

Vietnam: End crackdown, commit to reforms ahead of UN rights review



PARIS, 12 July 2018 (FIDH & VCHR) - UN member states must pressure the Vietnamese government to end its severe crackdown on dissent and make a genuine commitment to reforms ahead of Vietnam's third Universal Periodic Review (UPR), FIDH and its member organization Vietnam Committee on Human Rights (VCHR) said today.

FIDH and VCHR made the call on the occasion of [the release of their joint submission for Vietnam's third UPR](#), which is scheduled to be held in January 2019 in Geneva, Switzerland.

“UN member states must use the UPR to express their concern over the use of repressive laws, arbitrary detentions, unfair trials, and many other serious human rights violations in Vietnam. In the lead-up to the review, the international community must also step up calls for the release of all political prisoners in the country,” said FIDH Secretary-General Debbie Stothard.

The [submission](#) details the Vietnamese government's failure to implement many of the key recommendations it received during its previous UPR in February 2014 and the continued repression of fundamental human rights over the last four years, including through the jailing of peaceful activists and human rights defenders (HRDs). Between February 2014 and July 2018, FIDH and VCHR documented 160 cases of HRDs and peaceful activists condemned to prison terms of up to 15 years following trials that consistently failed to meet international standards.

“Principled recommendations by UN member states on key human rights issues would send a strong message to Hanoi that its abuses haven't gone unnoticed and that the international community will continue to demand progress towards the implementation of institutional and legislative reforms,” said VCHR President Vo Van Ai.

FIDH and VCHR noted that since its previous UPR, the human rights situation in Vietnam has regressed in several key areas.

Amendments made to the Criminal Code, which came into effect in January 2018, failed to remove vaguely worded ‘national security’ provisions. Instead, an additional ‘national security’ crime that carries the death penalty, ‘terrorism against the state’ (Article 113), was added. Vietnam also made no effort to limit the number of crimes punishable by death to “the most serious crimes,” in line with the International Covenant on Civil and Political Rights (ICCPR), to which it is a state party. Executions have continued in recent years, and authorities still classify death penalty statistics as “state secrets.”

In terms of freedom of opinion and expression, the government intensified its crackdown on journalists, netizens, and bloggers. Contrary to recommendations made during its previous UPR, amended press legislation contains no provisions that allow for independent or privately owned newspapers and bans the diffusion of information perceived to be critical of the government.

The government has also failed to implement recommendations that called for the removal of bureaucratic and administrative obstacles that hinder the enjoyment of the right to freedom of religion or belief. In addition, it introduced a new law that reinforced state management of religions and legalized intrusive state interference into religious affairs.

With regard to freedom of association and peaceful assembly, all associative activities remain controlled by the state. Peaceful assemblies are heavily restricted and authorities continued to use Article 245 of the Criminal Code (now Article 318 – ‘causing public disorder’) to arrest, prosecute, and imprison high-profile activists and HRDs for exercising their right to freedom of peaceful assembly. A new Circular also allows the deployment of police “to prevent the disturbance of public order” and to arrest “opposition elements.”

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