawing all Internet use aimed at disrupting security, violating “social ethics and customs”, or opposing

**Table 3: Internet Regulatory Responsibilities**

<b>Agencies</b>	<b>Responsibilities</b>
Ministry of Posts and Telematics	Regulates state management of the Internet; coordinates with ministries, bodies at the ministerial level, state agencies, and People’s Committees of centrally run cities and provinces; formulates Internet development policies and planning.
Ministry of Science, Technology, and Environment	Manages research and development of advanced Internet technologies.
Ministry of Culture and Information	Manages information on the Internet, including implementing regulations for newspaper, publication, and online news distribution.
Ministry of Public Security	Ensures national security-related Internet activity, and applies “technical measures” to manage information security online.
Ministry of Finance	Creates a financial support system for reduced Internet access charges.
Ministry of Planning and Investment	Oversees granting and withdrawal of certificates for entities such as Internet agency businesses.
Various ministries, ministerial-level bodies, and state agencies	Responsible for Internet application services in their jurisdictions, including defining which services are forbidden.
People’s Committees (local governments)	Manage the implementation of Internet regulations in their cities and provinces.

Source: OpenNet Initiative.

the government. It paved the way for individual ministries to enact regulations on Internet controls in the following years before Facebook arrived in Vietnam.

An in-depth report by the OpenNet Initiative (<https://opennet.net/studies/vietnam>)—a collaborative partnership of the Citizen Lab at the University of Toronto, the Berkman Center for Internet & Society at Harvard University, and the SecDev Group (Ottawa)—describes how Vietnam’s Internet filtering regime worked in the pre-Facebook era: it was the censors of Vietnam’s then two major Internet Service Providers (ISPs)—VNPT and FPT—that compiled the blocklists rather than a reliance on commercial filtering software. Vietnamese-language content was the main target of the filtering mechanism; blocking of English-language sites took place only once in a while. VNPT and FPT used different filtering mechanisms, however, which were also enforced inconsistently. Checking the user’s request for a page against the block list, the VNPT system would return a blocked page notifying the user why the URL was inaccessible. On the other hand, FPT’s filtering was camouflaged as an inability to locate the requested site. It eliminated entries for filtered pages from its Domain Name System (DNS) servers; users who tried to reach these URLs received a notification that the site did not exist. While FPT’s filtering was able to hide government-sanctioned blocking efforts and was less expensive to implement, tech-savvy Internet users would easily circumvent it by simply changing DNS servers. Virtual private networks (VPNs) were another common workaround for Internet users at that time.<sup>19</sup>

Vietnam’s Internet controls have attracted much international criticism from international advocacy groups and Western governments such as the United States. It has also become a standard routine for Vietnamese officials to bristle at negative international assessments of its domestic affairs, saying they fail to reflect the real picture there. In 2005, Vietnam lambasted the media watchdog group, Reporters Without Borders, which

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<sup>19</sup> “Vietnam”, Freedom House, November 2016, <https://www.justice.gov/eoir/page/file/1026546/download>

had included the country on the “state enemies of the Internet” list that year due to its Internet filtering regime and treatment of online critics.<sup>20</sup> What was intriguing, however, was how Vietnam departed from its scripted response, not seeking to sugar-coat or dismiss the substance of the findings. In fact, by acknowledging that first-generation controls were in place, Vietnam said it put “firewalls on websites that are not suitable to the morals and fine customs of oriental people”.<sup>21</sup> The authorities were even more forthright by casting the conclusion by Reporters Without Borders as smacking of elitism, saying it conflated the exercise of freedom of speech with allowing “the free distribution of terror threats and pornographic information on the Internet to poison the mind of the young generation”.<sup>22</sup>

## **PORNOGRAPHY AS PRETEXT**

During the 2001–5 period, Vietnamese regulators publicly pointed their fingers at pornography and other sexually explicit content as a legitimate rationale for reining in the Internet, citing official figures saying that 90 per cent of young Internet users had watched such content online.<sup>23</sup> Warning against the prospect of the Internet becoming a conduit for “erroneous or harmful news content [and] pornographic materials”, a deputy minister of culture and information was upfront: “If online information is not controlled well, it can [have] a bad influence”.<sup>24</sup> Such an official stance became the through-line in Vietnam’s online censorship playbook, dictating how the Internet should be governed. Regulations formulated in the early 2000s placed the legal onus on ISPs, website operators and cybercafes to act as gatekeepers against pornography.

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<sup>20</sup> Ibid.

<sup>21</sup> “Vietnam Strikes Back”, *OpenNet Initiative*, 28 November 2005, <https://opennet.net/blog/2005/11/vietnam-strikes-back>

<sup>22</sup> Ibid.

<sup>23</sup> <https://opennet.net/studies/vietnam>

<sup>24</sup> Ibid.

Those entities were obliged to deploy content filtering to keep a close watch on the information Internet users could access online. Failure to do so would subject them to penalties ranging from fines to termination of service contracts or withdrawal of licenses to potential criminal charges.<sup>25</sup>

But perhaps most intriguing in the OpenNet Initiative report was the finding that, despite their public platitudes about curbing it, Vietnamese authorities virtually did not block any pornographic content between 2005 and 2006. The censors focused instead on what they perceived to be politically and religiously sensitive sites that hosted anti-state content such as those regarding corruption, ethnic unrest, and political opposition. A content analysis of all of Vietnam's laws and regulations on Internet controls during the 2001–5 period shows that legal terms that fell under the category of “fine tradition and custom”, including pornography-related ones, were eclipsed by those under the “national security” category (Figure 1).

Such deep-seated fixation on anti-state content from the dawn of the Internet was only exacerbated by the inexorable surge in Internet users. In 2000, a mere 203,000 Vietnamese (or 0.25 per cent of the total population) were online.<sup>26</sup> But due to facing growing demands from the business community and consumers for cheaper, faster and better Internet access,<sup>27</sup> as well as the need to boost e-commerce as Vietnam joined the international playground,<sup>28</sup> the authorities relaxed the state monopoly on Internet controls which paved the way for more competition from the private sector. This move propelled the number of Vietnam's Internet

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<sup>25</sup> Article VI, Joint Circular No. 02/2005/TTLT-BCVT-VHTT-CA-KHDT.

<sup>26</sup> “The Internet Turns 20 in Vietnam: P6—Wi-Fi and Household Internet”, *Tuoi Tre News*, 12 November 2017, <https://tuoitrenews.vn/news/features/20171112/the-internet-turns-20-in-vietnam-p6-wifi-and-household-internet/42600.html>

<sup>27</sup> Bjorn Surborg, “On-line with the People in Line: Internet Development and Flexible Control of the Net in Vietnam”, *Geoforum* 39, no. 1 (2008): 344–57, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.458.505&rep=rep1&type=pdf>

<sup>28</sup> Tim Kelly and Michael Minges, *Vietnam Internet Case Study* (Switzerland: International Telecommunication Union, 2002), p. 29, <https://www.itu.int/ITU-D/ict/cs/vietnam/material/VNM%20CS.pdf>



from China's playbook to finetune its mechanism. The strategy appeared to be that the authorities would first harp on what they perceived to be foreign and domestic threats that the Internet and social media pose to Vietnam's social stability. Then they would use those threats exhaustively as a pretext to enforce tougher measures already been afoot or implemented in China (Table 4).

During the 2005–8 period, high-profile Vietnamese voices such as Anh Ba Sam, Dieu Cay, Truong Huy San or Tran Huynh Duy Thuc were all characterized by many Internet users as dissenting voices that scrutinized government policy on the economy, the environment and foreign affairs; advocated what they perceived to be democratic rights; and exposed the malfeasance of the system. To Vietnamese netizens, their blogs provided useful alternatives to state propaganda against the backdrop of Vietnam's unrelenting prohibitions and crackdowns on traditional media outlets. Inevitably, the blogosphere became increasingly a thorn in the eye of the Vietnamese authorities.

During the 2005–6 period, China's Internet regulators started reining in on blogs and websites. Bloggers and website owners were required to register their complete identities<sup>30</sup> and block content deemed "unlawful" or "immoral".<sup>31</sup> This move must not have been lost on Vietnam's censors. In August 2008, the Vietnamese government enacted Decree 98 on Internet controls.<sup>32</sup> This, along with subsequent circulars, required blogs to only publish personal content; blogging platforms, too, were asked to maintain records of their users to provide to the authorities. The *raison d'être* for those regulations could not be more clear-cut: to criminalize those who use the Internet to "oppose the government; undermine the

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<sup>30</sup> Jason Deans and agencies, "China cracks down on bloggers", *The Guardian*, 7 June 2005, <https://www.theguardian.com/media/2005/jun/07/chinathemedia.digitalmedia1>

<sup>31</sup> *Associated Press*, "China Cracks Down on Blogs, Search Engines", NBC News, 30 June 2006, <https://www.nbcnews.com/id/wbna13628295>

<sup>32</sup> OpenNet Initiative, "Information Controls in Vietnam", *Citizen Lab*, 7 August 2012.

*Table 4: How Vietnam Followed in China's Footsteps*

<b>Period</b>	<b>Global/Domestic Context</b>	<b>What China Did</b>	<b>What Vietnam Did</b>
2005–8	The blogosphere provided what was perceived as useful alternatives to state propaganda against the backdrop of Vietnam's unrelenting prohibitions and crackdowns on traditional media outlets.	In 2006, China's Internet regulators started cracking down on blogs, websites and search engines, requiring them to register their complete identities and blocking content deemed "unlawful" or "immoral".	In 2008, Vietnam enacted Decree 98 on Internet controls with subsequent circulars requiring blogs to be restricted to only personal content, and blogging platforms to maintain records of their users to provide to the authorities.
2009	During the Ürümqi riots in China, Xinjiang activists used Facebook to communicate and spread out their messages.	In July 2009, China blocked Facebook.	In August 2009, Vietnam allegedly drafted regulation requiring ISPs to block Facebook.
2009–10		In 2009, China revealed a plan to install Green Dam, an Internet filtering software, on all computers in the country.	In 2010, the Hanoi municipal administration issued Decision 15, which, among other things, made the installation of a government-commissioned software mandatory in citywide Internet cafes.
2014–18	Facebook-fuelled activism started to materialize in Vietnam.	On 1 June 2017, China's Cyber-Security Law took effect.	On 6 June 2017, the first draft of the Vietnamese law of the same name was circulated. In June 2018, the National Assembly, Vietnam's legislature, passed the law.

state and state unity, or threaten national security, public order, or social security; or incite violence or crime”.<sup>33</sup>

The year 2008 was a pivotal one for Vietnam’s Internet landscape; this was when the social media giant Facebook rolled out its Vietnamese site.<sup>34</sup> This came at a time when Yahoo!360, the then default social network choice of the Vietnamese blogosphere, had just officially closed. Facebook’s increasing global popularity<sup>35</sup> enabled it to woo droves of Internet users looking for an alternative space in the throes of increasing crackdowns.<sup>36</sup> Against that backdrop, China continued to provide Vietnam with a handy case study. In July 2009, China blacked out Facebook in the wake of the Ürümqi riots during which Xinjiang activists used the social media platform to communicate and spread their messages.<sup>37</sup> Just a month later, a supposedly draft regulation requiring ISPs to block Facebook in Vietnam was leaked.<sup>38</sup> Its authenticity remained in question, but access to Facebook, which boasted around 1 million Vietnamese users at that time, was indeed blocked later that year.<sup>39</sup> In 2010, the Hanoi municipal

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<sup>33</sup> Zachary Abuza, *Stifling the Public Sphere: Media and Civil Society in Vietnam* (Washington, DC: National Endowment for Democracy, 2015), p. 10, <https://www.ned.org/wp-content/uploads/2015/10/Stifling-the-Public-Sphere-Media-Civil-Society-Vietnam-Forum-NED.pdf>

<sup>34</sup> David S. Cloud and Shashank Bengali, “Facebook Touts Free Speech. In Vietnam, It’s Aiding in Censorship”, *Los Angeles Times*, 22 October 2020, <https://www.latimes.com/world-nation/story/2020-10-22/facebook-censorship-suppress-dissent-vietnam>

<sup>35</sup> Gray, *Control and Dissent*, p. 7.

<sup>36</sup> Abuza, *Stifling the Public Sphere*, p. 11.

<sup>37</sup> Ben Blanchard, “China Tightens Web Screws after Xinjiang Riot”, Reuters, 6 July 2009, <https://www.reuters.com/article/us-china-xinjiang-internet/china-tightens-web-screws-after-xinjiang-riot-idUSTRE5651K420090706>

<sup>38</sup> Helen Clark, “Vietnam’s Dysfunctional Relationship with the Web”, XIndex, 21 August 2013, <https://www.indexoncensorship.org/2013/08/vietnams-dysfunctional-relationship-with-the-web/>

<sup>39</sup> Associated Press, “Vietnam Internet Users Fear Facebook Blackout”, *Sydney Morning Herald*, 17 November 2009, <https://www.smh.com.au/technology/vietnam-internet-users-fear-facebook-blackout-20091117-iki0.html>

administration issued a new regulation, Decision 15, which, among other things, made the installation of a government-commissioned software mandatory in citywide Internet cafes.<sup>40</sup> The purpose of this software was unclear, but this move came on the heels of China’s controversial 2009 plan to install Green Dam, an Internet filtering software, on all computers in the country.<sup>41</sup> Though China later backed off on this move, a familiar pattern re-emerged and perhaps hit too close to home for many Vietnamese Internet users: while the Chinese government said the software would help to curb access to pornography, its netizens believed it was designed to block politically sensitive content and even monitor behaviour.

But unlike China, Vietnam just could not afford to ban Western social media platforms altogether.<sup>42</sup> Realizing that they would be better off exploiting social media for their own gains, Vietnamese authorities sought instead to co-opt and utilize it to curb anti-state content.

## **SOCIAL MEDIA-GOVERNMENT RELATIONS: FROM ANIMOSITY TO ALLIANCE**

During the social media era, Vietnam continued to weaponize the law, enacting various regulations to rein in the Internet (Table 5). That marked a period when the perceived threat that social media—Facebook in particular—posed to the regime appeared so palpable that Vietnam’s regulators were all more explicit about their intent in reining

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<sup>40</sup> Robert McMillan, “Activists Worry About a New ‘Green Dam’ in Vietnam”, PCWorld, 4 June 2010, <https://www.peworld.com/article/198064/article.html>

<sup>41</sup> Rebecca MacKinnon, “The Green Dam Phenomenon”, *Wall Street Journal*, 18 June 2009, <https://www.wsj.com/articles/SB124525992051023961>

<sup>42</sup> Dien Luong, “Why Vietnam Can’t Hold Back Facebook”, *VnExpress International*, 10 September 2017, <https://e.vnexpress.net/news/news/why-vietnam-can-t-hold-back-facebook-3639186.html>

**Table 5: Internet Control Regulations during the Facebook Era (2008–20)**

<b>Regulations</b>	<b>Issued</b>	<b>Content</b>
Decree 98—proposed by the Ministry of Information and Communications	2008	Seeks to reinforce Internet controls with subsequent circulars requiring blogs to be restricted to only personal content, and blogging platforms to maintain records of their users to provide to the authorities.
Decree 72—proposed by the Ministry of Information and Communications	2013	Seeks to regulate information in Vietnam’s online sphere. The decree criminalizes the sharing of news stories on various social networks and bans “the use of Internet services and online information to oppose the Socialist Republic of Vietnam”.
Criminal Code	2015	Articles 117 and 331 are most often invoked against people for their online expression.
Cyber-Security Law—proposed by the Ministry of Public Security	2018	Seeks to ensure a safe cyberspace in Vietnam and crack down on misinformation, disinformation and fake news. Critics, however, fear it would give the authorities carte blanche to strictly police the Internet, scrutinize personal information, censor online discussion, and punish or jail dissidents.
Decree 15—proposed by the Ministry of Information and Communications	2020	Seeks to impose fines on both Internet users and ISPs. The posting and sharing of what is considered “fake news” is also subjected to a wide range of fines.

*Source:* Institute for Policy Studies and Media Development and Amnesty International.

in social media. It all began with the Arab Spring uprisings breaking out in late 2010, sowing fears among Vietnam's leaders about a similar revolution taking place in the country. Facebook had then been playing an increasingly crucial role in amplifying government criticism in the online sphere and enabling activists to organize anti-China protests and coalesce networks in real life.<sup>43</sup>

As part of the fear-based approach designed to further intimidate Internet users, the authorities targeted public figures, journalists, academics, or activists who could potentially sway the broader population,<sup>44</sup> signalling a stern warning to the rest of the Internet population that they could face the same fate. The crackdown on social media hit a peak in 2013, during the start of the second term of then Prime Minister Nguyen Tan Dung. Showing how the government embraced fear-based censorship, Vietnamese authorities intensified the arrests of what the West called prominent bloggers or activists. Between 2010 and 2015, more than twenty bloggers and activists were detained or arrested and imprisoned in Vietnam.<sup>45</sup> Another highly contested regulation that was enacted in mid-2013, Decree 72, sought to criminalize the sharing of news stories on various social networks.<sup>46</sup> The decree, yet again vaguely worded and subject to broad interpretations, also bans “the use of Internet services and online information to oppose the Socialist Republic of Vietnam; threaten the national security, social order, and safety; sabotage the ‘national fraternity’; arouse animosity among races and religions; or contradict national traditions, among other acts”.

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<sup>43</sup> Dien Nguyen An Luong, “How Hanoi Is Leveraging Anti-China Sentiments Online”, *ISEAS Perspective*, no. 2020/115, 13 October 2020, pp. 3–4.

<sup>44</sup> Roberts, *Censored*, p. 48.

<sup>45</sup> Abuza, *Stifling the Public Sphere*, p. 15.

<sup>46</sup> Mong Palatino, “Decree 72: Vietnam’s Confusing Internet Law”, *The Diplomat*, 8 August 2013, <https://thediplomat.com/2013/08/decree-72-vietnams-confusing-internet-law>

## PIVOT TO CO-OPTATION

But after a series of failed efforts to exert greater control on social media, the Vietnamese government, in an unexpected move, conceded to Facebook's popularity in 2015.<sup>47</sup> Since then, Vietnamese authorities have also shown signs of tolerating, embracing and co-opting social media to gauge public sentiment, detect local corruption, spearhead disinformation campaigns or squash dissenting voices. In a bid to widen its online censorship dragnet, the Vietnamese government has since 2017 deployed a 10,000-strong military cyber unit tasked to manipulate online discourse to enforce the Communist Party's line.<sup>48</sup> According to some researchers, Vietnam's cyber troops may be the largest and most sophisticated influence network in Southeast Asia,<sup>49</sup> although their scale, capacity and performance are still dwarfed by those of their Chinese counterparts.<sup>50</sup> The modus operandi of Vietnam's cyber troops has revolved around safeguarding the party line, shaping public opinion

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<sup>47</sup> "Vietnamese Leader Says Banning Social Media Sites Impossible", *Associated Press*, 15 January 2015, <https://apnews.com/article/2640e7f9439c4e93b0753497ac18958c>

<sup>48</sup> James Hookway, "Introducing Force 47, Vietnam's New Weapon Against Online Dissent", *Wall Street Journal*, 31 December 2017, <https://www.wsj.com/articles/introducing-force-47-vietnams-new-weapon-against-online-dissent-1514721606>

<sup>49</sup> James Pearson, "How Vietnam's 'Influencer' Army Wages Information Warfare on Facebook", *Reuters*, 9 July 2021, <https://www.reuters.com/world/asia-pacific/how-vietnams-influencer-army-wages-information-warfare-facebook-2021-07-09/>

<sup>50</sup> Gary King, Jennifer Pan, and Margaret E. Roberts, "How the Chinese Government Fabricates Social Media Posts for Strategic Distraction, not Engaged Argument", *American Political Science Review* 111, no. 3 (2017): p. 39, <https://gking.harvard.edu/files/gking/files/50c.pdf>; Linh Pham, "Vietnam Vows to Identify Social Network Users", *Hanoi Times*, 11 November 2020, <http://hanoitimes.vn/vietnam-vows-to-identify-social-network-users-314784.html>

and spreading state propaganda.<sup>51</sup> In targeting high-profile activists and influential groups online, Vietnam's cyber unit has capitalized on loopholes in Facebook's community policies which allow for automatic rejection of content if enough people lodge complaints about certain accounts. In other words, by mustering a large number of cyber troops to report to Facebook, the task force could target and suspend accounts and content belonging to activists.<sup>52</sup> Unlike their peers in Thailand, Malaysia or the Philippines, Vietnam's cyber troops have been encouraged to use real accounts to mass-report content, emblematic of how efficient Vietnam has become at co-opting Facebook.<sup>53</sup> When the authorities invoked local laws to compel Facebook to take down posts, the platform was bound to document such "content restrictions" in its biannual transparency report, which could deal a major blow to its reputation and invite increased scrutiny. But when Facebook removes content based on mass reporting, which is subject to its own content moderation policies, the takedown does not merit any public acknowledgement. This approach amounts to a two-way street that is likely to redound to the benefit of a transactional social media giant.<sup>54</sup>

The increasingly explicit mutual interests have made Western social media platforms such as Facebook and Google's YouTube see fit to

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<sup>51</sup> Dien Nguyen An Luong, "How the Vietnamese State Uses Cyber Troops to Shape Online Discourse", *ISEAS Perspective*, no. 2021/22, 3 March 2021, p. 11, <https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2021-22-how-the-vietnamese-state-uses-cyber-troops-to-shape-online-discourse-by-dien-nguyen-an-luong/>

<sup>52</sup> Ibid.

<sup>53</sup> Samantha Bradshaw and Philip N. Howard, *The Global Disinformation Disorder: 2019 Global Inventory of Organised Social Media Manipulation*, Working Paper 2019.2, Oxford, UK: Project on Computational Propaganda, 2019. p. 13.

<sup>54</sup> Sam Biddle, "Facebook Lets Vietnam's Cyberarmy Target Dissidents, Rejecting A Celebrity's Plea", *The Intercept*, 22 December 2020, <https://theintercept.com/2020/12/21/facebook-vietnam-censorship>

acquiesce to censorship demands and therefore become cooperative in abetting the Vietnamese state in the enforcement of cyber controls. Alongside Zalo, Vietnam’s premier chatting app, Facebook and YouTube have remained the most popular social media platforms in the country.<sup>55</sup> Three in four Vietnamese—or 72 million people<sup>56</sup>—are social media users in a market where Facebook earns around US\$1 billion in revenue.<sup>57</sup> It is Decree 72 that has since served as the oft-cited legal groundwork for Facebook and YouTube to restrict or take down content at the behest of the Vietnamese authorities. Google did not release the number of items the Vietnamese authorities asked it to restrict access to until early 2011; Facebook did that only in mid-2017. It was not until 2017 that Google and Facebook made those data clearly noticeable. According to both platforms, the censorship requests have been made chiefly by the Ministry of Information and Communications’ Authority of Broadcasting and Electronic Information and the Ministry of Public Security. A common theme emerged: A majority of the restricted or removed items were related to “government criticism” (Figure 2) or ones that “oppose the Communist Party and the Government of Vietnam” (Figure 3).

Worries about social media culminated in the passage and enforcement of the Cyber-Security Law in 2018. This law is said to bear striking resemblance to its Chinese counterpart not just because of the identical name per se. It is likely because of how the Vietnamese law appears to be dominantly dictated by the “Seven Bottom Lines”, a list of online

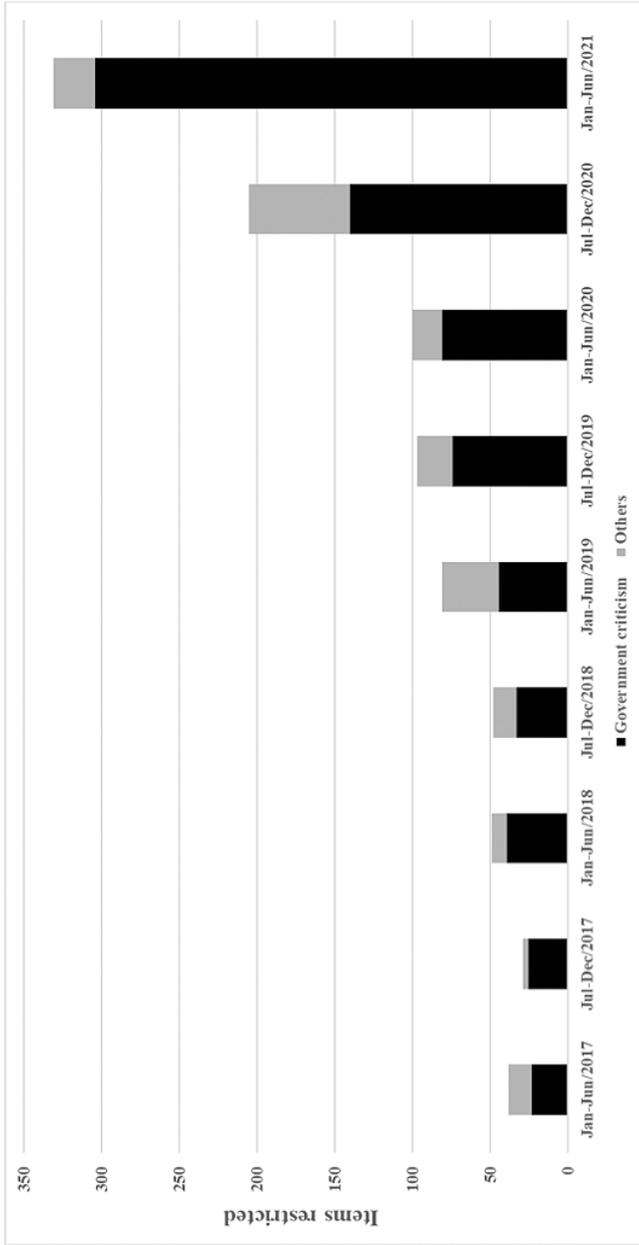
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<sup>55</sup> Hootsuite & We Are Social, “Digital 2021: Vietnam”, 2021, <https://datareportal.com/reports/digital-2021-vietnam>

<sup>56</sup> Dien Nguyen An Luong, “Cyberspace: Vietnam’s Next Propaganda Battleground?”, *Fulcrum*, 25 February 2021, <https://fulcrum.sg/cyberspace-vietnams-next-propaganda-battleground/>

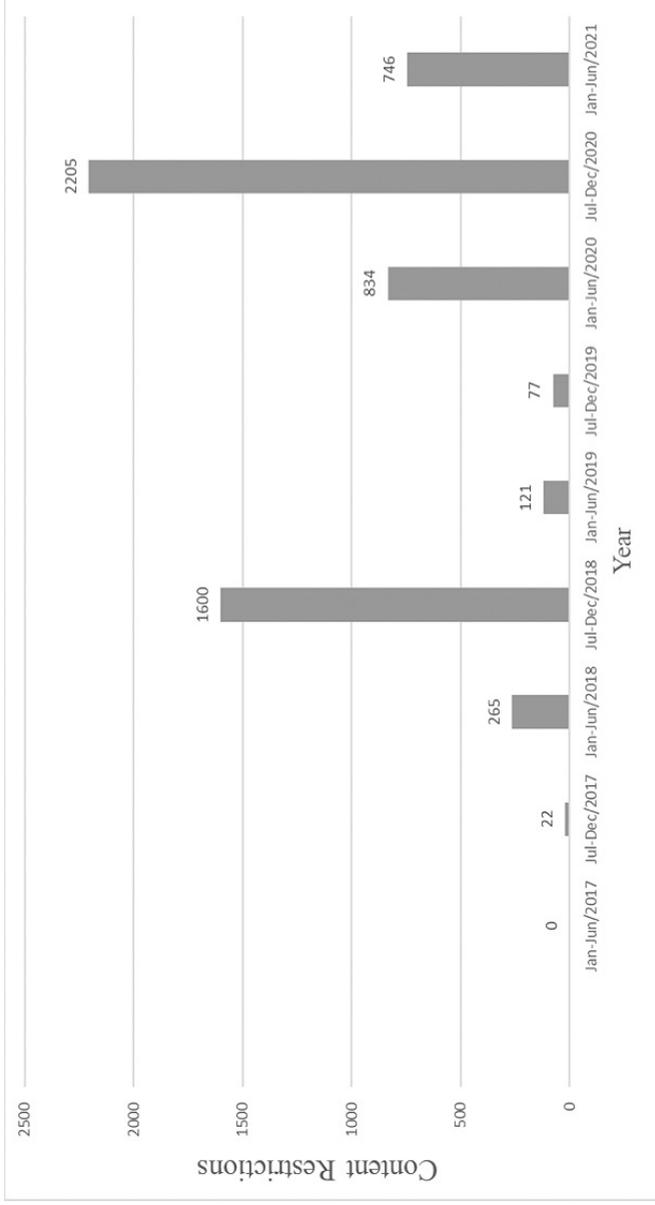
<sup>57</sup> James Pearson, “Exclusive—Vietnam Threatens to Shut Down Facebook over Censorship Requests—Source”, *Reuters*, 19 November 2020, <https://www.reuters.com/article/vietnam-facebook-shutdown-idUSL4N2I42EC>

**Figure 2: Content Restrictions Implemented by Google in Vietnam**



Source: Google Transparency Report.

**Figure 3: Content Restrictions Implemented by Facebook in Vietnam**



Source: Facebook Transparency Report.

behaviour guidelines Beijing coined in 2013 to govern Internet usage.<sup>58</sup> The formulation spells out seven barriers that social media posts must not transgress:

- the rules and laws of the country;
- the socialist system;
- the country’s national interests;
- the legitimate interests of the citizens;
- public order;
- morality; and
- authentic information.

Those broad and vague dictums serve a dual purpose: they enable the authorities to bend the implementation of the law to their will and perpetuate self-censorship among Internet users who are in the dark about what kind of content they should circulate online. This fear-cloaked dynamic, coupled with the intensified crackdown on prominent bloggers and activists, has helped Vietnamese authorities telegraph an important message to the public: they would walk the talk in punishing anyone in breach of censorship laws. According to a report by Amnesty International, in 2018, Vietnamese authorities detained and charged thirty people for what the group considered online expression. Such documented cases were twenty-four in 2019, while twenty-one individuals have been arrested by November 2020.<sup>59</sup>

## **THE BLOOM IS OFF THE ROSE, BUT FACEBOOK IS HERE TO STAY**

The passage of Vietnam’s Cyber-Security Law in 2018 almost coincided with the headline-grabbing Cambridge Analytica scandal, when it was

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<sup>58</sup> Tara Francis Chan, “China’s ‘Great Firewall’ Is Taller Than Ever under ‘President-For-Life’ Xi Jinping”, *Business Insider*, 25 March 2018, <https://www.businessinsider.com/china-great-firewall-censorship-under-xi-jinping-2018-3>

<sup>59</sup> “‘Let Us Breathe!’ Censorship and Criminalization of Online Expression in Viet Nam”, Amnesty International, p. 41.

disclosed that millions of Facebook users' personal data were harvested without their consent.<sup>60</sup> This tarnished Facebook's reputation significantly. To put things in a regional perspective: Vietnam's Cyber-Security Law was being enforced at a time when Southeast Asian nations were moving away from the Silicon Valley model that allowed for greater freedom of expression and were embracing China's state censorship approach.<sup>61</sup> While weaponizing social media, many Southeast Asian governments have also sought to exploit them, Facebook included, as a valuable proxy for direct authoritarian control.<sup>62</sup> In the words of Maria Ressa, the Filipino journalist who won the 2021 Nobel Peace Prize for her advocacy of freedom of expression, "American technology giants created the platforms that enabled manipulation at a mass scale, structurally designed to undermine democracies by playing to our worst selves".<sup>63</sup> Meanwhile, despite some observations that talked up its revolutionary potential, social media alone could not have fanned the Arab Spring uprisings and the like. A growing body of evidence has shown that the role of social media as a force for democratization has been somewhat hyped up.<sup>64</sup>

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<sup>60</sup> Julia Carrie Wong, "The Cambridge Analytica Scandal Changed the World—But It Didn't Change Facebook", *The Guardian*, 18 March 2019, <https://www.theguardian.com/technology/2019/mar/17/the-cambridge-analytica-scandal-changed-the-world-but-it-didnt-change-facebook>

<sup>61</sup> "Is a Splinternet Emerging? ASEAN Nations Are Turning to a Chinese Model on Internet Censorship", *ASEAN Today*, 19 April 2019, <https://www.aseantoday.com/2019/04/is-a-splinternet-emerging-asean-nations-are-turning-to-a-chinese-model-on-internet-censorship/>

<sup>62</sup> Ronald Deibert, "The Road to Digital Unfreedom: Three Painful Truths About Social Media", *Journal of Democracy*, January 2019, <https://www.journalofdemocracy.org/articles/the-road-to-digital-unfreedom-three-painful-truths-about-social-media/>

<sup>63</sup> Maria Ressa, "Americans, Look to the Philippines to See a Dystopian Future Created by Social Media", *Los Angeles Times*, 25 September 2019, <https://www.latimes.com/opinion/story/2019-09-24/philippines-facebook-cambridge-analytica-duterte-elections>

<sup>64</sup> Daniel Gayo-Avello, *Social Media and Authoritarianism* (2015), <https://ssrn.com/abstract=2878705> or <http://dx.doi.org/10.2139/ssrn.2878705>

Rather, other longstanding and deep-seated socio-economic factors, such as unemployment, poverty, or growing inequalities, paved the way for the uprisings.

The Vietnamese government has co-opted and utilized Facebook on various fronts to the point that it would be all but possible to shut down the platform as they have threatened.<sup>65</sup> Vietnamese authorities have themselves acknowledged that blacking out such a wildly popular social media platform would only trigger a widespread public backlash. Ironically, Facebook has also become increasingly enmeshed in Vietnam’s online censorship mechanism.<sup>66</sup> From its very top level—Mark Zuckerberg—the social media giant has also been upfront about its willingness to placate censorship demands by Vietnamese authorities.<sup>67</sup>

## THE ONLINE TUG-OF-WAR CONTINUES

More than two decades since the Internet’s arrival in Vietnam, anti-state content has continued to dictate how the authorities tighten their screws in cyberspace (Figure 4). Since the passage and implementation of Vietnam’s Cyber-Security Law, Vietnamese authorities have, at least in their official rhetoric, focused less on enforcing one of its most controversial provisions which require foreign tech giants like Google,

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<sup>65</sup> James Pearson, “Exclusive: Vietnam Threatens to Shut Down Facebook over Censorship Requests—Source”, *Reuters*, 20 November 2020, <https://www.reuters.com/article/vietnam-facebook-shutdown/exclusive-vietnam-threatens-to-shut-down-facebook-over-censorship-requests-source-idUSL1N2I603T>.

<sup>66</sup> David S. Cloud and Shashank Bengali, “Facebook Touts Free Speech. In Vietnam, It’s Aiding in Censorship”, *Los Angeles Times*, 22 October 2020, <https://www.latimes.com/world-nation/story/2020-10-22/facebook-censorship-suppress-dissent-vietnam>

<sup>67</sup> Elizabeth Dwoskin, Tory Newmyer and Shibani Mahtani. “The Case Against Mark Zuckerberg: Insiders Say Facebook’s CEO Chose Growth over Safety”, *Washington Post*, 25 October 2021, <https://www.washingtonpost.com/technology/2021/10/25/mark-zuckerberg-facebook-whistleblower/>



online critics and activists is likely to continue dominating Western media coverage.<sup>69</sup> However, it would also be an oversimplistic narrative to frame that crackdown as a sign of Vietnam tolerating little public criticism even online. Vietnamese authorities have handled public political criticism, both online and in real life, with a calibrated mixture of toleration, responsiveness and repression.<sup>70</sup> The stability of authoritarian regimes is contingent on three pillars that shed light on different approaches to social media: repression, legitimation and co-optation.<sup>71</sup> Responsiveness and legitimacy are crucial to the resilience of an authoritarian regime like the Vietnamese case.

On the one hand, netizens have had some wiggle room to continue testing where the red line is within Vietnam's online sphere. At the same time, the authorities have also been able to bend the implementation of such mixture to their own will, many times leaving Internet users baffled about when toleration, responsiveness or repression would be enforced. Past and recent crackdowns on social media in Vietnam have shown that repression took place mostly when Internet users appeared to cross the aforementioned "Seven Bottom Lines", broaching issues such as political multilateralism, improved human rights, freedom of speech, Vietnam's dealing with China, and regime change.

A looming question is how both Internet users and the authorities make the most of their unlikely—and fickle—alliance with social media to push ahead with their own agendas.

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<sup>69</sup> Chris Humphrey, "Vietnam Jails Its 'Most Famous Activist' for Nine Years", *Washington Post*, 14 December 2021, [https://www.washingtonpost.com/world/asia\\_pacific/vietnam-press-freedom-pham-doan-trang/2021/12/14/8ed0f008-57e4-11ec-8396-5552bef55c3c\\_story.html](https://www.washingtonpost.com/world/asia_pacific/vietnam-press-freedom-pham-doan-trang/2021/12/14/8ed0f008-57e4-11ec-8396-5552bef55c3c_story.html)

<sup>70</sup> Dien Nguyen An Luong, "How Hanoi Is Leveraging Anti-China Sentiments Online", *ISEAS Perspective*, no. 2020/115, 13 October 2020, p. 2.

<sup>71</sup> Johannes Gerschewski, "The Three Pillars of Stability: Legitimation, Repression, and Co-optation in Autocratic Regimes", *Democratization* 20, no. 1 (2013): 13–38.

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