

OTHER ACTIVISTS



Human rights defender Pham Doan Trang being tried at the Hanoi People's Court

Vietnam's civic space rating remains 'closed' in ratings [published](#) by the CIVICUS Monitor in December 2021. Among concerns raised by civil society through the year were the use of restrictive laws to criminalise activists, the targeting of journalists, surveillance and allegations of torture and ill-treatment.

In January 2022, Human Rights Watch (HRW) [published](#) its annual report which found that the Vietnamese government hid behind the COVID-19 pandemic to carry out a severe crackdown on peaceful activism. HRW said that people who publicly criticise the government or Communist Party leaders on social media routinely face harassment, intimidation, intrusive surveillance, restrictions on freedom of movement, physical assault and arrest. After being detained for exercising their rights, people face abusive interrogation, long detention periods without access to legal counsel or their families, and trial by politically controlled courts meting out increasingly lengthy prison sentences.

Since October 2021, the authorities have convicted sentenced human rights defender and journalist Pham Doan Trang to nine years' imprisonment as well as five journalists of the now-shuttered Báo Sạch (Clean Newspaper). A number of individuals have been arrested and convicted for exercising their freedom of expression online while Facebook was accused of removing "anti-state" posts. Others arrested or jailed include political and land rights activists.

Expression

Prominent human rights defender and journalist jailed

🇻🇳 **#Vietnam**: The decision to sentence **#humanrightsdefender** Pham Doan Trang to 9 years in jail sends a further chilling message for media freedom and freedom of expression in the country.

👊 We stand with her and other convicted activists and will keep demanding their release.
pic.twitter.com/IG0R3xgFIV

— CIVICUS (@CIVICUSalliance) December 21, 2021

Human rights defender and independent journalist Pham Doan Trang was **sentenced** to nine years in prison by The People's Court of Hanoi on 14th December 2021. She was arrested in Ho Chi Minh City on 7th October 2020 and charged under Article 88 of the 1999 Criminal Code which criminalises “making, storing, distributing or disseminating information, documents and items against the Socialist Republic of Viet Nam.”

The indictment in Pham Doan Trang's case includes as evidence several of her published works on environmental and human rights issues, as well as two interviews she gave to Radio Free Asia and the British Broadcasting Corporation (BBC).

In a statement released ahead of her trial, Pham Doan Trang **wrote**, “The longer the prison sentence, the more demonstrable the authoritarian, undemocratic and anti-democratic nature of the Socialist Republic of Vietnam.”

According to **Amnesty International**, Pham Doan Trang was held incommunicado from the time of her arrest until 19th October 2021, when she was finally allowed to meet with one of her lawyers after having been denied access to her family and legal representation for over a year.

On 25th October 2021, the UN Working Group on Arbitrary Detention (WGAD) **issued** Opinion No. 40/2021 concerning Pham Doan Trang. The WGAD found her detention to be arbitrary and called for her immediate release.

Pham Doan Trang is among the **leading voices** and best-known independent writers in Vietnamese civil society and recognised internationally for her human rights advocacy. She is the author of thousands of articles, blog entries, Facebook posts and numerous books about politics, social justice and human rights.

In 2019, Reporters Without Borders **awarded** her a Press Freedom Prize in recognition of her impact. Her work at the Liberal Publishing House helped it receive the prestigious Prix Voltaire award in 2020 for its continued coverage in spite of risks and dangers of reprisals. On 20th January she was named this week as a **recipient** of the 2022 Martin Ennals Award for Human Rights Defenders, the first rights activist from Vietnam to be given the award.

Journalists convicted for their reporting

Besides Pham Doan Trang, other journalists have also continued to be targeted in recent months in Vietnam. On 28th October 2021, a court in southern Vietnam **sentenced** five independent journalists to long prison terms after a two-day trial, for writing articles authorities said had slandered government leaders.

As previously **documented**, the members of the now-shuttered Báo Sạch (Clean Newspaper) Facebook group had been charged under Article 331 of Vietnam's Penal Code with “abusing the rights to freedom and democracy to violate the State's interests and the legitimate rights and interests of organisations and individuals.”

Handed the heaviest sentence, journalist Truong Chau Huu Danh was sentenced to four years and six months, while Doan Kien Giang and Le The Thang received sentences of three years each, and Nguyen Phuoc Trung Bao and

Nguyen Thanh Nha were each given two-year sentences.

Criminalised for online expression

A number of individuals have been arrested and convicted for exercising their freedom of expression online.

Vietnamese authorities on 6th October 2021 **arrested** a Facebook user, charging him with “abusing freedom and democracy” for writing a series of online posts they said had defamed the country’s leaders. Vo Hoang Tho, 36 years old and a resident of the Ninh Kieu district of southern Vietnam’s Can Tho City, had published 47 posts on his Minh Long Facebook page criticising government efforts to prevent and control the spread of COVID-19 in the one-party communist state

61-year old Tran Quoc Khanh, has been detained for weeks after **#Vietnam** police arrested him for using Facebook to post articles on human rights and state corruption. He also recently announced his intention to run in the National Assembly. <https://t.co/Spzeq6xUpV>

— Human Rights Foundation (@HRF) **March 17, 2021**

On 29th October 2021, an aspiring political candidate was **sentenced** to 6.5 years in prison for social media video streams critical of the government. Tran Quoc Khanh, 61, was arrested in March 2021 and charged with “creating, storing, disseminating and spreading information, materials and items against the Socialist Republic of Vietnam” under Article 117, Vietnam’s Penal Code. He also received two years’ probation. Before his arrest, Khanh announced that he would nominate himself as a candidate for a seat in the National Assembly.

Vietnam should immediately release human rights activist Do Nam Trung and drop charges against him.

He previously spent 14 months in prison after advocating for democracy and human rights. He now faces up to 12 years on propaganda charges. <https://t.co/Ol8GnRjp8c>
[pic.twitter.com/r9pY6Nxegi](https://t.co/r9pY6Nxegi)

— Human Rights Watch (@hrw) **December 15, 2021**

A court in Vietnam on 16th December 2021 **handed down** a 10-year prison term to Do Nam Trung, a human rights activist accused of criticising the government on social media. He was convicted in a trial lasting just under four hours in the People’s Court of Nam Dinh City in northern Vietnam. He had been charged with “spreading materials against the State” under Article 117 of Vietnam’s Penal Code. Trung had taken part in several social movements and had spoken out against official corruption on his Facebook page. He had also posted criticisms of the build-operate-transfer highways that Vietnam has adopted in recent years, sparking rare protests over toll collections described by many motorists as unfair.

Facebook removed “anti-state” posts

In October 2021, The Washington Post **reported** that Facebook CEO Mark Zuckerberg personally caved in to a demand from Vietnam’s ruling Communist Party, in late 2020, to help silence anti-government critics in Vietnam.

The Post cited three unnamed sources said to be familiar with Zuckerberg’s call, which they say effectively handed the Vietnamese government the power to remove “anti-state” posts from Facebook platforms. The Facebook CEO reportedly gave in to the demand following a threat that the company could be knocked offline in Vietnam, where it earns an estimated USD 1 billion in annual revenue.

The report states that more than 2,200 posts were blocked between July and December 2020 as compared to a total of 834 in the previous six months.

Nguyen Tuan Khanh, a prominent musician and activist who has regularly criticised the government, **told** AFP many Vietnamese were "disappointed to see Facebook choose profit" over values associated with the United States, "a country that chose democracy and freedom". He said campaigners had used Facebook to try to spread democratic ideas and had organised demonstrations via the platform.

More than 53 million people use Facebook in Vietnam, accounting for over half the population.

Separately, in December 2021, Facebook **said** it had removed a network of accounts on the platform that coordinated attacks against Vietnamese activists who criticised the government. In its Adversarial Threat Report, Meta said users of the accounts abused Facebook policy by "mass reporting," which is an organised effort to flag content with the intent of getting its author's account suspended. The accounts in this case targeted anti-government posts.

Association

Individual charged for connections with US-based exile group

On 15th October 2021, Vietnamese authorities **arrested and charged** a man with "carrying out activities to overthrow the government," for joining a US-based exile Vietnamese organisation branded by Vietnam as an overseas terrorist group. He was also accused of promoting the organisation to others and encouraging them to take part in a referendum on supporting its US citizen leader, Dao Minh Quan, as the rightful president of the country.

According to RFA, Nguyen Doan Quang Vien, 39, of Lam Dong province and Ho Chi Minh City, had asked to join the Provisional Government of Vietnam after learning of its existence on social media in 2017. Based in California, the Provisional Government of Vietnam was founded in 1991 by former soldiers and refugees loyal to the US-backed government of South Vietnam that was overthrown and absorbed by North Vietnam in 1975.

As previously **documented**, authorities have this year arrested at least three others for allegedly joining the Provisional Government of Vietnam. In August 2021, the court sentenced Tran Huu Duc of Nghe An province to three years in prison and Ngo Cong Tru from Phu Yen province to 10 years. Police detained Le Thi Kim Phi from An Giang province in September 2021, but she has yet to be sentenced.

Vietnam **designated** the "Provisional Government of Vietnam" as a terrorist organisation in 2018 and has continuously arrested and imprisoned many people on the charge of being involved in the group over the year.

Land rights activists imprisoned

The Hanoi People's Court tried land rights activists Trinh Ba Phuong and Nguyen Thi Tam on the morning of December 15. The trial concluded at around 1:15 p.m. on the same day. Their families were not allowed to enter the courthouse. <https://t.co/jiRmrEX3aA>

— The Vietnamese Magazine (@thevnmesemag) **December 16, 2021**

On 15th December 2021, a Hanoi court sentenced activist Trinh Ba Phuong to 10 years in prison and five years of probation after his release. The court also sentenced Nguyen Thi Tam to six years in prison and three years of probation after her release.

Trinh Ba Phuong and Nguyen Thi Tam are **land rights activists** in Duong Noi Commune, Ha Dong District, Hanoi City. They became activists after their land was confiscated by the local authorities without just compensation. Phuong and Tam have also been amplifying the voices of farmers at **Dong Tam** Village, following a police raid of the village in January 2020.

Police **arrested** Nguyen Thi Tam and Trinh Ba Phuong in June 2020 for having “prepared, published and disseminated video clips and writing with distorted contents that sow confusion among the people in order to oppose the State,” in violation of Article 117 of the Penal Code, a restrictive law used to criminalise activists.

Phil Robertson, deputy Asia director at Human Rights Watch **said**: “The Vietnamese government is using criminal law to intimidate and shut down people peacefully protesting against land confiscation. The government should release these two activists and all others arrested and imprisoned under Article 117 and abolish this abusive law.”

Independent political candidate convicted

🇻🇳 **#Vietnam**: “Le Trong Hung’s shocking 5-year prison sentence has yet again highlighted the Vietnamese justice system’s complete lack of independence,” said Daniel Bastard, the head of [@RSF_AsiaPacific](https://t.co/wLh5BVi9xM) <https://t.co/wLh5BVi9xM>

— IFEX (@IFEX) [January 13, 2022](#)

A Vietnamese journalist arrested after nominating himself as an independent candidate in elections to the country’s National Assembly was **sentenced** to five years on 31st December 2021 by a court in the capital Hanoi.

Le Trong Hung was arrested in March 2021 after declaring his candidacy in the May 2021 election in a challenge to political processes tightly controlled by the ruling Communist Party. He was charged with “creating, storing, disseminating information, materials, items and publications against the Socialist Republic of Vietnam” Under Article 117 of Vietnam’s Penal Code, a vague and restrictive law used to silence dissent.

Hung, 79, is a former teacher and founder of CHTV Television, which formerly livestreamed videos on social and political issues. In 2017 he began reporting as a citizen journalist on Facebook and YouTube, commenting on social issues and advising people petitioning the government. He also participated in anti-China protests and protests for environmental conservation. He used social media to share news about protests in Myanmar and the struggles of Vietnamese activists.

As previously **documented**, the 15th National Assembly held in May 2021, was nothing more than the reaffirmation of a decades-old political monopoly of the Vietnamese Communist Party (VCP), the only party allowed on the ballot. Although some independent candidates have been permitted to run, they are subject to vetting by a VCP-controlled body. **Independent candidates** were arrested, and several others intimidated, for their involvement. The government also **manipulated online discourse** through an electronic army of paid commentators.

Authorities use tax evasion charges against activist

🇻🇳 **#Vietnam**: 200 days after his incarceration, journalist Mai Phan Loi was sentenced yesterday by the Hanoi People’s Court to 4 years in prison for alleged “tax fraud”. [@RSF_inter](https://t.co/nsY4bNub1V) calls for his immediate and unconditional release. <https://t.co/nsY4bNub1V>

— RSF (@RSF_inter) [January 12, 2022](#)

On 11th January 2022, the Hanoi People’s Court held a trial for Mai Phan Loi, a former journalist and founder of a non-profit organisation, over “tax evasion” charges. The court **sentenced** the former journalist to a total of 48 months in jail on the same day. He was also ordered to reimburse the tax evasion money, state media reported.

According to **The 88 Project**, Mai Phan Loi, 50-years-old, is a former editor-in-chief of Phap Luat, a prominent state-run magazine focused on legal issues. In 2016, he was one of the representatives of the Vietnamese civil organisation allowed to meet then-President Barack Obama in Hanoi. Loi was officially arrested in July 2021 and consequently charged with “committing tax evasion” under Article 200 of Vietnam’s Penal Code.

Loi is an executive board member of the VNGO-EVFTA Network, a group of seven community service organisations (CSOs) established in November 2021 to satisfy the formation of the Domestic Advisory Group (DAG), a civil society component of the EU-Vietnam Free Trade Agreement (EVFTA).

The Vietnamese authorities often use “tax evasion” charges to stifle critical and influential voices when they do not have strong evidence to prosecute using “anti-state” allegations.

Land rights activist arrested

Yet another land rights activist arrested in [#Vietnam](#). [#Hanoi](#) is wiping out any form of dissidence & protest by systematically violating people's rights right to freedom of expression, association, & assembly. Now it's Le Manh Ha's turn. Outrageous! [@hrw](#)
<https://t.co/6RvZcqqbml> pic.twitter.com/NM23sNI213

— Phil Robertson (@Reaproy) [January 14, 2022](#)

On 13th January 2021, police in Vietnam [arrested](#) land rights activist Le Manh Ha on charges of spreading anti-state materials on social media. He had been operating a YouTube account called “People’s Voice Television” and a Facebook account called “Voice of the Vietnamese People,” where he shared his criticisms of the government.

According to Radio Free Asia (RFA), the government took his community’s land in Na Hang district in the northern province of Tuyen Quang years ago to build a power plant. He has said that the government has not yet paid him and his former neighbours proper compensation. Since then, Ha has studied Vietnamese law and has helped others with legal advice and petitioning the government.

Police in plainclothes arrested Ha in Tuyen Quang’s Chiem Hoa district. They took him to his current home in Tuyen Quang city and searched his house. His family told RFA’s Vietnamese Service that the authorities have not yet provided them with any documentation related to the arrest.

While all land in Vietnam is ultimately held by the state, land confiscations have become a flashpoint between citizens and their government. Some small landholders have accused authorities of pushing them aside in favour of lucrative real estate or infrastructure projects, and then paying too little in compensation.

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