

Vietnam: Sentencing and arbitrary detention of environmental rights defender Nguy Thi Khanh

URGENT APPEAL - 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**.

VNM 002 / 0622 / OBS 054

Arbitrary detention /
Judicial harassment/

Vietnam

June 24, 2022

Description of the situation:

The Observatory has been informed about the conviction, sentencing, and ongoing arbitrary detention of **Nguy Thi Khanh**, a prominent environmental activist, winner of the Goldman Environmental Prize in 2018 and a symbol of the campaign against Vietnam's reliance on coal power.

On June 17, 2022, Nguy Thi Khanh was sentenced to two years of imprisonment for tax evasion under the Article 200 of Vietnam's 2015 Criminal Code, after being prosecuted and convicted for failing to pay a 10% tax on her Goldman Prize money, which is equivalent to an amount of VND 456 million (around 18,252 Euros).

Ms. Khanh was arrested on January 11, 2022 and detained for investigation at the Police Detention Centre No. 1 in Hanoi, where she remained detained pending trial.

The acts of harassment against her began after she had repeatedly raised concerns on Vietnam's heavy reliance on coal. In October 2021, Nguy Thi Khanh along with several NGOs alerted Prime Minister Pham Minh Chinh on the necessity to revise Vietnam's Draft National Power Development Plan for the 2021-2030 period. In October 2019, she had joined 12 Vietnamese NGOs, including Oxfam - Vietnam, in signing the "[Hanoi Statement](#)" (Tuyên bố Hà Nội), which called on the government to stop funding coal-fired power stations and to conduct a democratic consultation with the Vietnamese people.

At the time of publication of this urgent appeal, Nguy Thi Khanh remains in the Police Detention Center No 1.

Ms. Khanh is the fourth and most prominent environmental activist denouncing Vietnam's continued heavy reliance on coal-fired power to be arrested this year on charges of tax evasion. On January 24, 2022, **Dang Dinh Bach**, director of the Law and Policy of Sustainability Development Research Center, was sentenced to five years in prison. On January 11, 2022, **Mai Phan Loi**, founder and leader of the Center for Media in Educating Community (MEC) and **Bach Hùng Duong** former director of the MEC were sentenced to four years and two years and six months respectively.

The three environmental rights defenders were accused of corporate tax evasion, although non-profit organizations are exempt from corporate tax in Vietnam. Tax laws regarding NGOs receiving funds from international donors are particularly vague and restrictive. The organisations of the three defenders, along with the VCHR, believed that their arrests were prompted by their work to promote civil society engagement in [monitoring the EU-Vietnam Free Trade Agreement \(EVFTA\)](#) which came into force in 2021.

The Observatory expresses its deepest concern about the Vietnamese authorities' use of legal harassment, especially the use of

tax-related charges against environmental activists, as a strategy to criminalise them.

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Observatory strongly condemns the judicial harassment and arbitrary detention of Nguy Thi Khanh, Dang Dinh Bach, Bach Hung Duong, and Mai Phan Loi, as it seems to be only aimed at punishing them for their legitimate environmental and human rights activities.

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Observatory urges the Vietnamese authorities to put an end to all acts of harassment against the above-mentioned human rights defenders and immediately and unconditionally release them.

Actions requested:

Please write to the authorities of Vietnam, urging them to:

i. Guarantee in all circumstances the physical integrity and psychological well-being of Nguy Thi Khanh, Dang Dinh Bach, Bach Hung Duong, Mai Phan Loi, and all other human rights defenders in Vietnam;

ii. Immediately and unconditionally release Nguy Thi Khanh, Dang Dinh Bach, Bach Hung Duong, and Mai Phan Loi as their detention is arbitrary and merely aimed at punishing them for their human rights activities;

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iii. Put an end to all acts of harassment - including at the judicial level - against Nguy Thi Khanh, Dang Dinh Bach, Bach Hang Duong, and Mai Phan Loi and all other human rights defenders in Vietnam, and ensure in all circumstances that they are able to carry out their legitimate activities and exercise their rights without any hindrance and fear of reprisals.

Addresses:

- Mr. Nguyen Xuan Phuc, President of Vietnam, Email: webmaster@president.gov.vn
- Mr. Pham Minh Chinh, Prime Minister of Vietnam, Email: nguoiphatngonchinhphu@chinhphu.vn / thongtinchinhphu@chinhphu.vn
- Mr. Bui Thanh Son, Minister of Foreign Affairs of Vietnam, Email: ttll.mfa@mofa.gov.vn
- Ms. Pham Thi Thanh Tra, Minister of Home Affairs of Vietnam, Email: lanhdaobo@moha.gov.vn
- Mr. Le Thanh Long, Minister of Justice of Vietnam, Email: cntt@moj.gov.vn ; banbientap@moj.gov.vn
- Mr. Tran Van Son, Minister, Office of the Government (OOG), Email: vpcp@chinhphu.vn
- Permanent Mission of Vietnam to the United Nations in Geneva, Switzerland, Email: info@vnmission-ge.gov.vn, geneva@mofa.gov.vn
- Embassy of Vietnam in Brussels, Belgium, Email: vnemb.brussels@skynet.be

Paris-Geneva, June 23, 2022

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

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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](https://protectdefenders.eu), the European Union Human Rights Defenders Mechanism implemented by international civil society.

To contact the Observatory, call the emergency line:

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