2021 HUMAN RIGHTS REPORT VIETNAM

The situation of political prisoners and activists at risk

THE 88 PROJECT
FOR FREE SPEECH IN VIETNAM

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ABOUT US

The 88 Project ("Dự án 88"), "the Project", is a 501(c)(3) nonprofit organization that supports and encourages freedom of expression in Vietnam by advocating for and sharing the stories of Vietnamese activists who are persecuted because of their peaceful dissent. Our vision is that one day the Vietnamese people will be able to freely express themselves and actively take part in sociopolitical processes to bring about the changes they desire without fear of discrimination or persecution. More at http://the88project.org/.

EXECUTIVE SUMMARY

The Vietnamese government continued to tighten its grip on civil society actors and online spaces in 2021. The government has gone to great lengths to project a picture of internal cohesion and progress. In order to quell dissenting viewpoints, it has lashed out at citizens for criticizing its handling of the COVID-19 pandemic, continued to cozy up to international tech companies to curb free speech, and vowed in front of UN member states to forge ahead on its recommendations made in 2019 to protect the rights of detainees, despite holding over 200 political prisoners at the time of this writing.

The year 2021 started and ended with high profile trials of some of the best known activists in Vietnam: Pham Chi Dung, Le Huu Minh Tuan, and Nguyen Tuong Thuy on January 5, 2021, and Pham Doan Trang on December 14. All four people were sentenced to nine or more years in prison; Pham Chi Dung received a 15-year sentence. All four are journalists; Trang is a former state journalist turned independent author, and Dung, Tuan, and Thuy are members of the Independent Journalists Association of Vietnam.

The harsh clamp down on media professionals – bloggers, journalists, and authors – was one hallmark of 2021. The year saw a sharp increase in media professionals arrested over prior years with 12 journalists and bloggers arrested in 2021 alone. We also saw an increase in the number of online commentators arrested in 2021: 15. And interestingly, for the first time since we began collecting comprehensive data on charges against those arrested, authorities arrested activists under Article 331, "abusing democratic freedoms," more than under any other provision of the Criminal Code.

While the number of arrests and trials in 2020 and 2021 were similar, a notable development of 2021 was an increase in the severity of sentences handed to activists compared to 2020. Of the 32 people tried, 23 were sentenced to five years or more in prison – almost three-quarters of the total. Just under half of those tried in 2020 received a sentence of 5 or more years.

Serious violations of the rights of political prisoners were common in 2021, including gross violations of the right to access adequate healthcare and the right to not be subjected to physical or psychological harm.

We continued to track cases of forced mental health treatment, hunger strikes, and solitary confinement. Political prisoners suffered multiple forms of violence and direct punishment for sending the courts legal petitions or advocating for their rights behind bars. Some of these cases may constitute torture under international law and warrant further investigation by relevant authorities.

In addition to those arrested, tried, and sentenced to prison, we also continued to monitor violations of rights against activists at risk, such as police summons and interrogation, confiscation of personal property, and travel restrictions. We collected data on at least 33 such incidents against activists in 2021.

Vietnam continues to welcome international praise for its successful economic growth and strategic military and trade ties with the United States, China, and other countries. But the activists and everyday citizens who continue to exercise their right to freedom of expression continue to offer a counter narrative to the Vietnamese government's official press releases in State-run media, and its diplomatic promises preaching inclusion and justice. Through whatever means they can – public protest, Facebook postings, videos, blogs, or word of mouth – independent and civil society-affiliated activists continue to push back against the government line. The pandemic has not dampened their efforts.

There is a great deal of discussion within Vietnam and among international observers about what Vietnamese civil society and the pro-democracy movement will look like in the years to come. While no one can predict how the situation will unfold, what is clear from examples set in 2021 and prior to that is that activists will continue to challenge state repression, and the Vietnamese government will continue to implement new laws, policies, and tactics in an attempt to cling to its official narrative.

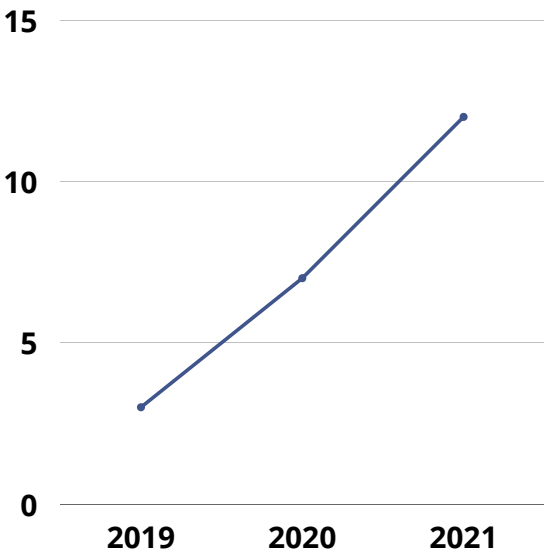
KEY DATA FROM OUR REPORT - ARRESTS

37
ARRESTS

14 PEOPLE CHARGED UNDER ARTICLE 117
"PROPAGANDA AGAINST THE STATE"

17 PEOPLE CHARGED UNDER ARTICLE 331
"ABUSING DEMOCRATIC FREEDOMS"

12 MEDIA PROFESSIONALS ARRESTED



INCLUDING 9 JOURNALISTS, AN INCREASE FROM 2019 AND 2020

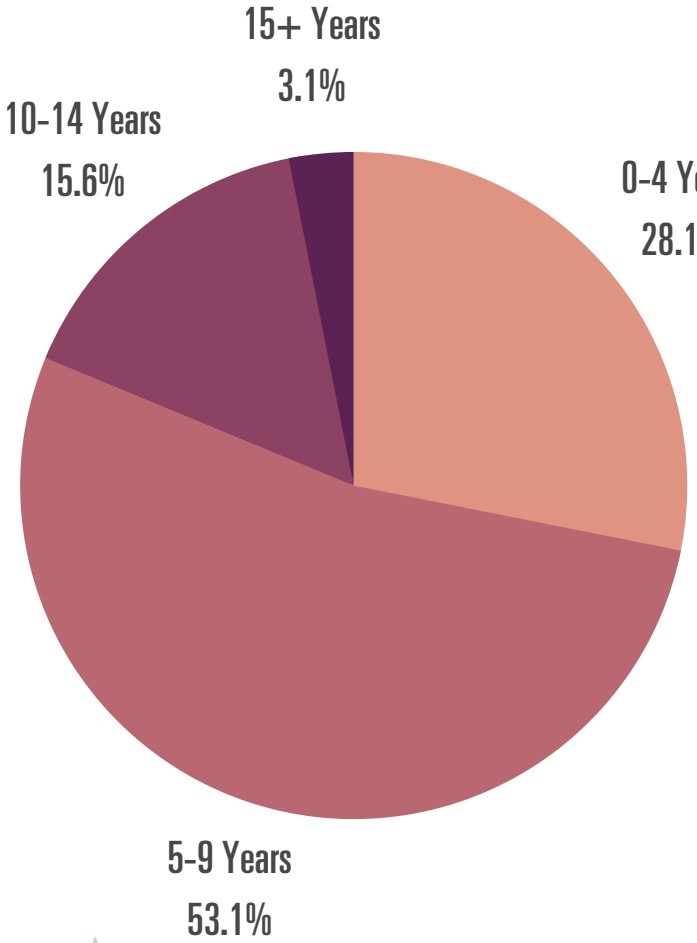
Graphic 1: Arrests of media professionals from 2019 to 2021

KEY DATA FROM OUR REPORT - TRIALS AND HARASSMENT

32 TRIALS

9 WOMEN TRIED

23 MEN TRIED



48% OF THOSE TRIED IN 2020 WERE SENTENCED TO FIVE YEARS OR LONGER; IN 2021, THIS ROSE TO 72%

1 POLITICAL PRISONER DIED IN PRISON IN 2021

3 POLITICAL PRISONERS WERE SUBJECTED TO FORCED MENTAL HEALTH TREATMENT IN PSYCHIATRIC FACILITIES

16 ACTIVISTS AT RISK HARASSED IN 33 INCIDENTS

Graphic 2: Setencing of activists in years in 2021

METHODOLOGY

The data for this report was compiled from our Database of Persecuted Activists in Vietnam (Database) and Map of Human Rights Violations (Map). These tools track information about activists at risk and political prisoners. The data includes a variety of topics, such as background information on each person (occupation, religion, etc.) and information about their specific arrest or harassment against them (such as perpetrators of the incident, the authorities making the arrest, court of first instance, and rights that were violated in the incident/arrest).

The information in both the Database and Map is vetted through our rigorous research process. We rely on firsthand accounts from those affected and their families, news reports from foreign and state media, information from international organizations, and social media to track the latest news on political prisoners and activists at risk. We only include information that comes from reputable sources. Having multiple people on our research team also allows us to cross-check information before making it public. Our Database and Map are both searchable and easy to use. We created them with the goal that any person reading this report will be able to replicate the numbers.

We acknowledge that the actual number of political prisoners and activists at risk is likely much higher than what we report in the Database, as we only include information that is independently verifiable. Further, some activists' stories may not reach social media or external media sources due to fears of retribution or an inability to connect with those resources.

Important Definitions

1. Political Prisoner

We define a political prisoner as any person who has been jailed or had their freedom restricted because of their political or religious beliefs or activities. In Vietnam, this includes people who have expressed disapproval of the government or Communist Party in person or online, engaged in peaceful protest or other non-violent forms of social or political activism, or who belong to an organization, race, religion or other group not approved by or in conflict with the government.

The topics of free press, free religion, free assembly, and free expression broadly are inherently political in Vietnam, which is a one-party state that does not tolerate any independent media, civil society organization, religion, or critical viewpoints of the state.

2. Activists at Risk

Our Database, Map, Timeline of Freedom of Expression in Vietnam, and other tools also closely monitor the situation of activists at risk. Activists at risk are those who are not currently in prison, but who are otherwise harassed and face the risk of being arrested. They have suffered from different types of harassment by the authorities, such as physical attacks, police interrogation, administrative fines, forced eviction, or travel restriction. Activists at risk in our database also include those who have been sentenced to probation and/or who have been released from a prison sentence but remain under surveillance inside the country or in exile (classified as "Released– at risk" or "Released– exiled").

3. Areas of Activism

We determine who is an activist not by the way they identify themselves, but by the nature of their actions. They may not identify themselves as activists, but they are engaging in activism that has put them at risk of state persecution. For example, if someone posts online about national issues with other Southeast Asian nations and attends a protest against Chinese maritime claims in the East Sea, at which they are briefly detained by police, The 88 Project would classify them as an activist on sovereignty issues.

Another important distinction is that The 88 Project defines areas of activism by topic of activism, not by method. Using the above example, the person who posts about national sovereignty issues online and attends a protest would be considered an activist on sovereignty issues, because sovereignty is the topic of both the online content and the protest. This person would not be listed as an activist for freedom of expression, as the method of activism is online expression and protest, but the topic of the expression is sovereignty.

A Note on our Methodology

The 88 Project includes many types of political prisoners in its database, including bloggers, journalists, public protesters, artists and writers, teachers, community and labor organizers, members of civil society and religious groups, and everyday citizens with no formal affiliations nor history of activism.

The last group is classified in the database as "online commentators." These people come from many backgrounds and are interested in a variety of online commentary; what they have in common is that they are solely persecuted for their online expressions.

Our approach seeks to include the widest array of political prisoners possible in order to most accurately represent the state of repression of free expression in Vietnam at any given time. For this reason, our reported numbers of political prisoners and activists at risk may differ from those of other human rights organizations.

Another reason that our data may differ from other organizations is that while The 88 Project's database includes only people engaged in peaceful activism, we will include cases where there is an unproven allegation of violence in order to let readers make up their own mind about cases (see the below section, "A Note on Cases with Violence Concerns" for more information on this).

Further, The 88 Project recognizes that another reason its reported numbers may be higher than other organizations is due to the fact that it is difficult to verify releases of prisoners, especially those with little international name recognition or in cases where the families are hesitant to speak out. The nature of the Vietnamese regime's control over independent media is such that it is nearly impossible to access information about the status of political prisoners in prison or their release. Most of this information has to come from family and community sources. As such, we do not classify someone as being released from prison if there is some skepticism that they were actually released.

A Note on Cases with Allegations of Violence

While we stress the importance of non-violent methods of activism, our team also acknowledges the need to track and report on activists whom the state intentionally accuses of using violence, often in order to exclude them from international attention or legal protection. In an authoritarian country such as Vietnam, where independent media does not exist, it is far too easy for the state to produce false information against activists; we have seen that happen often. Thus, such accusations of violence by the state cannot be taken for granted, and we urge the international community to look beyond the official narrative and ask for an independent investigation whenever possible.

In our tools, we include people who are accused of violence by state media when there is a reasonable basis to believe that the accusation of violence by the state is not well-founded, such as when allegations of violence exist without evidence and can be aimed at discrediting activists. In such cases, we make notes of such concern in corresponding profiles and explain why we don't exclude the person from the database only based on the official narrative. There is also a section in our Database search fields that allows users to filter out profiles with allegations of violence (under the "Highlighted Human Rights Concerns" search field under the topic of "Persecution Characteristics").

INTERNATIONAL AND DOMESTIC CONTEXT

US Vice President Kamala Harris with Vietnamese President Nguyen Xuan Phuc during Harris' visit to Vietnam in August 2021, Source: Evelyn Hockstein/AP

The year 2021 was yet another poor one for human rights and freedom of expression in Vietnam. The year saw prison sentences handed to independent journalists, land rights activists, human rights activists, and ordinary social media users. The year was also marked by the arrest of two civil society leaders who were attempting to create an independent group to monitor the implementation of the EU-Vietnam Free Trade Agreement (EVFTA). In total, The 88 Project documented 37 arrests for issues related to freedom of expression in 2021.

Vietnam continued to score poorly on international measurements of freedom of expression. Vietnam ranked 175th in the world for press freedom according to Reporters without Borders (RSF), with just five countries scoring lower. Vietnam was rated 'Not Free' by Freedom House in both its Freedom in the World and Freedom on the Net annual reports. Meanwhile, Vietnam was ranked as one of the world's top five worst jailers of journalists by the Committee to Protect Journalists (CPJ).

COVID-19 and Freedom of Expression

Covid-related traffic jam in Hanoi on October 1, 2021, Source: Radio Free Asia

Throughout the COVID-19 pandemic there have been a number of issues of concern related to human rights and freedom of expression as a result of the government's measures to control the spread of the virus.

For instance, social media users who criticized the government's handling of the pandemic have been arrested or fined. In October, Vo Hoang Tho was arrested and charged with "abusing democratic freedoms" after criticizing the government's pandemic response in 47 separate Facebook posts. One month earlier, Nguyen Thuy Duong was fined 5 million dong (US $210) for posting that lockdown measures in Ho Chi Minh City had left residents unable to access food.

In September, Hoang Thi Phuong Lan was forcibly tested for COVID-19 after police broke into her home. Lan was accused of refusing to participate in testing after an outbreak of cases at her apartment complex, an accusation which she denied. In a statement which was later deleted by state media, the Party secretary of the area commented that "not every law can be adhered to as we try to prevent the spread of the disease."

Social Media in Vietnam

There is a growing body of legislation aimed at curbing free expression of the internet in Vietnam, and social media companies have been complicit in the enforcement of censorship. In April 2020, Facebook agreed to ramp up censorship on behalf of the government after state-owned telecommunications services restricted access to the site's servers for seven weeks, slowing traffic and often rendering the platform unusable.The action against Facebook followed Vietnam's growing frustration with Facebook for failing to comply with the 2018 Cybersecurity Law, which came into effect on January 1, 2019.

Article 16 of the 2018 Law on Cybersecurity contains vague prohibitions against criticism of the government and requirements to remove offending information within 24 hours. The law also requires foreign enterprises to store user data in Vietnam and to provide user information to the authorities upon request. The law has faced criticism from human rights organizations for the sweeping powers it gives the government over the internet and internet users.

According to Facebook's own transparency data, 2,833 items of content were removed by the platform for violating Decree 72 between July 2020 and June 2021. Article 5 of Decree 72, introduced in 2013, prohibits a broad range of vaguely defined terms including "opposing the State" and "sabotaging the great national unity bloc." A draft amendment to Decree 72 submitted in 2021 sought to expand social media regulations by requiring any account, fan page, or channel with over 10,000 followers to provide the Ministry of Information and Communication with the contact details of the administrator. The draft also assigned responsibility to account users and page owners to monitor user comments and remove "illegal" content within three hours of request.

A further element of the Vietnamese government's attempt to stifle freedom of expression is the presence of an online "cyber army" known as Force 47. The group is reported to comprise 10,000 soldiers who monitor social media in addition to their regular duties. The group seeks to shape public opinion by posting pro-government content and attacking those who hold "wrong views."

A common tactic of censoring free expression on Facebook is to manipulate the platform's community standards by mass reporting unfavorable content to ensure that it is automatically removed. According to Reuters, in July 2021, a source at Facebook confirmed that a group called "E47" had been removed for coordinating with its members to mass report content in order to ensure it was taken down. Despite this, many groups and profiles identified as part of Force 47 have not been removed, as they are administered by users who use their real names, and thus do not violate Facebook's policies. Once more, in December 2021, Facebook announced that it had removed a "network of accounts" which had targeted government critics. Many of the offending accounts were fake profiles imitating critics of the regime. These fake profiles were then used to report the authentic accounts as fraudulent in order to have them removed by Facebook's moderators.

In November 2021, Facebook reported that it had unblocked "#saltbae" after it was found to have been blocked globally. The news followed the release of a viral video of Vietnam's Minister of Security To Lam being fed a gold leaf encrusted steak by the celebrity chef Nusret Gocke (also known as Salt Bae). The video was a source of potential embarrassment for the Vietnamese government, as government ministers earn a basic salary of around $700, and steaks at Gocke's restaurants can cost as much as $1,960. While no link has officially been established between the Vietnamese government and the blocking of the hashtag, it is hard to imagine any other party with an interest in inhibiting the spread of this information.

The International Community and Human Rights in Vietnam

Lawyer Dang Dinh Bach. Source: Tung Dinh/Thiennhien.net

As part of the EU-Vietnam Free Trade Agreement (EVFTA) both parties agreed to allow for the formation of domestic advisory groups (DAG) to monitor each side's commitments towards trade and sustainable development. On July 21 2021, the EU DAG expressed concern at the arrest of two Vietnamese civil society leaders involved in creating a Vietnamese counterpart. Mai Phan Loi and Dang Dinh Bach were both arrested on June 24, 2021 after being charged with tax evasion under Article 200 of the 2015 Criminal Code. Both would later be found guilty and sentenced to four and five years in prison respectively. Both Loi and Bach were executive board members of the EVFTA-VNGO network, a coalition of seven civil society organizations, which had applied for recognition as the official Vietnamese DAG. It is suspected that their arrests were linked to their political views, as well as their involvement with the EVFTA-VNGO. Loi, for instance, was one of a number of civil society activists to meet with President Barack Obama in 2016 to discuss human rights in Vietnam.

In August, U.S. Vice President Kamala Harris visited Hanoi for diplomatic talks with the Vietnamese government. In a press briefing, the vice president informed the media that she had raised human rights concerns, including the release of imprisoned dissidents, with the government but she did not include specifics. While Harris claimed that "we're not going to shy away from difficult conversations," her failure to address these issues publicly suggests that the Biden administration is set to prioritize strategic relations with Vietnam over the promotion of human rights.

While the U.S. government was reluctant to publicly criticize Vietnam's human rights record, the United Nations Working Group on Arbitrary Detention (UNWGAD) has been much more forthright in its condemnation. Recent reports declared the arrests of both Pham Doan Trang and Nguyen Nang Tinh "arbitrary." The UNWGAD investigations included a plethora of criticisms against the Vietnamese government's conduct in each case, including criticism of the length of Tinh's hearing, which lasted just two hours. According to the UNWGAD, the briefness of the trial, coupled with the severity of his sentence (Tinh was jailed for 11 years), suggested that "Mr Tinh's guilt and the sentence were determined prior to the hearing." Meanwhile, the report into Trang's case found that she was arrested on "discriminatory grounds" due to her role as a human rights defender.

UNWGAD also criticized Vietnam's human rights record more generally, pointing to a "similar pattern of arrest that does not comply with international norms" which indicates "a systemic problem with arbitrary detention." This pattern includes long periods of detention with "no access to judicial review, denial of access to legal counsel, incommunicado detention, prosecution under vaguely worded criminal offenses for the peaceful exercise of human rights and denial of access to the outside world."

VIETNAMESE LAW UPDATE

Vietnam started off the year 2021 by assuming the presidency of the United Nations Security Council (UNSC), the most powerful political entity on the globe. While this is a rotating position with not much power, the chair position (which has considerable influence on the UNSC agenda) and a seat in the UNSC will offer the Vietnamese government significant political leverage in world affairs. As theoretical as it sounds, the position has arguably acted in favor of Vietnam in many cases.

Evidently, during the visit of U.S. Vice President Kamala Harris to Vietnam in August 2021, the vice president did not establish any connection or request any meeting with any democratic and civil rights activists, a tradition observed by U.S. Democratic leadership for quite some time. This is unfortunate as 2021 was the worst year yet for the Vietnamese population in general, and Vietnam's civil rights movement and civic space specifically.

In addition to the pandemic, which took more than 40,000 lives (as of the time of this writing) and which forced over one million working people out of large cities, such as Ho Chi Minh City and Ha Noi, there were four big waves of separate political crackdowns this year on a scale not seen since 2010. COVID-online commentators, NGOs, Vietnamese journalists, and independent candidates trying to run in the 2021 general election were four targeted groups this year. No one could be considered safe in the entire civic space of the country, regardless of their political orientation or even their allegiance to the Vietnamese Communist Party, as the report will elaborate in later sections.

Infamous provisions of the 2015 Criminal Code (hereafter referred to as Code), including Article 117 ("Spreading propaganda against the State") and Article 331 ("Abusing democratic freedoms") were used excessively this year against Vietnamese commentators and activists, as we expected.

However, random, irrelevant, and non-political provisions in the Code have also started to make their way into the playbook of the Vietnamese government. For instance, Article 288 of the Code normally deals with serious and harmful unauthorized uses of personal and organizational information in the internet environment.

The targets of this article include businesses and individuals working in the internet and communications industry (for instance, selling personal data without their consent).

Over the past year, there has been an increase in prosecutions of activists for violation of Article 288, despite the fact these activists were only involved in online expression.

This is a reminder that the legal environment in Vietnam concerning human rights is in a constant state of unpredictability, and it highlights how the government can use any number of vaguely-worded national security articles (and even non-security articles) in the Criminal Code as a tool of repression.

Moreover, a rapid series of charges against leaders of Vietnamese NGOs under the umbrella of "tax evasion" (Article 200 of the Code) at the end of 2021 are particularly intimidating to the already beleaguered community of NGOs. As there is no official legal framework for the existence of mainstream NGOs in Vietnam, their taxing responsibilities are stuck in legal limbo. Any financial decision could end up with a legal consequence at the discretion of the authorities.

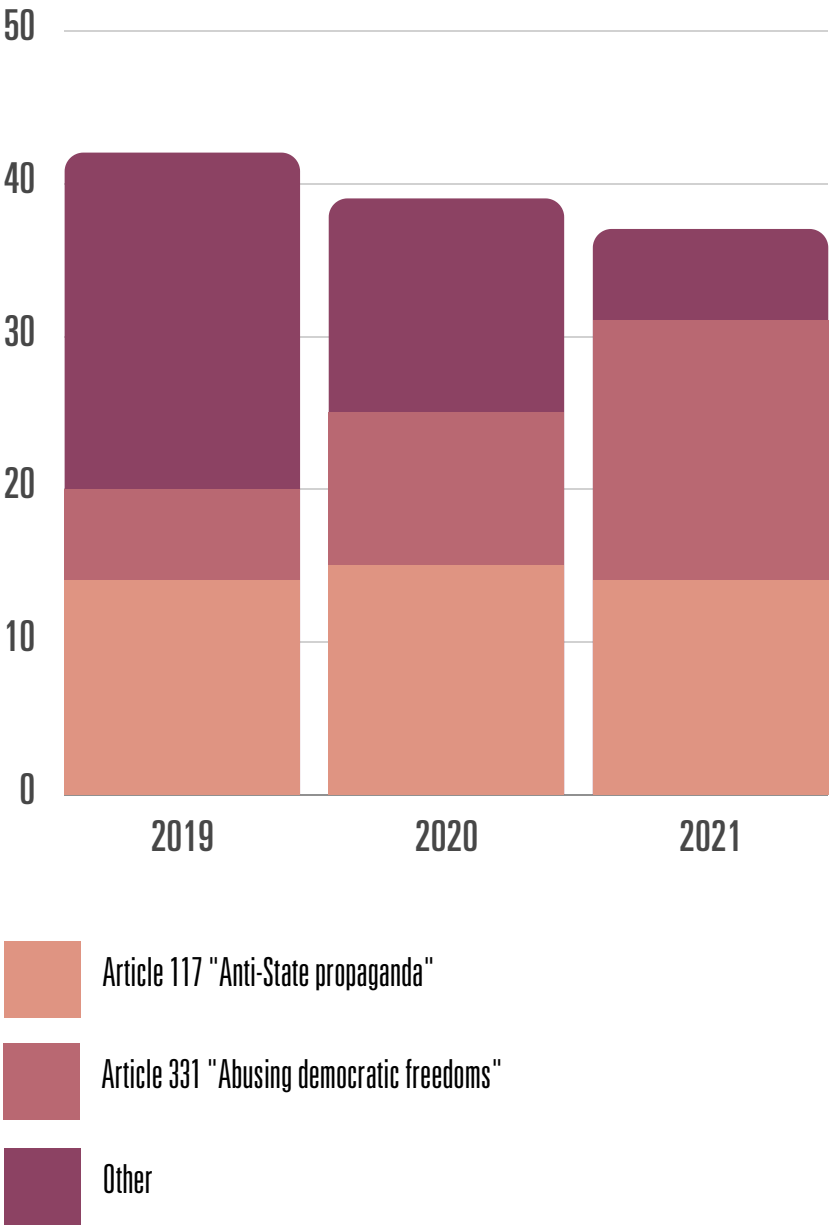
The controversial 2018 Law on Cybersecurity, though not mentioned often in indictments and convictions, certainly provides more legal leverage and power to Vietnamese authorities in requesting personal information and demanding cooperation from big tech. This has led to the government's increasing ability to censor social media. The tactics include: official take-down requests by the government to social media companies and the use of cyber armies, which among other things, abuse Facebook's rules to have accounts locked and posts deleted.

More importantly, we cannot track any significant progressive trend in the current legislation and law-making agenda. Indeed, the draft of the Law on Gender Reassignment could be hailed as a remarkable human rights achievement. Yet, the societal and religious dogmas in Vietnam against gender reassignment have never been severely confrontational in the first place, compared to many other countries. We can certainly acknowledge Vietnam's intention to recognize gender reassignment as one step forward in the right direction. But that does not constitute an overall positive picture of the legal situation concerning human rights in Vietnam.

In fact, as our recent legal update shows, from providing a legal basis for the ongoing COVID-related crackdown to silencing criticism to re-asserting political control over academics abroad to providing state funds for propaganda efforts to attack newly-established religions, all new legal instruments relating to freedom of expression in 2021 have only tightened and narrowed the civic space of Vietnamese citizens.

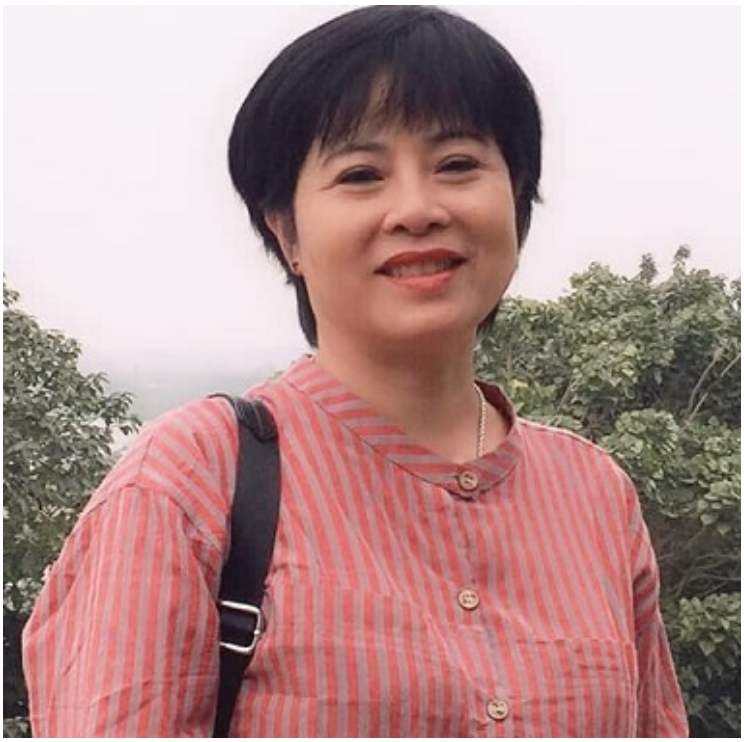
ARRESTS OF ACTIVISTS IN 2021

Although the total number of arrests of human rights defenders in 2021 (37) was slightly smaller than in 2020 (39), there was a noticeable shift in the kind of charges that were brought against this group. While Article 117, which governs "anti-state propaganda," provided the bulk of criminal charges in both 2020 and 2019, in 2021, the majority of charges (17) were instead based on Article 331 — "abusing democratic freedoms." Only 14 cases in 2021 involved Article 117.



Graphic 3: Comparison of arrests of activists in 2019 -2021 under Articles 331 and 117

Arrests by Occupation and Area of Activism



Activist Nguyen Thuy Hanh, arrested in April 2021. Source: Facebook Nguyen Thuy Hanh

Perhaps not coincidentally, there were more journalists and bloggers arrested in 2021 compared to previous years as well. In 2019, only three media professionals were arrested; this number went up to seven the following year. In 2021 the number rose to 12, nine of whom were journalists — some of whom were independent, while others worked for state media. Fewer farmers were arrested in 2021 (2) compared to 2020 (8). One category that had an increase in arrests was online commentators. In all, 15 online commentators were arrested for their online posts (compared to 12 in 2020), many for commentating on the government's handling of the pandemic and the severe lockdown measures that were unevenly implemented, especially in the southern part of the country.

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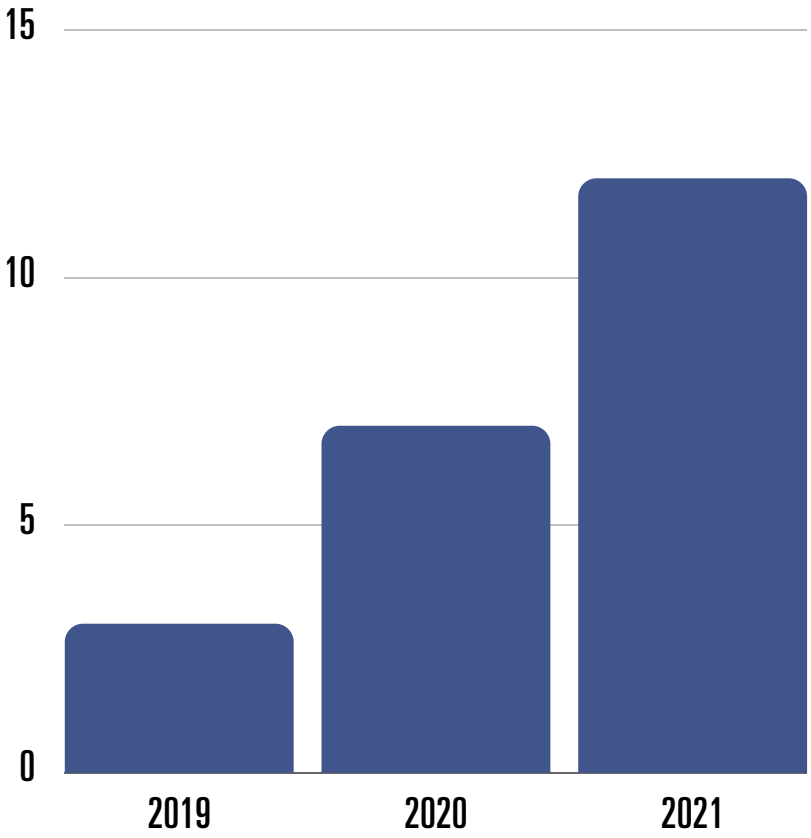
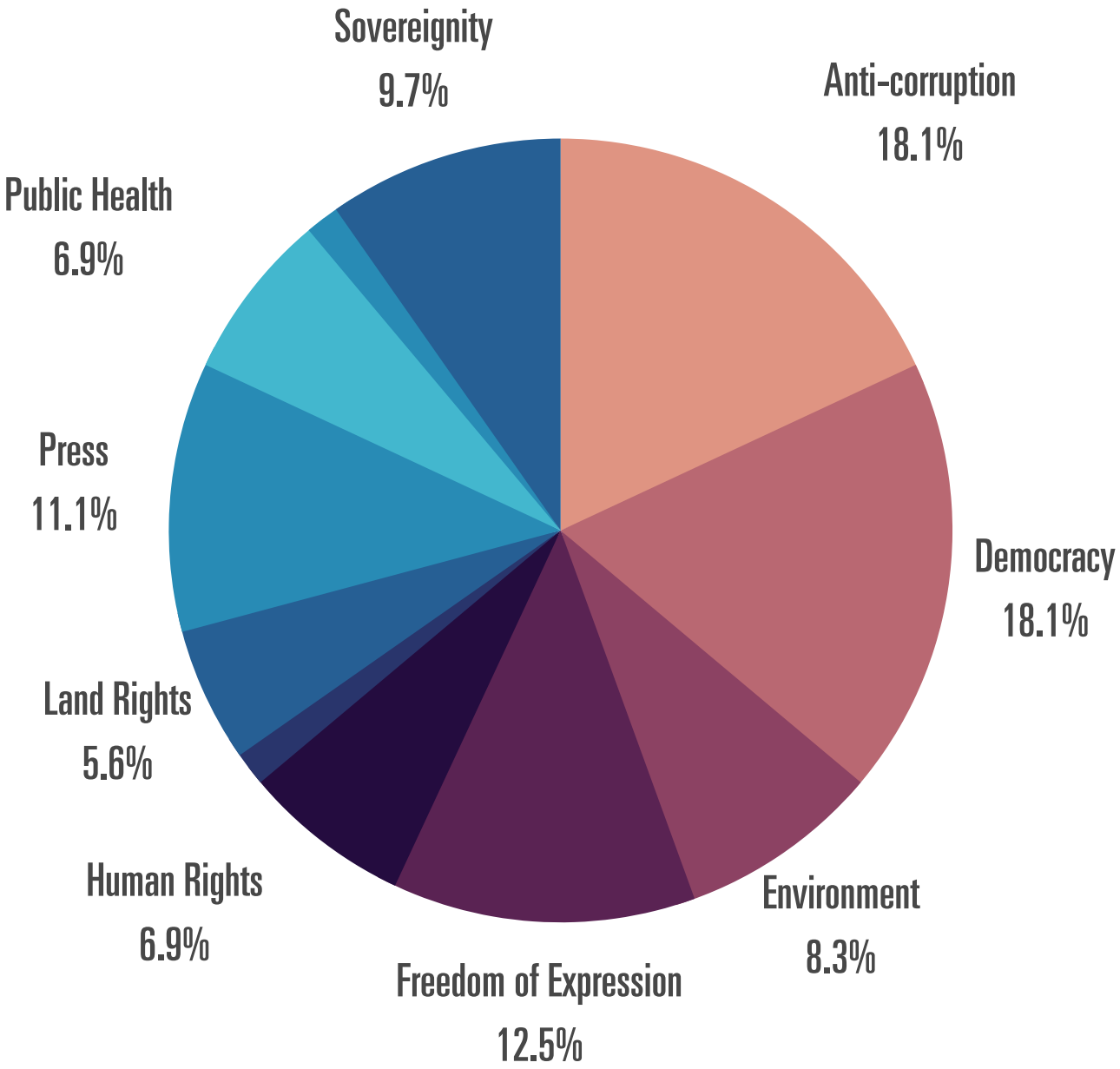
1. We define this term as journalists, bloggers, and authors.
2. We define this term as people with no history of organized activism who are arrested solely for expressing their opinions online.



Graphic 4: Arrests of media professionals from 2019 to 2021

The areas of activism that garnered the most attention also changed. Whereas the majority of activists arrested in 2020 were involved in activities related to democracy (16) and land rights (11), in 2021, as many anti-corruption activists (13) were arrested as democracy activists (13). The most prominent example was the case of the Clean News Group (Báo Sạch) on Facebook, with five members of the group arrested (one in December the year before) and charged with "abusing democratic freedoms" according to Article 331. At the time, their Facebook account had nearly 168,000 followers; the page reported on land disputes, illegal toll booths, and other social injustices. Its principal founder, Truong Chau Huu Danh, was a well-known reporter for Nong Thon Ngay Nay, a prominent agricultural newspaper. The group's arrest sent shockwaves throughout the online community.



Graphic 5: Arrests of activists by type of activism

Arrests of Online Commentators and Independent Candidates

Police searching Nguyen Thien Nghia's home, Source: Cong An Nhan Dan Online

Online commentators are increasingly becoming a target of harassment, crackdown, and arrests. Fifteen such arrests were recorded in 2021 alone, an increase from 12 in 2020. Topics of the posts ranged from the typical calls for democracy and freedom of expression, as in the past, to more topical subjects such as COVID-19 and the government's poor handling of the pandemic. As a matter of fact, we have firm evidence of at least six arrests in 2021 due to criticism of the government's health policy on COVID-19. We suspect there were many more minor incidents of harassment that were not reported or recorded. In our assessment, the discussion on social media, mainly Facebook, showed a heightened level of anger and frustration at the authorities and the state-run media.

Another unusual and rather new category of arrests in 2021 involved those who used social media in an attempt to exercise their political rights to self-nominate as independent candidates for the National Assembly. In all, four individuals have been detained and charged. As noted above, most of the charges against activists in 2021 were based on Article 331 — "abusing of democratic freedoms" instead of Article 117, perhaps signaling a shift in tactics by the state against activists and dissidents. The third most used charge against those arrested in 2021 was Article 200 – "tax evasion."

But regardless of when, where, or why activists were arrested, almost all detainees were held in incommunicado detention prior to trial, and 14 of those arrested in 2021 were held for eight months or longer before being tried. According to our database, there were still 19 people in pre-trial detention at the end of 2021, some arrested in 2021 and some in prior years. Most detainees are not allowed to see their family during their detention period. Many are not even allowed to see a lawyer for months, and some can only speak to a lawyer only a few days before their trial.

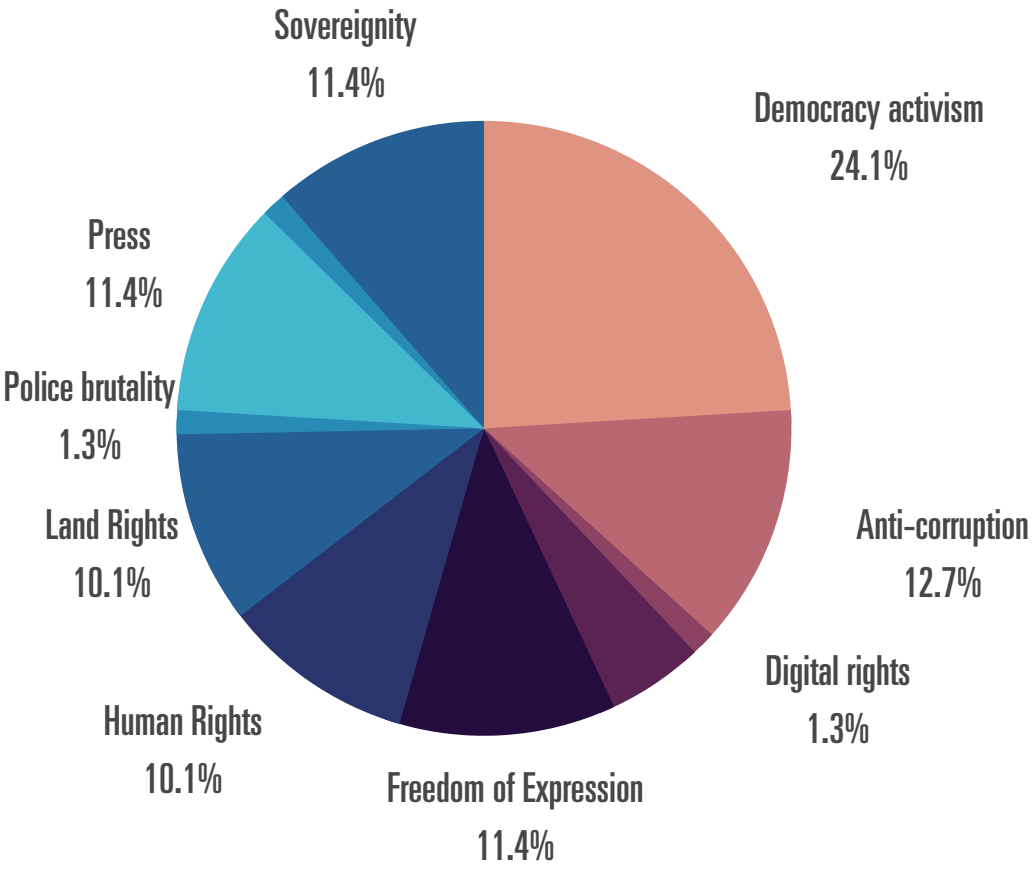
TRIALS OF ACTIVISTS IN 2021

From left to right: Nguyen Tuong Thuy, Le Huu Minh Tuan, and Pham Chi Dung at trial on January 5, 2021, Source: Vietnam News Agency via Reuters/NY Times

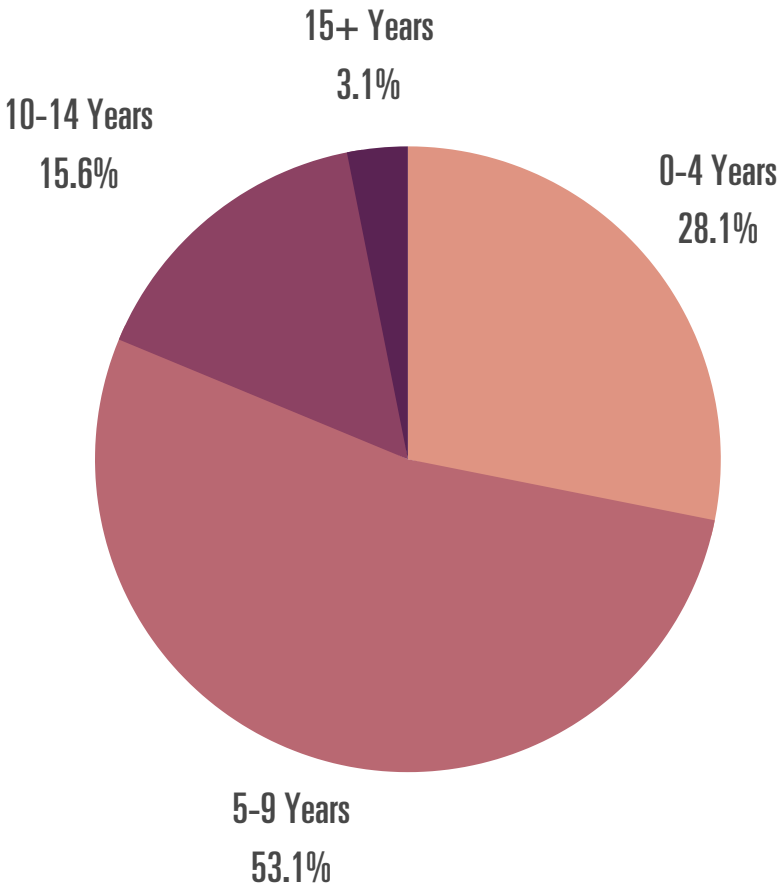
There were a total of 32 people tried in 2021 (compared to 27 the year before). As described above, many of them were arrested in 2020 and held incommunicado for many months before they were put on trial. Democracy activists comprised the largest group of activists who were tried (19). Anti-corruption took second place with 10. Many of the rest of the trials that took place involved the typical accusations against land rights activists and those advocating for freedom of expression.

In terms of gender, women made up a rather large proportion of these trials — nine out of 32. The prison sentences handed out in 2021 were generally more severe as well. A large majority (17) was in the 5-9 year range, with five in the 10-14 year range, and one that was 15 years. Only nine sentences were for four years or less. Forty-eight percent of those tried in 2020 had been sentenced to five years or longer; this rose to 72 percent in 2021.

Furthermore, none of the defendants who appealed had their sentence reduced, no matter what their lawyers said or did. Following the trials and watching how they typically unfold, it becomes obvious very quickly to any objective observer that when it comes to trying political prisoners, the judicial branch in Vietnam is not independent, but rather a rubber-stamping mechanism controlled by the Party apparatus.



Graphic 6: Trials of activists by type of activism



Graphic 2: Setencing of activists in 2021 by year range

What was different in 2021, however, is that some of the lawyers and public defenders were more willing than in years past to speak out against the obvious lack of an independent judicial system. Although their number is still small, their propensity to use social media (mainly Facebook) to raise awareness of the trials and engage the public is definitely a positive change. Some went so far as to post their handwritten notes from the trials so that people can follow and comment, despite the fact that the courts don't allow them to have any electronic devices in the courtroom.

Clean News (Báo Sạch) defendants at trial on October 27, 2021, Source: State Media via Radio Free Asia

In 2021, The 88 Project was able to extract raw information from these closed "open trials" to add to our database. The reason "open trials" are put in quotes is because almost without exception family members are not allowed to attend political trials. Although by law the trials must be open to the public, the authorities resorted to using COVID-19 as a pretext to prevent people from attending. In the past, the police typically posted plainclothes guards outside peoples' residences to prevent them from leaving their house in the days leading up to a trial. However, because people have figured out different ways to evade the guards, the latest police trick is to detain people when they get to the courthouse and take them to a clinic for so-called "Covid testing." There, family members of the defendants are held until the trial is over. In one particularly egregious case, Thu Do, the wife of Trinh Ba Phuong, was taken away while her two toddler children were left behind in front of the courthouse. Fortunately, their grandmother was there to take care of the boys.

One exception to this illegal practice of denying family entry was the trial of Pham Doan Trang, the award-winning activist and author. But even though her mother was allowed to attend her trial, many international observers and representatives from foreign embassies were turned away or had to watch a live feed in a separate room. Again, “due to the pandemic.”

PRISON CONDITIONS OF ACTIVISTS IN 2021

For those who were already in prison at the start of 2021, the general picture did not change much from years past. In other words, the situation has not improved in terms of mistreatment and torture. Through personal accounts given to us by some family members of the incarcerated, it appears that the practice of physical and psychological abuse of political prisoners is still going on, although it's very difficult to confirm or verify. What we do know for sure is that many political prisoners have used hunger strikes, some repeatedly, to protest against various forms of mistreatment, including beating.

It is important to keep in mind that political prisoners can be subjected to more than one kind of physical and psychological mistreatment. Therefore, many of the cases described below can fall into multiple categories of abuse, such as forced medication, torture, solitary confinement, denied family visits, and more. Oftentimes, prisoners have to resort to hunger strikes in order to have their demands heard.

Denial of Family Visits, Supplies, and Adequate Healthcare

Independent political candidate Le Trong Hung, arrested in March 2021. Source: Facebook Hung Gan Le

One means of suppression used by prison officials is to deny family visits or to prevent families from sending supplies to incarcerated relatives. Again, COVID-19 has oftentimes been used (or misused) as an excuse. Yet another way to make life hard on the prisoners and their families is to move them to prisons that are hundreds of kilometers away from their home. In many cases this makes it extremely difficult for the spouses of the prisoners, the majority of whom are women with young children, to visit and bring supplies. The documented number of these punitive transfers actually increased from eight in 2020 to 10 in 2021. The case of Can Thi Theu and her two sons, Trinh Ba Phuong and Trinh Ba Tu, being kept hundreds of kilometers apart is but one example.

In one particularly grievous case, Do Le Na, the wife of Le Trong Hung, is blind and has had a hard time trying to visit her husband, having been denied visits multiple times and unable to give him supplies. Like many others, she was not allowed to be in the courtroom when her husband was sentenced to five years in prison for trying to run for an independent seat in the National Assembly. Do Le Na also reported in October that her 10 year-old child had been followed around by secret police.

Healthcare is another issue as the pandemic continues. It is not known what percentage of political prisoners have been fully vaccinated. Generally speaking, information on the healthcare available to political prisoners is often suppressed. Some prisoners were able to let their families know, however, about their ability to access routine medical care. Truong Minh Duc told his wife that prisoners did not get vaccinated and that he did not get the medications he needed nor the supplies she sent. Nguyen Bac Truyen's wife, Bui Kim Phuong, told The 88 Project that her husband never received the letters and medication that she sent either. Hoang Duc Binh's family, after many months not hearing from him, finally got a letter saying he was suffering from sinusitis but was not allowed to receive the traditional medicine they sent, nor was he treated for his condition in the prison hospital.

In a particularly serious charge, Huynh Duc Thanh Binh said that his cellmate Huynh Huu Dat had died in prison due to a lack of proper healthcare. The circumstances around Dat's death remains a mystery and still cannot be independently verified.

Forced Mental Health Treatment

Journalist Le Anh Hung, held in pre-trial detention since his 2018 arrest. Source: Vietnam Right Now

For all prisoners, in 2021, as in years prior, prison conditions led to poor mental and physical health regardless of age, background, gender, or location. And, perhaps an even more startling issue loomed large over political prisoners– the continued practice of prison officials subjecting prisoners to forced mental health treatment. We received reports of at least three prisoners who were transferred to psychiatric facilities against their will. Their families say this was likely done to put pressure on the prisoners to cooperate in the investigation; the families insist that the prisoners had no prior history of mental health issues.

Trinh Ba Phuong is a land rights activist. While awaiting trial on charges of "conducting anti-state propaganda," he was moved to National Psychiatric Hospital No 1 for undisclosed reasons without his family's knowledge. Phuong's sister, Thao Trinh, later claimed that her brother had maintained his right to remain silent in detention and refused to answer questions, prompting the chief investigator to question his wife two months ago about his mental state. It is not known what kind of treatment Phuong was given while in the hospital. Fortunately, he was returned to pre-trial detention after a few weeks with no signs of mental impairment.

Tran Thi Niem, mother of blogger and journalist Le Anh Hung reported in March that her son was forced to take up to 12 pills a day, although she did not know what kind. Hung allegedly refused to cooperate with prison officials. His mother said in a call home Hung reported that "he was severely beaten and tortured by hospital's officials, but now he does not argue with them anymore." It is believed that Hung was forcibly-medicated against his will. He has been transferred in and out of psychiatric hospitals since his arrest in 2018.

In a final example of the broad application of this mistreatment of prisoners in 2021, author and veteran journalist Pham Chi Thanh was reportedly moved to a mental health facility in late November 2020. Authorities reported he was moved for an evaluation but did not provide specific details about the transfer. Thanh's wife, Nguyen Thi Nghiem, said of the move: "I've been living with him for years, I know that his mental health is normal. He doesn't have a problem." He was suddenly moved from the facility back to Hoa Lo Prison in Hanoi on New Year's Day without notice.

Physical and Psychological Harm and Retaliation for Advocating for Improved Prison Conditions

Former police captain Le Chi Thanh, who was subjected to severe dehumanizing treatment in prison in 2021, Source: State Media via VNExpress

Political prisoners can experience multiple forms of violence. Nguyen Van Hoa was convicted and sentenced to seven years in prison in 2017 for "anti-state propaganda." His family was not allowed to attend the trial. Hoa alleged that he had been kidnapped on January 11, 2017 and detained for nine days, during which time he was beaten and made a confession under duress. Many of his legal rights were blatantly denied during his arrest and detention period, such as not being allowed to send or receive letters, not being given adequate healthcare, and even being beaten after refusing to testify against a fellow activist in 2018. Hoa launched at least 11 petitions during his time in prison to complain about ill-treatment and violations by prison staff. In July of 2021, Hoa went on a five-day hunger strike to demand that his complaints be heard. The prison officials responded by shackling him and putting him in solitary confinement for a week.

Former police captain Le Chi Thanh, imprisoned for posting online about police abuse and corruption, told his mother that he was routinely beaten and even hung upside down in a room full of feces. Nguyen Van Duc Do reported that prison officials used dogs to subdue him while in solitary confinement.

Nguyen Bac Truyen was kidnapped in 2017 and held in secret for weeks before his family was notified. He was sentenced to 11 years for "subversion" under Article 79. In March 2021, Truyen's wife, Bui Kim Phuong, reported that prison guards had subjected him to extreme psychological stress to "isolate and demean him."

Phuong also told The 88 Project that all of Truyen's requests to prison officials had been denied. She added that the letters she sent to him were not delivered to him, that his petitions to court authorities were not sent, and that he was not treated for his gout condition. Furthermore, several letters that he tried to send home asking for supplies were never delivered, and his request to be transferred to a prison closer to home was denied.

As noted above, some prisoners have had to resort to hunger strikes to force the authorities to respond to their requests. Among those, perhaps none was as forceful, relentless, and dramatic as Tran Huynh Duy Thuc. A successful entrepreneur and a fierce democracy activist, Thuc was sentenced to 16 years in 2010 for "subversion" under Article 79 of the 1999 Criminal Code. Through the years, Thuc has held numerous hunger strikes to demand fair treatment and justice. His latest series of hunger strikes began in October 2020 and went all the way to February 2021.

Thuc later recalled that there were times he thought he had died and then had come back from "the edge of Death." Thuc's unique case file is long, and the many letters he wrote home are very helpful in understanding his motivation and determination.

Dinh Thi Thu Thuy, who was sentenced to seven years in prison in January 2021. Source: Nhân Quyền.

Last but not least, we also want to bring attention to female political prisoners who suffer injustices in prison just as their male counterparts do. One particular case is that of Dinh Thi Thu Thuy, an environmental engineer serving seven years in prison for "anti-state propaganda." In February 2021, Thuy fell seriously ill and was admitted to Hau Giang Provincial Hospital for a vestibular disorder and heart valve regurgitation. She also suffered from a calcium deficiency and insomnia due to the unhealthy conditions at the temporary detention center in Hau Giang. Because of that, she chose to not appeal her sentence just so that she could be moved back to a regular prison, which at least would allow her to work outside and get some sunlight.

Like many typical female prisoners her age, Thuy has a 10 year-old son who now has to live with her mother, who also suffers from heart disease. Thuy's family situation has pushed her to the brink, according to a friend who saw her recently. Sadly, Thuy's case is neither singular nor unique. By searching The 88 Project's database you will find many other stories that are just as provocative and compelling.

ACTIVISTS AND COMMUNITIES AT RISK

Khmer Krom activist Yoeung Kaiy, Source: Little Saigon TV

Vietnamese authorities continued to intimidate and harass activists in 2021. The 88 Project recorded at least 33 incidents of harassment against 16 different activists during the year. Several people from religious and ethnic minority communities were targeted, including Christian and Buddhist practitioners and people from the Cham, Khmer Krom, and Montagnard ethnic communities.

Alarmingly, we observed a spate of harassment of Khmer Krom communities in southwestern Vietnam. Khmer Krom community members and leaders in Tra Vinh province were harassed and temporarily detained for wearing T-shirts bearing UN logos or for passing out UN materials on environmental sustainability and human rights.

Other victims of government harassment in 2021 included teachers (e.g., Mac Van Trang, Tran Thi Tho), religious leaders (e.g., Dinh Huu Thoai) and writers (e.g., Nguyen Quoc Huy). At least one individual (Huynh Ngoc Chenh) is a member of the Network of Vietnamese Bloggers while two others are former political prisoners themselves — Le Van Dung and Pham Thanh Nghien.

At the same time, the government intensified its crackdown on political speech in online spaces and against attempts by activists to exercise their right to participate in politics. Online commentators were summoned to police stations and interrogated after posting critical content on social media about the government's handling of the pandemic. At least two independent candidates, Nguyen Quoc Huy and Nguyen Van Son Trung, who attempted to run in the 2021 National Assembly elections, were summoned for questioning. During the 2016 elections, at least 11 self-nominated candidates got on the ballot, while scores of independents who tried to participate were vetted out by the Party. Among those who did not make it onto the ballot was singer/activist Mai Khoi, who later was able to meet with President Barack Obama during his visit to Hanoi. Surprisingly, no one who attempted to run independently in 2016 was arrested.

Comparing types of incidents perpetrated against activists in 2020 and 2021, there were some remarkable differences. In 2020, the highest number of incidents for a particular category of incident was 14 cases of travel restriction, followed by nine instances each of police interrogation, detention, and surveillance. In 2021, the most common types of incidents were property confiscations and police interrogation at eight each, followed by six detentions.

Police were not the only people doing the harassing, however. A few incidents were carried out by non-police administrators or even plainclothes individuals. For example, Fr Dinh Huu Thoai in Quang Nam was attacked by unknown cyber operatives for his online posts. A university lecturer, Tran Thi Tho, was pressured and then dismissed by her school for criticizing the government's handling of the pandemic. Another educator and 54-year member of the Communist Party, Mac Van Trang, received anonymous phone calls with threatening messages for his outspoken stance against Chinese vaccines. Nearly half (7/16) of the individuals targeted in 2021 were in fact harassed more than once, although percentage-wise this was actually a decrease from 2020 in terms of the number of people harassed multiple times in the year.

We also saw changes in harassment cases based on the different kinds of activism of those people targeted. For example, cases of harassment against democracy activists fell from 12 to 6, human rights activists from 9 to 5, sovereignty activists from 12 to 7, and environmental activists from 10 to 3. The one exception was indigenous rights, which rose from zero to 5 — a worrisome indicator that we will continue to monitor closely going forward, especially with regard to the Khmer Krom people and their desire for cultural autonomy.

Huynh Thuc Vy, who was forced to immediately begin serving her suspended sentence in 2021, even though she was still caring for her young child. Source: Facebook Nguyen Van Dai via VOA Vietnamese.

Lastly, we want to bring attention to the case of Huynh Thuc Vy, a female activist who was convicted in a 2018 trial for "desecrating the national flag." Vy had not yet begun serving her two years and nine months sentence because she was pregnant with her second child at the time of the sentencing. According to Vietnamese law, a woman with a child under three years of age is eligible for a postponement of the prison sentence. In Vy's case, however, police continued to harass her by repeatedly summoning her to the station for questioning during this period of her postponed sentence. Finally, the police arrested Vy in November 2021, months before her youngest child turned three— a blatant violation of the law— and sent her to a prison hundreds of kilometers away from her home.

VIETNAM'S UPR COMMITMENTS AND FAILURES

After the Universal Periodic Review 2019 Cycle, the Vietnamese government accepted, fully or partially, many recommendations made by member states. These included guaranteeing freedom of opinion and freedom of expression (recommendation 168), safeguarding fully the rights of peaceful assembly and association and the safety of journalists (no. 172), abolishing prior censorship in all fields of cultural creation and other forms of expression (no. 194), and more.

If the Vietnamese government was serious about implementing these recommendations, then we would be witnessing the emergence of a vibrant civil society. .

Unfortunately, that is not the case.

As reported in detail by The 88 Project and the University of Chicago in the joint mid-term UPR submission, none of the government's UPR commitments related to freedom of expression have been implemented as policy or practice.

1. Legal reform

Several accepted recommendations require the Vietnamese government to revise domestic law.

To bring local law in line with international norms, a number of policy changes are required. For instance, to ensure that evidence obtained through torture is inadmissible, the way "torture" is defined in Vietnamese law must be modified to reflect the United Nations Convention against Torture (UNCAT). Similarly, the Law on Detention and Custody, No. 94/2015/QH13, (Nov. 25, 2015), must also be revised to ensure the right to visit a detainee/defendant once per month without any exception.

Or to ensure prompt, impartial, and independent investigations into the unnecessary or excessive use of force by the police, we argue that it is essential to establish the legal framework for the operation of an independent panel of experts to vet and then support individuals claiming to have been victims of police brutality. But to date, no such framework exists.

Take the case of safeguarding fair trial guarantees and due process rights (no. 158). Following international law/norms, legal concepts like "obstinacy" (ngoan cố) and "rebellion" (chống đối) should be dropped from domestic law. Yet, in Vietnam these concepts are frequently used by the courts to punish criminal defendants who refuse to talk without their lawyer present or who do not want to confess to alleged crimes, effectively stripping the defendant of the right to self-defense and the right to remain silent.

In a rather unexpected event, the Vietnamese government also agreed to "abolish prior censorship in all fields of cultural creation and other forms of expression, both online and offline" (no. 194). But up until now, only more prior censorship mechanisms have been installed.

No legal reform process has been initiated to realize the commitments made by the Vietnamese government in the UPR Cycle Review of 2019 in relation to freedom of expression, protection of journalists, or improvements in the criminal justice system.

2. Governance Practices

Not only has the Vietnamese government failed to initiate a process of legal reform; it has also made little progress in changing its governance practices. The ongoing crackdown on dissent and activism blatantly contradicts promises made in response to UPR recommendations.

For instance, while promising the Government of New Zealand that it would ensure that "evidence obtained through torture is inadmissible in trial in keeping with Viet Nam's obligations under the Convention against Torture," the authorities continue the practice of making no-warrant arrests and detentions, detaining people incommunicadeo, and barring attorneys from meeting their clients. In 2021, over one-third of Vietnamese political prisoners were subjected to prolonged incommunicado detention. Separating detainees from the outside world is a well-known method used to suppress and break down the social support networks of detainees, and the authorities sometimes also continue to use torture as an interrogation method.

While promising to "guarantee fully freedom of speech, the rights of peaceful assembly and association as well as the safety of journalists...," the government instead uprooted the entire foundation of independent journalism, imprisoning nearly all of the members of the country's only association of independent journalists. Many of the remaining prominent journalists were tried and convicted in 2021 – 11 journalists and one blogger – with some sentenced to more than 10 years of imprisonment. We recorded 12 journalists, bloggers, and authors arrested in 2021, up from seven the previous year and three in 2019. While claiming to have abolished pre-publication censorship in all fields of cultural creation and other forms of expression, in reality the government continues to impose new censorship regimes, as we reported in our recent legal update.

APPENDICES

Appendix 1: Activists Arrested in 2021

- Bach Hung Duong, arrested June 24, 2021, Article 200 (2015)
- Bach Van Hien, arrested June 30, 2021, Article 331 (2015)
- Bui Van Thuan, arrested August 30, 2021, Article 117 (2015)
- Cao Van Dung, arrested June 9, 2021, Article 117 (2015)
- Dang Dinh Bach, arrested June 24, 2021, Article 200 (2015)
- Dang Hoang Minh, arrested June 2, 2021, Article 117 (2015)
- Dinh Van Hai, arrested October 7, 2021, Article 117 (2015)
- Do Nam Trung, arrested July 6, 2021, Article 117 (2015)
- Doan Kien Giang, arrested April 20, 2021, Article 331 (2015)
- Le Anh Dung, arrested February 6, 2021, Article 331 (2015)
- Le Chi Thanh, arrested April 14, 2021, Article 330 (2015)
- Le The Thang, arrested July 6, 2021, Article 331 (2015)
- Le Trong Hung, arrested March 29, 2021, Article 117 (2015)
- Le Trung Thu, arrested June 30, 2021, Article 331 (2015)
- Le Van Dung, arrested June 30, 2021, Article 117 (2015)
- Mai Phan Loi, arrested June 24, 2021, Article 200 (2015)
- Nguyen Bao Tien, arrested May 5, 2021, Article 117 (2015), Article 305 (2015)
- Nguyen Duy Huong, arrested March 22, 2021, Article 117 (2015)
- Nguyen Duy Linh, arrested September 14, 2021, Article 117 (2015)
- Nguyen Hoai Nam, arrested March 2, 2021, Article 331 (2015)
- Nguyen Huy, arrested February 10, 2021, Article 331 (2015)
- Nguyen Phuoc Trung Bao, arrested April 20, 2021, Article 331 (2015)
- Nguyen Thi Thuy, arrested July 27, 2021, Article 331 (2015)
- Nguyen Thanh Nha, arrested April 20, 2021, Article 331 (2015)
- Nguyen Thien Nghia, arrested October 21, 2021, Article 288 (2015)
- Nguyen Thuy Hanh, arrested April 7, 2021, Article 117 (2015)
- Nguyen Tri Gioan, arrested November 15, 2021, Article 117 (2015)
- Nguyen Van Nhanh, arrested January 7, 2021, Article 155 (2015)

- Phan Bui Bao Thy, arrested February 5, 2021, Article 331 (2015)
- Phan Huu Diep Anh, arrested July 21, 2021, Article 331 (2015)
- Phung Thanh Tuyen, arrested June 30, 2021, Article 331 (2015)
- Thach Rine, arrested October 14, 2021, Article 331 (2015)
- Tran Hoang Huan, arrested August 10, 2021, Article 117 (2015)
- Tran Ngoc Son, arrested May 20, 2021, Article 331 (2015)
- Tran Quoc Khanh, arrested March 10, 2021, Article 117 (2015)
- Vo Hoang Tho, arrested October 4, 2021, Article 331 (2015)

Appendix 2: Activists Tried in 2021

- Can Thi Theu, tried May 5, 2021, sentenced to eight years, Article 117 (2015)
- Cao Van Dung, tried June 9, 2021, sentenced to nine years, Article 117 (2015)
- Dang Hoang Minh, tried June 2, 2021, sentenced to seven years, Article 117 (2015)
- Dinh Thi Thu Thuy, tried January 20, 2021, sentenced to seven years, Article 117 (2015)
- Do Nam Trung, tried December 16, 2021, sentenced to 10 years, Article 117 (2015)
- Doan Kien Giang, tried October 28, 2021, sentenced to three years, Article 331 (2015)
- Le Viet Hoa, tried March 31, 2021, sentenced to five years, Article 117 (2015)
- Le Huu Minh Tuan, tried January 5, 2021, sentenced to 11 years, Article 117 (2015)
- Le Thi Binh, tried April 22, 2021, sentenced to two years, Article 331 (2015)
- Le The Thang, tried October 28, 2021, sentenced to three years, Article 331 (2015)
- Le Trong Hung, tried December 31, 2021, sentenced to five years, Article 117 (2015)
- Le Van Hai, tried March 31, 2021, sentenced to four years, Article 331 (2015)
- Ngo Thi Ha Phuong, tried March 30, 2021, sentenced to seven years, Article 117 (2015)
- Nguyen Phuoc Trung Bao, tried October 28, 2021, sentenced to two years, Article 331 (2015)
- Nguyen Thi Cam Thuy, tried October 28, 2021, sentenced to nine years, Article 117 (2015)
- Nguyen Thi Tam, tried December 15, 2021, sentenced to six years, Article 117 (2015)
- Nguyen Thi Thuy, tried July 27, 2021, sentenced to one year and eight months, Article 331 (2015)
- Nguyen Thanh Nha, tried October 28, 2021, sentenced to two years, Article 331 (2015)
- Nguyen Tri Gioan, tried November 15, 2021, sentenced to seven years, Article 117 (2015)
- Nguyen Tuong Thuy, tried January 5, 2021, sentenced to 11 years, Article 117 (2015)
- Nguyen Van Nhanh, tried January 7, 2021, sentenced to one year, Article 155 (2015)
- Nguyen Van Lam, tried July 20, 2021, sentenced to nine years, Article 117 (2015)
- Pham Doan Trang, tried December 14, 2021, sentenced to nine years, Article 88 (1999)
- Pham Chi Dung, tried January 5, 2021, sentenced to 15 years, Article 117 (2015)
- Pham Chi Thanh, tried July 9, 2021, sentenced to five years and six months, Article 117 (2015)
- Tran Hoang Minh, tried July 20, 2021, sentenced to five years, Article 331 (2015)
- Tran Quoc Khanh, tried October 28, 2021, sentenced to six years and six months, Article 117 (2015)
- Tran Thi Tuyet Dieu, tried April 23, 2021, sentenced to eight years, Article 117 (2015)
- Trinh Ba Tu, tried May 5, 2021, sentenced to eight years, Article 117 (2015)

- Trinh Ba Phuong, tried December 15, 2021, sentenced to 10 years, Article 117 (2015)
- Truong Chau Huu Danh, tried October 28, 2021, sentenced to four years and six months, Article 331 (2015)
- Vu Tien Chi, tried March 31, 2021, sentenced to 10 years, Article 117 (2015)

Appendix 3: Activists Harassed in 2021

- Dinh Huu Thoai,* fined for criticizing the government's COVID-19 response, October 3-14, 2021
- Huynh Ngoc Chenh,* Facebook account attacked using the Facebook community standards mechanism, April-November 2021
- Le Van Dung,* attempted arrest and wanted possibly for running as independent candidate in National Assembly elections, January 21, 2021; later arrested June 30, 2021
- Mac Van Trang, death threats, September 20, 2021
- Nguyen Quang A,* summoned about possible criminal charge under Article 117, July 2021
- Nguyen Quoc Huy, detained for running as an independent candidate in the National Assembly election, April 7-11, 2021
- Nguyen Van Son Trung, detained for questioning, April 9-14, 2021
- Pham Le Vuong Cac, summoned and questioned for alleged involvement in Liberal Publishing House, January 21, 2021
- Pham Thanh Nghien,* summoned during COVID-19 from Ha Noi while living in Ho Chi Minh City, July 13- 28, 2021; summoned for questioning related to the book "Slices of life behind bars," July 26, 2021; summoned by public security as a "witness," December 23, 2021
- Thach Chanh Sang, T-shirt with political logo confiscated by police, March 4, 2021
- Thach Rine, detained and questioned for ten hours over the wearing of a T-shirt with a UN logo; UN documents confiscated, June 25, 2021
- Thach Tha, booklets containing UN materials confiscated, June 5, 2021
- Tran Thi Tho, fired and investigated for criticizing COVID-19 policies, August 5-10, 2021
- Trinh Ba Khiem,* interrogated by police about livestreams, March 21, 2021
- Y Nuen Ayun,* interrogated for printing calendars with logo, January 2021; detained and forced to promise not to practice his religion, July 16, 2021
- Yoeung Kaiy, detained for distributing a United Nations document, April 13-14, 2021

An asterisk (*) denotes people who suffered multiple incidents of harassment in 2021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