

**Vietnam and the US: The Odd Couple**  
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**By David Brown**

*An alliance of convenience becomes a strategic relationship*

Particularly in this American election year, human rights issues will test the durability of the rapprochement between Vietnam and the United States – former enemies now seemingly the best of friends.

Officials from Hanoi and Washington get together frequently these days. An eavesdropper on the bilateral contacts might conclude that the unpleasantness of two generations ago, what Vietnamese refer to as “the American war,” was just a speed bump on the road to intimacy.

Indeed, the officials have plenty to talk about. They are tending a lengthening list of shared interests that include booming two-way trade, the elaboration of a military partnership, US support for public health, education and environmental protection initiatives and a pact that could clear the way for transfers of American nuclear technology.

When the toasting begins after a day of negotiations, there are euphoric references to the ‘remarkable development’ of cooperation between Hanoi and Washington.

What’s remarkable isn’t that old enemies are now friends, but that an alliance of convenience has been dressed up and presented as a ‘strategic relationship.’

Two objectives have guided Hanoi’s re-engagement with the US:

- The regime’s ability to deliver sustained economic growth to Vietnam’s citizenry depends importantly on easy access to the American market and investment capital, and
- US military cooperation will cause China to think twice about pursuing expansionist ambitions in the South China Sea.

The bilateral economic relationship has been under development since the early 1990’s, when the collapse of the USSR knocked the props out from under Vietnam’s increasingly shaky ‘socialist’ economy. Diplomatic relations with the US were established in 1995, and a bilateral trade agreement was negotiated by mid-1999.

That trade pact wasn’t approved by the Politburo until more than a year later, however. First conservatives had to be persuaded to shelve their suspicions of American motives – in particular purported support for Vietnam’s of ‘peaceful political evolution’ on the Eastern European model. That hurdle passed. By 2007, with American mentoring and with reformists dominant in the party and government, Hanoi negotiated its admission to the World Trade Organization.

The WTO, however, has not had the tonic effect that reformers predicted. At the insistence of conservatives within its all-powerful Communist Party, Hanoi has continued to coddle a bloated and underperforming state sector. The resultant distortions have sapped the benefits the Vietnamese expected from economic globalization.

The policy stalemate over reform of its state enterprises may explain the Vietnamese government's otherwise surprising decision to follow the US into negotiations over a 'Trans-Pacific Partnership.' Other partners to the TPP negotiation are Singapore, New Zealand, Brunei, Chile, Malaysia, Australia and Peru and, very soon, also Japan, Korea, Canada, Mexico and Taiwan – but conspicuously not China. Vietnam is much the least developed of the group.

The TPP has been variously described as a springboard to an Asia-Pacific Free Trade Agreement and a '21st century paradigm' that would require adherents to free up agricultural trade and trade in services, remove quotas and enhance intellectual property protection (IPR).

As the TPP agreement is shaping up, Hanoi would surely benefit from better access to developed-country markets for its exports. In turn, however, it would also be compelled to end policy-induced distortions of its internal market in favor of the state enterprise sector and to address labor rights and IPR concerns. That may be precisely reformers' intention, that is, they may hope to use the market-opening pact to force a policy consensus on structural reform at home.

US-Vietnam security cooperation is a much more recent phenomenon, the linchpin of Vietnam's defense globalization strategy. Hanoi has also pursued stronger military ties with its Asean neighbors, Australia, Japan, India, France and Russia. Hanoi hopes these relationships will buttress its ability to withstand Chinese encroachments on disputed sea areas. Not that it wants to fight, of course. Hanoi's leaders respect China's strength and – on a party to party basis – value China's friendship as long as it stops short of bullying.

Vietnam's determination not to yield on maritime sovereignty issues dovetails nicely with US determination to prevent any curbs on freedom of navigation through the Malacca Straits/South China sea shipping lanes. The Pentagon has eagerly multiplied military-to-military training exercises with Vietnam, addressing search and rescue, maritime security and disaster relief. There have been well-publicized ship visits and quiet exchanges of military intelligence. To Hanoi's chagrin, however, Washington has waved off its requests to buy lethal military hardware.

The Vietnamese regime's posture on human rights will remain a weighty burden on the US-Vietnam relationship. There's a new generation of politically savvy Vietnamese-Americans who not only care about such things but can swing quite a few votes. Particularly in this American election year, Hanoi's repression of domestic dissidents can lob a spanner into the bilateral security and trade dialogues.

That shouldn't be a surprise to Hanoi. US officials from Secretary of State Hillary Clinton on down have emphasized that Vietnamese curbs on "universal human rights standards" are an impediment to closer ties. Sens. John McCain and Joseph Lieberman were explicit when they visited Hanoi in February: Vietnam "has a long laundry list of defense items it desires, [but] . . . it's not going to happen unless they improve their human rights record."

The connection between human rights performance and Vietnam's access to the US market isn't so direct. Whereas weapons sales to Vietnam would require Congress's specific approval, it's unlikely that the Congress would refuse to cooperate if a TPP is concluded. Still, Vietnam's exports remain vulnerable to any number of riders and resolutions that the

Congress can attach to prospective legislation, which includes a bilateral investment treaty and an agreement governing transfer of nuclear power technology.

There are plenty of ways human rights issues can condition the American stance. On March 20, for example, Vietnam was thumped by a commission established by the US Congress to monitor how other nations deal with issues of religious freedom. The commission recommended that Vietnam be designated a “Country of Particular Concern,” lumping it with the likes of North Korea, China, Iran and Sudan. Citing specifics, it accused Vietnam of “systematic and egregious violations of freedom of religion and belief” in 2011.

Vietnam’s been off America’s religious freedom blacklist since 2006. Reinstating it there doesn’t require the US administration to sanction Vietnam -- but it is yet another handy justification for Congressional opposition to things Hanoi wants from the US.

Will the commission’s condemnation induce Vietnam to change its behavior? Surely not in any obvious way – Hanoi typically digs in when it’s pressured. Chances are very slim to zero that the Communist regime is going to show more tolerance for people who advocate multiparty democracy or who insist on the right to establish religious, professional or labor organizations unsanctioned by the state. These are bedrock “social stability” issues for the regime. Whether reformist or conservative, Hanoi’s leaders consider maintaining the Party’s absolute monopoly of power to be more important to the regime’s survival than any strategic relationship or trade pact.

China could be a problem, too. The other threat to the ripening friendship between Washington and Hanoi is more Chinese interference with oil and gas exploration off Vietnam’s long coast. Twice last spring, Chinese coast guard vessels harassed survey vessels working for PetroVietnam and for a Philippine oil company. The incidents triggered a surge of patriotic protest in Vietnam and gave new urgency to Hanoi’s pursuit of strategic relationships with other regional actors.

Sinologists argue that the provocations last spring may have been unsanctioned initiatives by elements intent on defending China’s dubious claim to sovereignty over the South China Sea almost as far as Singapore. True or not, there is at the least a substantial faction in Beijing that doesn’t want other nations tapping (still undiscovered) oil and gas that they regard as China’s own.

Big oil companies have been put on notice that if they want a piece of the action in China, they’d better get out of Vietnam. Britain’s BP divested its Vietnam properties in 2010, and early this year the second-biggest American oil company, Conoco-Phillips, sold its US\$1 billion stake in Vietnam to a French firm. Exxon-Mobil, however, says it’s intent on developing a recent strike offshore central Vietnam.

Exploration activity picks up in the spring. More incidents like last year’s could put pressure on Washington to intervene. Inevitably they would play into US domestic politics.

It’s the job of diplomats not just to understand what their foreign counterparts are saying but also why, to maintain a clear-headed sense of the possible and, above all, not to oversell what’s on offer when they report to their political masters. Provided their diplomats have done that, both Hanoi and Washington ought to see merit in banking the fires under their courtship for a while -- at least till the end of the year. Neither side is in a position to move

much further forward. The immediate challenge will be to sustain what has been achieved, withstand stresses, and not succumb to disillusionment and/or recrimination.

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