

# HUMAN RIGHTS SITUATION IN VIETNAM

## Freedom of Expression



# THREE KEY ISSUES

- **Legislation**
- **Free Expression Online**
- **Treatment of Writers & Artists**



# ISSUE 1: LEGISLATION RESTRICTING FREEDOM OF EXPRESSION

## VIETNAM'S PENAL CODE (2015)

- Article 117's broad language criminalizing propaganda against the state has been used to suppress critical speech
- Article 331's prohibition of the “abuse of democratic freedoms” has been utilized to criminalize peaceful activities and expression, causing direct censorship and prohibiting the diversity of opinions.



# Cybersecurity Law & Decrees:



- Cybersecurity Law (2018) - requires platforms to store data locally and gives the government control over online content and data.
- Decree 53 (2021) - details the implementation of the Cybersecurity Law (2018). Foreign companies are mandated to comply with censorship requirements, providing user data in alleged law violations.
- Draft Decree 72 (2023) - mandates foreign organizations to collect personal information for cross-border sharing, requires local intermediaries to store extensive data for two years, and empowers the government to swiftly block online content

# Recommendations:

Amend current legislation to ensure that it is consistent with freedom of expression and right to privacy. Specifically, we recommend the revision of the following laws:

- Vietnam Penal Code (2015) - removal of Articles 117 and 331
- Cybersecurity Law (2018) - removal of Articles 5 and 8 and Decree 53
- Draft Decree 72 - removal of Articles 26 and 30



# ISSUE 2: FREE EXPRESSION ONLINE

## Threats to Free Expression Online:

- Local data storage and data handover
- Blocking of websites
- Pro-government digital militias: Force 47 and E47
- Doxxing & mass reporting



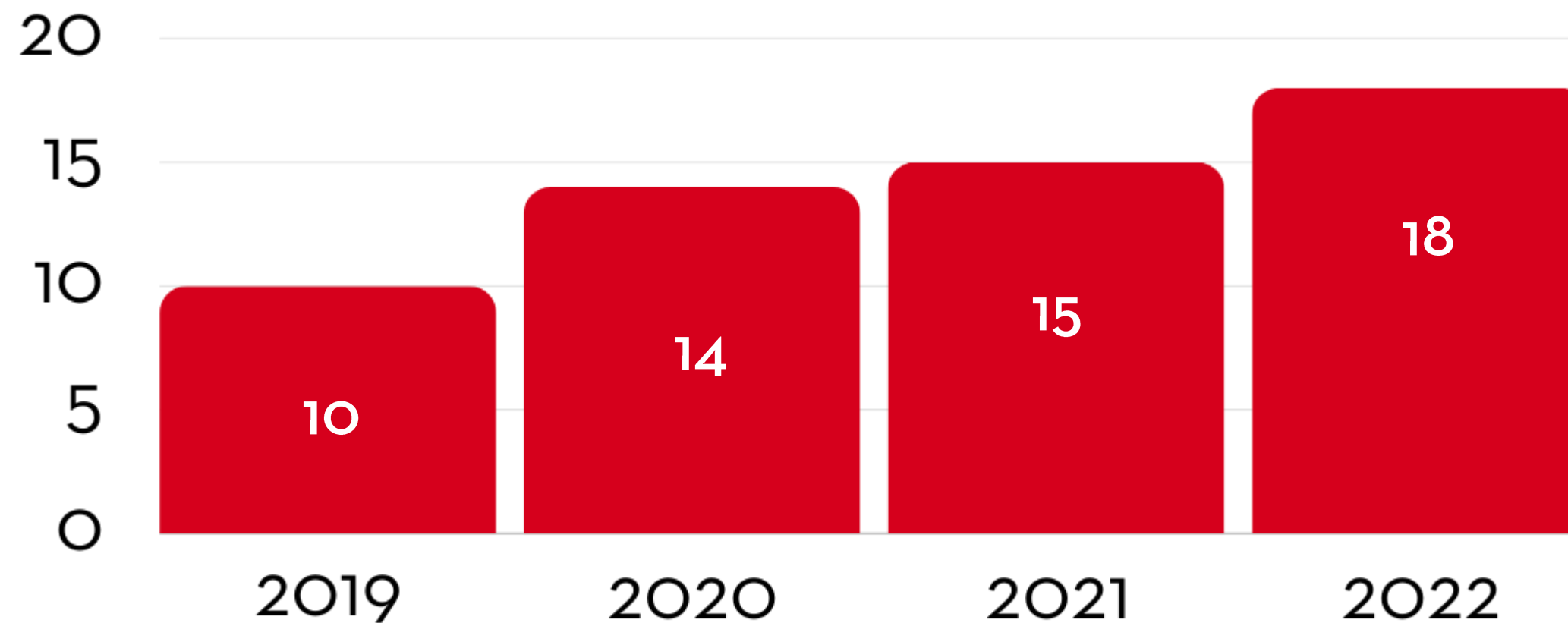
# Recommendations:

- Implement robust data protection measures for user data stored within Vietnam, including strict safeguards against unauthorized access and misuse and refrain from local data storage and handovers without a judicial warrant. Adhere to international data protection standards to ensure the privacy rights of individuals are respected.
- Cease the activities of Force 47 and E47 including the mass reporting and doxing of accounts and posts.



# ISSUE 3: TREATMENT OF WRITERS

## Number of Imprisoned Writers in Vietnam (2019-2022)\*



\*in addition to the 150+ journalists and human rights defenders imprisoned

**In 2022, Vietnam ranked fourth globally in imprisoning writers**





# Recommendations:

- Cease persecution of writers, journalists, and artists for exercising their free expression, release them from prison, and unconditionally drop all charges.
- Establish protection and development programs for cultural figures including writers, artists, and organizations.



# Thank you

