

VIETNAM: FREE EXPRESSION



Since the 3rd Universal Periodic Review (UPR) cycle, the Vietnamese government has escalated its efforts to suppress free expression. Vietnam has continued to utilize legislation to imprison writers and dissidents while also cracking down on online free expression.

Legislation Restricting Free Expression

Penal Code (2015)

- **Articles 109, 117 & 331** criminalize propaganda and dissent which authorities have used to criminalize peaceful expression and censor 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)** requires foreign companies to censor content and provide user data.
- **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 allows the government to block online content.

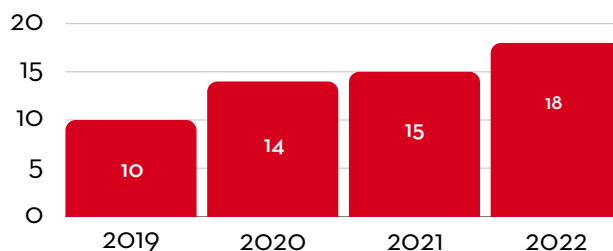
Threats to Free Expression Online

- In 2021, the Ministry of Information and Communications used the overly broad “toxic” category to block 2,000 websites.
- Local data storage and data handover due to Cybersecurity Law & Decrees.
- Pro-government digital militias (Force 47 and E47) doxing & mass reporting dissident voices.

Threats to Writers & Dissidents

- Violations of due process and fair trial rights
- Lengthy prison sentences
- Denial of medical treatment in prison
- Travel bans, equipment confiscation, and intimidation

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



*in addition to the 150+ journalists and activists imprisoned

In 2022, Vietnam ranked fourth globally in imprisoning writers.

Recommendations:

- Amend current legislation to ensure that it is consistent with freedom of expression and right to privacy.
 - **Vietnam Penal Code (2015)** - removal of Articles 109, 117 & 331
 - **Cybersecurity Law (2018)** - removal of Articles 5 & 8 and **Decree 53**
 - **Draft Decree 72** - removal of Articles 26 & 30
- **Implement robust data protection measures** for user data stored within Vietnam, including strict safeguards against unauthorized access and handovers without a judicial warrant.
- Cease the activities of **Force 47** and **E47** including mass reporting and doxing of accounts and posts.
- **Cease persecution of writers, journalists, artists & activists** for exercising their free expression, release them from prison, and unconditionally drop all charges. Provide access to legal counsel and medical care pending release.
- **Establish protection and development programs for cultural figures including writers, artists and organizations.**



Scan to read more case details on Vietnamese writers at risk



Scan to read our full joint UPR submission.