

Vietnam: Arbitrary detention of journalist Pham Chi Dung

URGENT APPEAL - THE OBSERVATORY



VNM 003 / 1119 / OBS 097

Arbitrary detention /

Judicial harassment/

Obstacle to freedom of expression

Vietnam

November 22, 2019

The Observatory for the Protection of Human Rights Defenders, a partnership of FIDH and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in Vietnam.

Description of the situation:

The Observatory has been informed by the **Vietnam Committee on Human Rights (VCHR)** about the arbitrary arrest and detention of Mr. **Pham Chi Dung**, a journalist, founder of the Independent Journalist Association of Vietnam (IJAVN) [1] and worker rights activist. As an independent journalist, Mr. Pham Chi Dung has written articles

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criticizing the government's human rights record, and collaborated with several foreign media, such as Voice of America and the BBC, under different pen names.



Mr. Pham Chi Dung

According to the information received, on November 21, 2019, Mr. Pham Chi Dung was arrested by security officers at his home in Ho Chi Minh City and charged with “making, storing or disseminating information, documents, materials and items against the Socialist Republic of Vietnam” (under Article 117 of the Criminal Code). According to the police, Mr. Pham Chi Dung wrote “anti-State articles” and “cooperated with foreign media to deliver distorted information”. Shortly after his arrest, IJAVN’s website (www.vietnamthoibao.org) was shut down by the authorities.

If found guilty, Mr. Pham Chi Dung could face a sentence of five to 20 years of prison.

Mr. Pham Chi Dung's arrest comes as the European Parliament (EP) considers ratification of the EU-Vietnam Free Trade Agreement (EVFTA). On November 10, 2019, Mr. Pham Chi Dung sent a petition to the EP urging its members to postpone ratification of the EVFTA until issues of worker rights and human rights have been addressed.

This is not the first time Mr. Pham Chi Dung has been detained for the legitimate exercise of his right to freedom of opinion and expression. In 2012, Mr. Pham Chi Dung was arrested over the same accusation, and released six months later without being tried. He has also been frequently harassed by the authorities and was banned from traveling abroad in 2014.

The Observatory strongly condemns the arbitrary detention and judicial harassment of Mr. Pham Chi Dung, which seem to be only aimed at punishing him for his legitimate exercise of his right to freedom of expression. The Observatory calls on the Vietnamese authorities to immediately release Mr. Pham Chi Dung and put an end to any acts of harassment, including at the judicial level, against him and all the human rights defenders in the country. The Observatory further calls on the authorities to respect the right to freedom of opinion and expression as enshrined in Article 19 of the International Covenant on Civil and Political Rights (ICCPR).

Actions requested:

Please write to the authorities of Vietnam asking them to:

- i. Guarantee, in all circumstances, the physical integrity and psychological well-being of Mr. Pham Chi Dung and of all human rights defenders in Vietnam;

- ii. Immediately and unconditionally release Mr. Pham Chi Dung as his detention is arbitrary and merely aimed at punishing him for his human rights activities;

- iii. Guarantee the access of Mr. Pham Chi Dung to his relatives and a lawyer of his choice;.

- iv. Put an end to any harassment, including at the judicial level, against Mr. Pham Chi Dung and all human rights defenders in Vietnam, and ensure in all circumstances that they are able to carry out their legitimate activities without any hindrance or fear of reprisals.

- v. Respect under any circumstances the right to freedom of opinion and expression in accordance with Article 19 of ICCPR.

- vi. Conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, in particular with Articles 1, and 12.2.
- vii. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Vietnam.

Addresses:

- Mr. Nguyen Phu Trong, President of Vietnam; Email: webmaster@president.gov.vn
- Mr. Nguyen Xuan Phuc, Prime Minister of Vietnam; Email: nguoiphatngonchinhphu@chinhphu.vn
- Mr. Pham Binh Minh, Minister of Foreign Affairs of Vietnam; Fax: 84-4-38231872 – 84-4-37992682, Email: ttll.mfa@mofa.gov.vn
- Mr. Le Vinh Tan, Minister of Home Affairs of Vietnam; Fax: 84-4-39781005
- Mr. Le Thanh Long, Minister of Justice of Vietnam; Fax: 84-4-38431431
- Mr. To Lam, Minister of Public Security of Vietnam; Fax: 84-4-9420223
- Mr. Mai Tien Dung, Minister, Office of the Government (OOG), Vietnam; Fax: 84-4-80 44130
- Permanent Mission of Vietnam to the United Nations in Geneva, Switzerland; Fax: +41 (0) 22-798 07 24, Email: info@vnmission-ge.gov.vn
- Embassy of Vietnam in Brussels, Belgium; Fax: +32 (0)2 374 93 76, Email: vnemb.brussels@skynet.be

Please also write to the
diplomatic representations of Vietnam in your respective countries.

Paris-Geneva, November 22, 2019

Kindly inform us of any
action undertaken quoting the code of this appeal in your reply.

The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by FIDH and the World Organisation Against Torture (OMCT). The objective of this programme is to prevent or remedy situations of repression against human rights defenders. FIDH and OMCT are both members of ProtectDefenders.eu, the European Union Human Rights Defenders Mechanism implemented by international civil society.

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To contact the Observatory, call the emergency line:

- E-mail: Appeals@fidh-omct.org
 - Tel and fax FIDH +33 (0) 1 43 55 25 18 / +33 1 43 55 18 80
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[1] Phạm Chí Dũng is a former member of the Communist Party (Internal affairs commission of Ho Chi Minh City Communist Party). He left the Communist Party in 2013, and announced the creation of the Independent Journalists' Association of Vietnam on July 4, 2014. Its membership consists of over 70 journalists defending freedom of press in Vietnam.