

VIETNAM'S PRISONERS OF CONSCIENCE

The Viet Tan's report is presented by the Swiss Vietnam Committee COSUNAM who was constituted in Geneva in 1990 at the initiative of many Swiss citizens with the objectives to make the Swiss authorities and public opinion aware of the situation in Vietnam and to support all peaceful means for the democratization of Vietnam in the sense of the establishment of freedom of expression, free elections and more generally of public liberties in conformity with the Universal Declaration of Human Rights and Citizenship.

CONTACT:

media@viettan.org

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BACKGROUND INFORMATION

The Vietnamese government has continued to show its disregard for human rights. As a one-party state, Vietnam has oppressed independent media and outlawed any oppositional political parties. The crackdown on human rights defenders has intensified over the past seven years, with the use of vague penal codes to forcibly limit and suppress freedom of expression and peaceful political opposition. The penal code most often used to silence critical voices is Article 117 (propaganda against the state).

Since the Cybersecurity Law went into effect at the beginning of 2019, the authorities have used social media posts from platforms like Facebook to arrest and imprison activists. In August 2022, the Hanoi regime issued Decree 53 to require tech companies such as Meta and Google to store data locally in Vietnam. This type of policy is another way for the Vietnamese authorities to surveil its populace and restrict free expression.

Throughout 2022, a large number of activists were arrested and jailed in disregard of international human rights law that Vietnam has ratified, such as the International Covenant on Civil and Political Rights. The government targeted political critics such as prominent writer and activist Pham Doan Trang, who lost her appeal against a 9 year jail sentence, and vlogger Le Van Dung (Le Dung Vova), who was sentenced to 5 years in prison.



Pham Doan Trang in Court



Can Thi Theu holding a sign at a protest

BACKGROUND INFORMATION

Lately, Hanoi has expanded its repression tactics by detaining individuals speaking up about social injustice and environmental degradation. For example, five monks and a volunteer from an independent Buddhist community (Thien Am Ben Bo Vu Tru) were arrested and sentenced to a total of 23.5 years of prison for “abusing democratic freedoms.” On the other hand, Vietnamese authorities used charges of “tax evasion” to arrest and imprison several environmental activists, some were board members of a network established to monitor the implementation of the European-Vietnam Free Trade Agreement (EVFTA).

There are more than 300 activists imprisoned in Vietnam for their political opinions. The following biographies of Vietnamese prisoners of conscience are not exhaustive, but it provides an overview about the people who dare protect human rights and challenge authoritarian rule at the risk of spending decades in prison.



Huynh Thuc Vy in Court



Can Thi Theu and Trinh Ba Tu in Court



Truong Van Dung protesting in the middle of a busy intersection in Vietnam

Timeline: The Continued Crackdown of Human Rights in Vietnam

● Article 88
 ● Article 117
 ● Article 276
 ● Article 200
 ● Article 331

SEPTEMBER

Sept. 10: Journalists from Bao Sach arrested Truong Chau Huu Danh, Nguyen Thanh Nha, Doan Kien Giang, Nguyen Phuoc Trung Bao and Le The Thang (Art 331)
 Sept. 15: Nguyen Duy Linh arrested (Art 117)
 Sept. 20: Y Wo Nie arrested (Art 331)



NOVEMBER

Nov. 15: Nguyen Tri Gioan sentenced to 7 years in prison (Art 117)

JANUARY

Jan. 7: Monks Le Tung Van, Le Thanh Trung Duong, Le Thanh Hoan Nguyen, Le Thanh Nhat Nguyen arrested for abusing democratic freedoms (Art 331)
 Jan. 11: Mai Phan Loi sentenced to 4 years in prison (Art 200)
 Jan. 11: Environmentalist Nguy Thi Khanh arrested (Art 200)
 Jan. 12: Facebooker Le Manh Ha arrested (Art 117)
 Jan. 14: Former Captain Le Chi Thanh sentenced to 2.5 years in prison (resisting enforcement authority)
 Jan. 15: Nguyen Duc Hung arrested (Art 117)
 Jan. 19: Nguyen Van Oai freed after serving 4.5 years in prison
 Jan. 24: Hanoi court sentenced Dang Dinh Bach to 5 years in prison (Art 200)

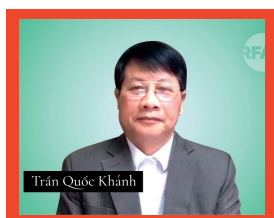
2021

OCTOBER

Oct. 5: Vo Hoang Tho arrested (Art 331)
 Oct. 7: Dinh Van Hai arrested (Art 117)
 Oct. 14: Thach Rine arrested (Art 331)
 Oct. 21: Nguyen Thien Nghia arrested (Art 288)
 Oct. 28: 5 journalist from Bao Sach sentenced to 14.5 years in prison (Art 331):

- Truong Chau Huu Danh (4.5 years)
- Doan Kien Giang (3 years)
- Le The Thang (3 years)
- Nguyen Phuoc Trung Bao (2 years)
- Nguyen Thanh Nha (2 years)

 Oct. 28: Tran Quoc Khanh sentenced to 6 years in prison (Art 117)



DECEMBER

Dec. 1: Huynh Thuc Vy arrested (Art 276)
 Dec. 14: Pham Doan Trang sentenced to 9 years in prison (Art 117)
 Dec. 15: Trinh Ba Phuong and Nguyen Thi Tam sentenced to 10 years and 6 years in prison (Art 117)
 Dec. 16: Do Nam Trung sentenced to 10 years in prison (Art 117)
 Dec. 17: Appeals court upheld 10 years sentence for Vu Tien Chi (Art 117)
 Dec. 24: Appeals court upheld 8 years sentence for Can Thi Theu and Trinh Ba Tu (Art 117)
 Dec. 31: Le Trong Hung sentenced to 5 years in prison and 5 years probation (Art 117)



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MAY

- May 6: Tran Hoang Huan sentenced to 8 years in prison (Art 117)
- May 11: Ho Duc Hoa freed and expelled to the US
- May 12: Cao Thi Cuc arrested (Art 331)
- May 20: Y Wo Nie sentenced to 4 years in prison (Art 331)
- May 21: Truong Van Dung arrested (Art 88 of 1999 penal code)



MARCH

- Mar. 1: Tran Van Bang arrested (Art 117)
- Mar. 23: Le Van Dung (Le Dung Vova) sentenced to 5 years in prison (Art 117)
- Mar. 24: Appeals court upheld 10 years sentence for Do Nam Trung (Art 117)
- Businesswoman Nguyen Phuong Hang arrested for abusing democratic freedoms (Art 331)



2022



APRIL

- Apr. 5: Nguyen Hoai Nam sentenced to 3.5 years in prison (Art 331)
- Apr. 7: Phan Bui Bao Thy sentenced to 1 year of "non-custodial reeducation" (Art 331)
- Apr. 13: Appeals court upheld 2 years sentence for former Captain Le Chi Thanh (resisting enforcement authority)
- Apr. 14: Facebooker Dang Nhu Quynh arrested for posting "unverified informations"
- Apr. 20: Appeals court upheld 5 years sentence for Le Trong Hung
- Apr. 26: Dinh Van Hai sentenced to 5 years in prison (Art 117)

FEBRUARY

- Feb. 5: Former journalist Doan Tu Tan arrested for abusing democratic freedoms (Art 331)
- Feb. 17: Appeals court upheld 6.5 years sentence for Tran Quoc Khanh (Art 117)
- Feb. 28: Appeals court upheld 11 years sentence for Le Huu Minh Tuan (Art 117)



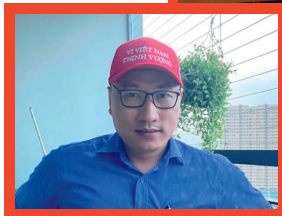
Timeline: The Continued Crackdown of Human Rights in Vietnam

● Article 88
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 ● Article 200
 ● Article 331



SEPTEMBER

Sept. 7: Bui Tuan Lam (Peter Lam Bui) arrested (Art 117)
 Sept. 8: Dang Dang Phuoc arrested (Art 117)
 Phan Son Tung (Thinh Vuong party) arrested (Art 117)

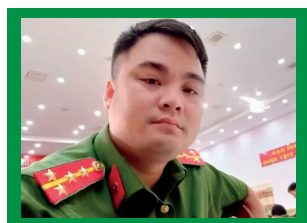


JULY

July 5: Nguyen Lan Thang arrested (Art 117)
 July 13: Nguyen Duc Hung sentenced to 5.5 years in prison (Art 117)
 July 20: 6 Monks sentenced to prison (Art 331):

- Le Tung Van (5 years)
- Le Thanh Trung Duong (4 years)
- Le Thanh Hoan Nguyen (4 years)
- Le Thanh Nhat Nguyen (4 years)
- Le Thanh Nhi Nguyen (3.5 years)
- Cao Thi Cuc (3 years)

2022



AUGUST

Aug. 2: Blogger Do Cong Duong died in prison
 Aug. 16: Appeals court upheld 4 years sentence for Y Wo Nie (Art 331) and 5 years sentence for Le Van Dung (Art 117)
 Aug. 17: Appeals court upheld 10 years sentence for Trinh Ba Phuoc and 6 years sentence for Nguyen Thi Tam (Art 117)
 Aug. 25: Appeals court upheld 9 years sentence for Pham Doan Trang (Art 117)
 Aug. 30: Le Anh Hung sentenced to 5 years in prison (Art 331)

JUNE

June 9: Nguyen Duy Linh sentenced to 5 years in prison and 5 years probation (Art 117)
 June 17: Nguỵ Thi Khanh sentenced to 2 years in prison
 June 22: Former Captain Le Chi Thanh sentenced to an additional 3 years in prison for abusing democratic freedoms (Art 331)
 June 23: Phan Huu Diep Anh sentenced to 1.5 years in prison for abusing democratic freedoms (Art 331)



RECOMMENDATIONS

Support Vietnamese human rights defenders and pro-democracy activists:

- During meetings with Vietnamese officials, please raise concerns about prisoners of conscience, including the following individuals who face long prison sentences and mistreatment in detention: Le Dinh Luong, Pham Doan Trang, Tran Huynh Duy Thuc, Nguyen Van Tuc, Pastor Nguyen Trung Ton, Truong Minh Duc, Chau Van Kham, Nguyen Van Vien, Tran Van Quyen, Tran Thi Xuan, Le Dinh Cong, and Le Dinh Chuc.
- Request Embassy officials in Vietnam to regularly visit imprisoned political activists. Even if those requests are denied, the effort makes Vietnamese officials aware that the international community is paying attention, helping political prisoners avoid mistreatment and improve detention conditions.
- Request prisoners of conscience be imprisoned near their family home. Most of them are imprisoned more than 1000 kilometers (600+ miles) from their families, which is a form of isolation and torture.
- Request that prisoners of conscience receive a yearly health checkup made by a doctor the family chooses, because the unhygienic prison condition and mistreatment causes the health of the activist to quickly decline.
- Request Embassy officials in Vietnam to receive family members of imprisoned activists on special occasions such as International Human Rights Day, the Lunar New Year, and the National Day of your country, etc.



RECOMMENDATIONS

Support online freedom of expression:

- Urge major internet companies to not comply with the Vietnamese government's demand to censor content when that content does not violate any international standards.

Deepen focus on legal reform:

- Call for the repeal of Articles 109 (Subversion), 117 (Propaganda against the Vietnam state), 118 (Public disorder) and 331 (Abuse of democratic freedoms) in the Vietnamese Penal Code, which are used to silence political opposition.
- Urge Vietnam to ratify the Optional Protocol of the UN Convention Against Torture and all the ILO Conventions to protect workers.
- Continue to request Embassy officials to attend political trials.

Always include concerns about human rights in engagement with Vietnam:

- Incorporate calls for legal reform into the agenda when promoting higher education and trade with Vietnam.
- Develop a roadmap linking human rights improvements with closer security and trade ties.
- Establish benchmarks during human rights dialogue with Vietnam. Insist on human rights progress as a condition to any high level delegation visits.

