

Vietnam arrests CSO leaders and blocks civil society participation in scrutiny of EU-Vietnam Free Trade Agreement

PARIS, 8

July 2021 (VCHR) – **With the first anniversary of the EU-Vietnam Free Trade Agreement (EVFTA) only weeks away (1st August 2021), Vietnam has backtracked on its promises to the European Union by arresting key civil society activists and blocking the establishment of a mandatory “Domestic Advisory Group” of civil society actors provided for in EVFTA to monitor implementation of the trade agreement.**

On 2nd July 2021, Security Police in Hanoi announced the arrest of two prominent civil society activists, journalist **Mai Phan Lợi**, chair of the Scientific Board of the [Centre for Media in Educating Community \(MEC\)](#) and lawyer **Đặng Đình Bách**, director of the [Law and Policy for Sustainable Development \(LPSD\)](#). Both men are under investigation for “tax evasion” (article 200 of the 2015 Criminal Code) which carries a maximum penalty of seven years in prison. Although details of the alleged offences are not yet known, tax-related charges are frequently used to arbitrarily detain bloggers, civil society activists and other government critics (e.g. Nguyễn Văn Hải, [Lê Quốc Quân](#), Trương Duy Nhất). This is the first time, however, that the authorities have targeted leaders of registered civil society organizations which run public activities and manage large-scale community projects, many of which receive support from the international community.

Mai Phan Lợi, 50, is a specialist in the press and social media. Before founding MEC, he ran the “*Young Journalists’ Forum*”, an unofficial group with 33,000 members, mostly journalists and students of journalism, and a public forum entitled “*From the Press and Citizens’ Perspective*” which has 120,000 members. He was Hanoi Bureau chief of the Ho Chi Minh City Law Magazine (*Pháp Luật*). In 2016, his press card was revoked and he was accused of “*gravely dishonouring the Vietnam People’s Army*” after he conducted a poll on Facebook about incidents involving Vietnamese naval aircraft. He was amongst the civil society activists invited to meet President Obama during his trip to Vietnam in 2016. Mai Phan Lợi, who also writes on social media under the name “*Ink Brush*” (*Bút Lông*), was in fact arrested on 24 June 2021 and detained for a week without charge before Police officially announced the

investigation against him on 2 July.



Mai Phan Lợi at a MEC workshop on the right of access to information

Lawyer **Đặng Đình Bách**, 43, is a defender of environmental rights. He is not recognized as a member of the dissident community, focusing rather on training and educational activities to help communities understand and protect their rights. His website's mission statement states that *"LPSD aims to become a major data bank and research centre on violations of the rights and interests of people due to the adverse impacts of industrial development and modernisation. When people understand their rights and legitimate interests and know how to exercise those rights, the law and policy is no longer just on paper but actually into the life of the people"*.



Lawyer Đặng Đình Bách

Mai Phan Lợi and Đặng Đình Bách are both Executive Board members of VNGO-EVFTA Network, a group of seven development and environmental CSOs established last November to raise awareness about EVFTA and its civil society component in Vietnam, the Vietnam Domestic Advisory Group (DAG). All seven of the organizations (including MEC and LPSD) [submitted applications for membership of the Vietnam DAG](#) (1), but have received no reply. Now two of their members are under arrest.

The Domestic Advisory Groups (DAGs) were established under the Trade and Sustainable Development Chapter of EVFTA to enable independent civil society representatives to monitor implementation of the agreement and make concrete recommendations, notably on issues of worker rights, land rights and the

environment. The EU DAG was established in December 2020 and has met twice since then. Vietnam, on the contrary, has systematically delayed the establishment of its own DAG, effectively blocking the whole process of civil society involvement in the implementation of EVFTA.

In June 2021, the EU was obliged to cancel the very first Joint Forum between European and Vietnamese civil society at the last minute because of Vietnam's failure to establish its DAG, in violation of its binding commitments under EVFTA. [In a statement](#), the EU DAG expressed its *"deep regret and concern"* about the cancellation of this event, stressing that *"civil society engagement and scrutiny of EVFTA is not an optional element of the agreement, but should be ensured and applied as a matter of urgency."* It called on Vietnam to *"swiftly establish a counterpart to the EU DAG"*, recalling that *"EVFTA explicitly stipulated that DAGs be composed of "independent representative organizations" (Article 13.15.4)"*.

"Vietnam

promised EU the moon to obtain the conclusion of EVFTA, but it is now time to deliver" declared Võ Văn Ái, President of the Vietnam Committee on Human Rights (VCHR). ***"The problem is that Vietnam does not trust civil society. In the past, the Communist Party relied on "mass organizations" and GONGOs to faithfully relay its message. Today, even government-registered CSOs are calling for greater transparency, independence and the right of access to information. Hanoi is reacting in the only way it knows - by arresting activists and back-tracking on its commitments to guarantee civil society's participation in the implementation of EVFTA."***

The question of the independence of DAGs is one of the weaknesses of EVFTA, for there are no truly independent non-governmental organizations in Vietnam. All associations are institutionally linked to the Communist Party of Vietnam. Most are registered under the umbrella of VUSTA, the Vietnam Union of Science and Technology Associations which is a member of the para-governmental Vietnam Fatherland Front. Moreover, given the government's zero-tolerance on dissent and the vaguely-worded "national security" provisions in the Vietnamese

Criminal Code, no domestic civil society group can play an effective monitoring role or express critical views without fear of reprisals, harassment or arrest.

Mr. Ái recalled that Vietnam has pursued an unabated crackdown on civil society and human rights defenders during the negotiations on EVFTA and since its entry into force. Independent journalist **Phạm Chí Dũng** and his colleagues **Nguyễn Tường Thụy** and **Lê Hữu Minh Tuấn** were [sentenced to prison terms of up to 15 years in January 2021](#) simply for urging the European Parliament to postpone EVFTA's ratification pending concrete human rights progress in Vietnam.

VCHR President Võ Văn Ái nevertheless expressed his hopes that civil society could play a positive role in the implementation of EVFTA thanks to the engagement of the EU Domestic Advisory Group: ***"The [International Federation of Human Rights \(FIDH\)](#) is a member of the EU DAG. VCHR is the FIDH's member organization for Vietnam. We will work closely with the FIDH, in concertation with independent Vietnamese civil society, to ensure that their concerns are raised and their recommendations are voiced at every opportunity in discussions with the EU DAG and other institutions involved with implementation of the EVFTA"***.

(1) **NB : Since we posted this Press Release at 4.30 pm Paris time on 8.7.2021 with a link to the VNGO-EVFTA inaugural meeting on the SRD website (<http://www.srd.org.vn/index.php/thu-vi-n-nh-menu/1324-h-p-bdh-1>) , some interesting changes have been made. Instead of seven founding organizations and a group photo, there is now no group photo and only five organizations - Mai Phan Lợi (MEC) and Đảng Đình Bách (LPSD) have been mysteriously removed from the list (see screen capture of the original press release below).**

Quê Me

Quê Me: Action for democracy in Vietnam & Vietnam Committee on Human Rights
<https://queme.org/en/>

Sau cuộc họp khởi động thành lập mạng lưới ngày 16 tháng 11, toàn bộ thành viên mạng lưới đã thống nhất đề cử 7 tổ chức tham gia ban điều hành (BDH) mạng lưới, danh sách cụ thể như sau:

TT	Tổ chức	Đại diện
1.	Trung tâm Phát triển Nông thôn bền vững (SRD)	Bà Vũ Thị Bích Hợp/Ông Nguyễn Phú Hùng
2.	Hội chủ rừng Việt Nam	Ông Nguyễn Bá Ngãi
3.	Trung tâm Nghiên cứu Pháp luật và Chính sách Phát triển bền vững (LPSD)	Ông Đặng Đình Bách
4.	Trung tâm Bảo tồn Thiên nhiên GAIA (GAIA)	Bà Đỗ Thị Thanh Huyền
5.	Trung tâm Phát triển cộng đồng bền vững (SCODE)	Bà Ngô Thị Lan Phương
6.	Trung tâm Truyền thông giáo dục cộng đồng (MEC)	Ông Mai Phan Lợi
7.	Hội Khoa học kỹ thuật Lâm nghiệp Đắk Lắk	Ông Trần Ngọc Thanh

This is the censored version :

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