

The State of the World's Human Rights; Viet Nam 2023

Background

Viet Nam took its seat on the UN Human Rights Council in January. Since announcing its candidacy in February 2021, dozens of journalists, NGO leaders, human rights defenders and others had been subjected to arbitrary arrest and detention. Võ Văn Thưởng replaced Nguyễn Xuân Phúc as President in March, but the transition brought no improvement in the human rights situation.

Freedom of expression

Arrests and prosecutions of journalists and political, environmental and other activists for expressing their opinions continued. On 12 April, the People's Court in the capital, Hanoi, sentenced prominent activist and independent journalist Nguyễn Lâm Thắng to six years in prison in a closed hearing. He was arrested on 5 July 2022 on charges of “making, storing, distributing, or disseminating information, documents, and items against the state” under Article 117 of the 2015 Criminal Code. Nguyễn Lâm Thắng was held in Hanoi's Detention Centre No. 1 for more than seven months following his arrest, and was only permitted to meet his lawyer for the first time on 16 February.¹

In March, human rights defender Trương Văn Dũng was found guilty of disseminating “propaganda against the government” and sentenced to six years' imprisonment under Article 88 of the earlier 1999 version of the Criminal Code, which still applied when he was initially charged. He was arrested on 21 May 2022 after being accused of giving interviews to foreign media and possessing copies of two “illegally printed books”. During his trial, Trương Văn Dũng accused the police of beating him but no investigations into the allegations were known to have taken place.²

On 6 April, the wife of activist Bùi Tuấn Lâm received a notification from the authorities that investigations against him had been completed and that he would be tried under Article 117 of the 2015 Criminal Code for “disseminating propaganda against the state”. The charges related to dozens of videos that he had posted on Facebook and YouTube. Bùi Tuấn Lâm, who is well-known for his satirical videos on human rights and social issues, was first questioned by the Da Nang city police in November 2021 after a video making fun of the Minister of Public Security eating in an expensive London restaurant went viral on Facebook. On 25 May, he was sentenced to five-and-a-half years in prison.³

On 5 July, the Vietnamese police announced that Youtuber Đường Văn Thái was in pretrial detention having been charged under Article 117 of the 2015 Criminal Code. Đường Văn Thái had been granted refugee status in Thailand in 2020 but went missing in the Thai capital, Bangkok, on 13 April 2023. Witness testimony and circumstantial evidence suggested he was abducted from Thailand by Viet Nam state agents.

The Ho Chi Minh City Court sentenced environmental activist Hoàng Thị Minh Hồng to three years' imprisonment on trumped-up charges of tax evasion. She was the fifth prominent environmental campaigner to be accused of tax evasion since 2021.

During a visit by family members in December, imprisoned journalist Lê Hữu Minh Tuấn said that his health had deteriorated significantly and that he feared he may die if he did not receive appropriate medical care. Lê Hữu Minh Tuấn, who is serving an 11-year sentence for “opposing the state”, was reported to be suffering from colitis, hepatitis and other possible ailments.

Death penalty

Figures on executions and death sentences remained classified as a state secret preventing independent scrutiny. However, on at least two occasions families received notification of the execution or imminent execution of relatives. The family of Nguyễn Văn Chưởng, who was sentenced to death in July 2007, received a notification from the People’s Court of Hải Phòng on 4 August 2023, instructing them to make arrangements to receive Nguyen’s remains.⁴

On 18 September, the family of Lê Văn Mạnh were informed that the decision to execute him was confirmed. They were subsequently told that he had been executed on 22 September without having been allowed to visit him first.

Both men had alleged that they had “confessed” to the crimes of which they were convicted under torture by police.⁵

Unlawful surveillance

Research by Amnesty International revealed that between February and June, a campaign connected to Intellexa’s Predator spyware attack infrastructure targeted at least 50 social media accounts belonging to 27 individuals and 23 institutions, some of whom were Vietnamese. Amnesty International found that Intellexa tools were sold to Vietnamese companies which had business links to the Vietnamese Ministry of Public Security. The research suggested that Vietnamese government agents may have been behind the spyware campaign.⁶
