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## *Vietnam*

### *Events of 2021*

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Vietnam systematically suppresses basic civil and political rights. The government, under the one-party rule of the Communist Party of Vietnam (CPV), severely restricts freedom of expression, association, peaceful assembly, movement, and religion.

Prohibitions continued in 2021 on the formation or operation of independent unions and any other organizations or groups considered a threat to the Communist Party's monopoly on power. Authorities blocked access to sensitive political websites and social media pages, and pressured social media and telecommunications companies to remove or restrict content critical of the government or the ruling party.

Critics of the government or party face police intimidation, harassment, restricted movement, arbitrary arrest and detention, and imprisonment after unfair trials. Police hold political detainees for months without access to legal counsel and subject them to abusive interrogations. Party-controlled courts sentence bloggers and activists on bogus national security charges.

In January 2021, the CPV held its 13th congress, during which it selected the country's new politburo. Of the 18 members, at least seven, including Vietnam's new prime minister, Pham Minh Chinh, have affiliation with the Ministry of Public Security. In May, Vietnam held a tightly controlled and scripted national election in which all candidates had to be approved by the CPV. Several dozen independent candidates were intimidated and disqualified, and two were arrested.

Vietnam boasted successes in 2020 and the first five months of 2021 in combating Covid-19. But as the Delta variant swept through the region, by early November there were more than 939,000 positive cases and more than 22,000 deaths. Law enforcement violated rights by using excessive force to make people undergo compulsory Covid-19 tests and quarantine, and to enforce compliance with the lockdown.

Authorities in Ho Chi Minh City, Hanoi, and other places put up blockades and locked gates to restrict movement during the lockdown without measures in place to ensure people could evacuate in case of emergency, access urgent medical care, or procure food and other necessities. Authorities provided inadequate pandemic relief. Many people, especially migrant and freelance workers, relied heavily on help from community networks, both for food and medical services. Hundreds of thousand people fled Ho Chi Minh City for their hometowns as soon as the strict lockdown was eased.

## **Freedom of Expression, Opinion, and Speech**

Dissidents and rights activists face routine harassment, intimidation, arbitrary arrest and imprisonment. In 2021, the courts convicted at least 32 people for posting critical opinions about the government and sentenced them to many years in prison. Police arrested at least 26 other people on fabricated political charges.

The government regularly uses penal code Article 117, criminalizing the act of “making, storing, disseminating, or propagandizing information, materials and products that aim to oppose the State,” against civil society activists. In January, a Ho Chi Minh City court put prominent members of the Independent Journalists Association on trial. Pham Chi Dung, Nguyen Tuong Thuy, and Le Huu Minh Tuan were convicted and sentenced to between 11 and 15 years in prison.

In May, a court in Hoa Binh province sentenced land rights activist Can Thi Theu and her son Trinh Ba Tu each to eight years in prison. In July, a Hanoi court convicted writer Pham Chi Thanh and sentenced him to five years and six months in prison. The authorities sent at least 12 other people to prison for violating Article 117, including Dinh Thi Thu Thuy in Hau Giang (seven years); Vu Tien Chi in Lam Dong (10 years); Le Viet Hoa, Ngo Thi Ha Phuong and Nguyen Thi Cam Thuy in Khanh Hoa (five, seven, and nine years respectively); Tran Thi Tuyet Dieu in Phu Yen province (eight years); Dang Hoang Minh in Hau Giang (seven years); Cao Van Dung in Quang Ngai (nine years); N.L.D. Khanh in Da Nang (four years); Nguyen Van Lam in Nghe An (nine years); Tran Quoc Khanh in Ninh Binh (six years and six months); and Nguyen Tri Gioan in Khanh Hoa (seven years).

Police arrested rights defender Nguyen Thuy Hanh in April, blogger Le Van Dung (known as Le Dung Vova) in June, and former political prisoner Do

Nam Trung in July, also for allegedly conducting propaganda against the state. Others arrested and held under the same charge include Le Trong Hung, Nguyen Duy Huong, Nguyen Bao Tien, Tran Hoang Huan, Bui Van Thuan, Nguyen Duy Linh, Dinh Van Hai, and Le Van Quan. Prominent dissident Pham Doan Trang was held for more than a year without access to legal counsel and family visits.

In 2021, the courts convicted and sentenced at least 11 people including Le Thi Binh, sister of former political prisoner Le Minh The, for “abusing the rights to freedom and democracy to infringe upon the interests of the state” under Article 331 of the penal code. Police also arrested at least 12 other people on the same charge, including members of Bao Sach (Clean Newspaper), a group of independent journalists fighting against corruption and rights abuses. In October, a court in Can Tho province sentenced members of Bao Sach to between two and four-and-a half-years in prison.

### **Freedom of Media, Access to Information**

The government prohibits independent or privately owned media outlets, and imposes strict control over radio and television stations, and print publications. Authorities block access to websites, frequently shut down blogs, and require internet service providers to remove content or social media accounts deemed politically unacceptable.

In July 2021, state media in Vietnam reported that the Ministry of Information and Communications praised Facebook and Google for responding to requests from the Vietnamese government. They said that during the first six months of 2021, Facebook removed 702 posts and accounts, and Google removed 2,544 videos and channels on YouTube that “distorted leaders of the Party, the State, and the 13th Party Congress.” The government also claimed Facebook responded affirmatively to 97 percent, and Google to 98 percent, of the government’s requests, and usually acted within 24 hours.

Reuters reported that Facebook also removed a number of pro-government groups and accounts for “coordinating attempts to mass report content.”

Facebook did not comment on the statement from the Vietnam government, but in a communication to Human Rights Watch in November 2021, acknowledged that “we do restrict some content in Vietnam to help ensure our services remain available for millions of people who rely on

them every day.” Google did not respond to Human Rights Watch’s request for comment at time of writing.

During the year, authorities also imposed monetary fines on hundreds of people for spreading what the government claimed was misinformation relating to Covid-19 and the government’s handling of the pandemic. Several people were arrested for posting allegedly distorted, fabricated, or fake news.

### **Freedom of Association, Assembly, and Movement**

Government prohibitions remain in place on independent labor unions, human rights organizations, and political parties. People trying to establish unions or workers’ groups outside approved government structures face harassment, intimidation, and retaliation from the authorities. Authorities require approval for public gatherings, and systematically refuse permission for meetings, marches, or public gatherings they deem to be politically unacceptable.

The Vietnamese government routinely violates the right to freedom of movement by subjecting dissidents, environmental activists, human rights defenders, and others to arbitrary periods of house arrest, intimidation, and even kidnapping to stop them from attending protests, criminal trials, meetings with diplomats, and other events. In January, a number of dissidents and activists including Huynh Ngoc Chanh, Nguyen Thuy Hanh, Dinh Duc Long, Truong Thi Ha, Tran Bang, Mac Van Trang, and Nguyen Thi Kim Chi reported that they were placed under house arrest during the Communist Party Congress. In August, during the visit of United States Vice President Kamala Harris to Hanoi, security agents also put Huynh Ngoc Chanh under house arrest.

Authorities blocked critics from domestic and international travel, including by stopping them at airports and denying passports or other documents that allow them to leave or enter the country.

### **Freedom of Religion**

The government restricts religious practice through legislation, registration requirements, and surveillance. Religious groups must get approval from, and register with, the government and operate under government-controlled management boards. While authorities allow government-

affiliated churches and pagodas to hold worship services, they ban religious activities that they arbitrarily deem to be contrary to the “national interest,” “public order,” or “national unity,” including many ordinary types of religious functions.

Police monitor, harass, and sometimes violently crack down on religious groups operating outside government-controlled institutions. Unrecognized religious groups—including Cao Dai, Hoa Hao, Christian, and Buddhist groups—face constant surveillance, harassment, and intimidation. Followers of independent religious groups are subject to public criticism, forced renunciation of faith, detention, interrogation, torture, and imprisonment.

In August, a court in Gia Lai put Rah Lan Rah, Siu Chon, and Ro Mah Them on trial for being associated with an independent religious group disapproved by the government, sentencing them to between five and six years in prison.

## **Rights of Women and Children**

Violence against children, including sexual abuse, is pervasive in Vietnam, including at home and in schools. Numerous media reports have described cases of guardians, teachers, or government caregivers engaging in sexual abuse, beating children, or hitting them with sticks. During the first six months of 2021, amid the pandemic lockdown, there were reports of increasing physical and sexual abuses of children in Vietnam.

The pandemic was also linked, including in 2021, to rising incidence of violence against women, while organizations assisting survivors of gender-based violence struggled to adapt and continue their services during the pandemic.

## **Sexual Orientation and Gender Identity**

In recent years, the Vietnamese government has taken modest strides to recognize the rights of lesbian, gay, bisexual, and transgender (LGBT) people, including by removing prohibitions on same-sex relationships and legal gender change. However, the government has not added explicit protections for LGBT people. Vietnamese LGBT youth face widespread discrimination and violence at home and at school. Pervasive myths about sexual orientation and gender identity, including the false belief that same-

sex attraction is a diagnosable and curable mental health condition, is common among Vietnamese school officials and the population at large.

### **Key International Actors**

Vietnam continues to balance its relationships with China, its largest trade partner, and the United States, its second largest trade partner.

Maritime disputes continue to complicate the relationship with China, which carried out military drills on the disputed seas in 2021, while Vietnam raised repeated protests. However, during high-ranking visits, the two communist parties formally applauded their friendship and solidarity.