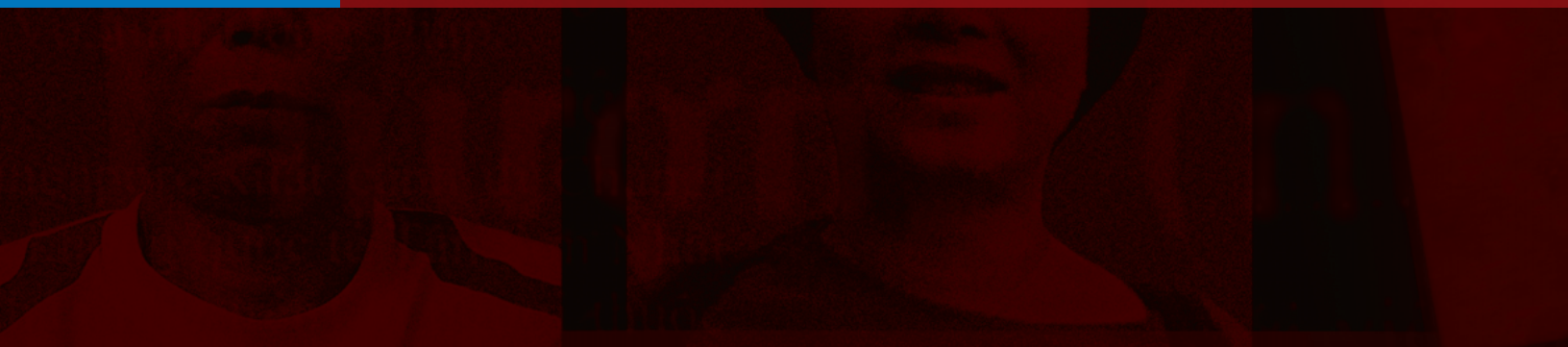




HUMAN
RIGHTS
WATCH

“Locked Inside Our Home”

Movement Restrictions on Rights Activists in Vietnam





“Locked Inside Our Home”

Movement Restrictions on Rights Activists in Vietnam

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Summary.....	1
House Arrests	2
Intercepting People Going to Events.....	5
Restrictions on International Travel.....	7
Key Recommendations	10
Methodology.....	11
I. Emblematic Cases	14
Nguyen Thuy Hanh	15
Pham Doan Trang.....	22
Nguyen Tuong Thuy	24
Pham Chi Dung	27
Pham Chi Thanh.....	29
Pham Van Diep	31
Le Cong Dinh	35
Huynh Cong Thuan	37
Nguyen Quang A	40
Literary Group Van Viet, 2016-2020.....	44
Hoa Hao Buddhist Anniversary, March 18, 2020	47
Dong Tam Incident, January 2020	49
Protests against Draft Laws on Economic Zones and Cybersecurity, June 2018	53
Vietnam-United States Human Rights Dialogue, 2013-2019	54
II. Relevant Legal Standards.....	59
Domestic Law	59
International Legal Standards.....	61
Recommendations	63
To the Government of Vietnam.....	63
To the National Assembly	63

To the Ministry of Public Security	64
To Donor Agencies and Concerned Countries, including the US, EU, UK, Japan, Australia, UN, World Bank, and Asian Development Bank.....	65
Acknowledgments.....	66
Appendix 1: Additional Examples of House Arrest	67
Appendix 2: Partial List of People on Travel Ban List 2004-2021	77

Summary

In January 2021, during the 13th Communist Party of Vietnam Congress in Hanoi, state security agents put activists in the capital under house arrest for 10 days. These arrests were both arbitrary and unsurprising; Vietnamese authorities have long used extralegal detention as a tool against dissent during major political events. Among the activists placed under house arrest were Nguyen Thuy Hanh and her husband Huynh Ngoc Chenh. Said Nguyen Thuy Hanh:

The authorities moved numerous soldiers to Hanoi to guard the Party Congress, yet that did not put their minds at ease. They brazenly robbed us, citizens who did not violate any law, of our rights to freedom of movement, and the police locked us inside our home throughout the entire congress. Which law allows authorities to treat us like that?

Arbitrary restrictions on activists' freedom of movement are also used to prevent international travel. In September 2018, Nguyen Quang A was about to travel to Australia for a meeting. Before leaving, he had coffee with an Australian scholar at a café on Dien Bien Phu Street in Hanoi. When he left to catch a taxi for the airport, men in civilian clothes approached, forced him into a car, and took him to police headquarters at the city's Noi Bai International Airport. Police questioned him about a trip he planned to take the next month to Brussels, where he was invited to testify before the European Parliament about the European Union-Vietnam Free Trade Agreement. Police held him long enough for him to miss his flight to Australia. Nguyen Quang A said:

In the Ministry of Public Security, there are people in some departments who abuse power to the extreme. They were trained thoroughly in the ideas that they have the rights to treat citizens as criminals.

This report documents the Vietnamese government's routine violation of the right to freedom of movement and other basic rights by subjecting activists, dissidents, human rights defenders, and others to indefinite house arrest, harassment, and other forms of detention—even detaining them just long enough to prevent them from attending protests,

criminal trials, meetings with diplomats and an US president, and other events. The report also documents authorities blocking critics of the government from domestic and international travel, including by stopping them at airports and border gates, and denying passports or other documents that allow them to leave or enter the country.

These widely practiced violations of the right to freedom of movement in Vietnam are often overlooked in conventional rights reporting, which often focuses on larger-stake issues such as the prosecution and long-term imprisonment of dissidents, land and labor rights violations, and the suppression of fundamental liberties by Vietnam's one-party state.

As detailed below, Human Rights Watch has documented numerous cases of freedom of movement violations since 2004 and identified more than 170 people banned from leaving or entering the country. The actual totals are certainly much higher: information is scarce because of Vietnam's strict censorship regime and because many victims fear that making their cases public will lead to criminal or other retaliatory action by authorities. The abuses documented here, moreover, are not limited to these named human rights and democracy activists; authorities sometimes also target their family members by placing them under house arrest or banning them from traveling abroad as a form of collective punishment.

We also highlight efforts by courageous activists to challenge the legality of government practices and demonstrate the difficulty or impossibility of obtaining legal redress in Vietnam's Communist Party-controlled courts.

House Arrests

Vietnamese authorities use a range of tactics to carry out house arrests:

- stationing plainclothes security agents outside homes;
- using external padlocks to lock people into their homes;
- erecting roadblocks and other physical obstacles and barriers to prevent individuals from leaving their homes and others from entering;
- mobilizing neighborhood thugs to intimidate people into staying home;
- applying very strong adhesives— “superglue” —on locks.

The most common method of house arrest has been to station several men in civilian clothes outside the house of a target. If the person tries to leave the house, as in the case

of Nguyen Thuy Hanh and Huynh Ngoc Chanh above, these men are prepared to use force to block the person's path. Those so detained eventually give up and return home.

The practice is so pervasive that rights activists and bloggers have adopted certain coded terms to describe house arrest. They include *banh canh*, a southern food: *banh* is a Vietnamese word used for cake or noodle made from flour, while *canh* usually means either soup or to guard. Activists thus playfully post on Facebook that they are eating *banh canh*—literally guard soup—to indicate that security agents are outside their houses, preventing them from leaving.

In another form of black humor, a common phrase, *den hen lai len* (originally the name of a 1974 northern film), later became used in everyday language to express something that routinely happens. It was then changed to *den hen lai canh* ("I'm being guarded again"), used when an important event is taking place in Vietnam and activists are under scrutiny. Another phrase, *dat vom* (slang to describe those who have houses but like to wander and sleep elsewhere) is sometimes used to describe activists who intentionally leave their houses and stay at unknown places to evade house arrest before an important event.

House arrests often coincide with key events or dates on the national calendar, including national and religious holidays, or significant domestic political events such as a Communist Party congress, the country's staged elections, international meetings or summits, or political trials of important dissidents.

Particularly sensitive days include April 30 (commemoration of the end of the 1954-1975 war); June 26 (United Nations International Day in Support of Victims of Torture); September 2 (Vietnam National Independence Day); and December 10 (International Human Rights Day); and any day that activists decide to gather formally or informally to celebrate certain important occasions, such as the annual award ceremony of the independent literary group Van Viet, the founding day of the Independent Journalists Association, or the founding day of the Vietnam Path Movement.

Other days that have become sensitive for the authorities are those prior to and during human rights dialogues between Vietnam and the United States, the European Union, or Australia; prior to and during visits to Vietnam by US presidents, including Bill Clinton in 2000, Barack Obama in 2016, and Donald Trump in November 2017 (APEC) and in February

2019 (Trump-Kim Jong-Un Summit), or other heads of government; and prior to and during visits by foreign diplomats on human rights-related issues, such as by the United Nations special rapporteur on freedom of religion and belief, or the US ambassador-at-large on freedom of religion.

Due to the long and complicated historical relationship between Vietnam and its enormous neighbor China, and the opaque dynamics between the two governments, many Vietnamese activists are passionate protesters against China. Many of the “sensitive” days during the year when activists are put under house arrest are related to China, including:

- January 19 (commemoration of the 1974 Battle of Paracel Islands between naval forces of the Republic of Vietnam (South Vietnam) and China);
- February 17 (commemoration of the 1979 Sino-Vietnamese border war);
- March 14 (the commemoration of the 1988 Johnson South Reef Skirmish between Vietnam and China); and
- October 1 (China Independence Day).

Hoa Hao Buddhist practitioners who refuse to join state-sanctioned churches are subject to house arrest at least three times a year: the founding day of the religion and the anniversaries of the birth and the death of Hoa Hao founder Huynh Phu So.

New sensitive days have been added to the calendar in recent years. House arrests are common on weekends following public protests, such as after the Formosa Steel Plant toxic spills that caused a massive environmental disaster along the central coast of Vietnam in 2016 or following the 2018 mass protests against the draft laws on special economic zones and cybersecurity.

On most occasions, activists can guess why the authorities have put them under house arrest. But at other times it is unclear. In March 2019, Nguyen Quang A wrote: “I still don’t know what the fuck today is!” to express his frustration with not knowing why he had been put under house arrest on that particular day.

Intercepting People Going to Events

The authorities have frequently prevented activists from attending meetings or events they consider to be politically sensitive, engaging in arbitrary arrest, detention, or abduction until the event is over or impossible to attend. Often, police officers or thugs force people into a car and just drive them around or keep them locked up at a police station for as long as necessary.

In May 2019, the prominent blogger Nguyen Huu Vinh, also known as Anh Ba Sam, completed a five-year prison sentence and was released. To prevent fellow activists from welcoming him home, the authorities placed many activists under house arrest. One of these was Vo Van Tao, who said that, on the evening of May 4, men in civilian clothes forced him onto a motorbike, took him to police headquarters, and confiscated his mobile phone and identity card. Vo Van Tao said that security agents told him that they “wanted to stop people from welcoming Ba Sam upon being released from prison to come home on May 5.”

This issue reached global proportions during the visit of then-President Barack Obama to Vietnam in May 2016. To show his support for the efforts of the activists, Obama scheduled a meeting with Vietnamese civil society representatives. BBC Vietnamese reported that only 6 out of 15 invitees attended. Security agents blocked others, including lawyer Ha Huy Son, from attending. “They said I could go anywhere else but not to the embassy. And they are still following and watching me,” Son said at the time.

The US embassy also invited Pham Doan Trang to meet Obama. At the time, she was undergoing medical treatment in Ho Chi Minh City for an injury she suffered when security forces forcibly broke up an environmental protest in Hanoi in April 2015. She feared that police would stop her if she flew from Ho Chi Minh City to Hanoi, so she decided to go by car instead. Fellow activists Tran Thu Nguyet and Vu Huy Hoang went with her. On May 23, security agents stopped their car and detained the three in Ninh Binh, about 100 kilometers south of Hanoi. They were released the next afternoon when Obama was leaving Hanoi.

Although security agents were stationed outside Nguyen Quang A’s house in Hanoi starting on May 23, he still tried to leave his house to meet Obama early on May 24, accompanied

by his wife, son, and another activist. As they approached a nearby intersection, a group of men wanted to know where he was going. Nguyen Quang A asked for the identities of the men, who instead pushed his wife aside and threw him into a car before driving him around “to kill time.” By the time they dropped him off, Obama was on his way to Ho Chi Minh City.

In Ho Chi Minh City, Obama also met with members of the Youth Southeast Asian Leaders Initiative (YSEALI). Student activist Tran Hoang Phuc was one of the invitees. He brought documents related to the Formosa Steel Plant environmental disaster. As he waited to enter the meeting room, public security officers came and took him to a police station for interrogation. Security agents also detained a bystander, fellow activist Nguyen Nu Phuong Dung, who had gone into hiding several days earlier to avoid being put under house arrest during Obama’s visit.

Former political prisoner Pham Ba Hai also left his house before Obama arrived in Ho Chi Minh City and stayed in a hotel to avoid house arrest. Yet, at 2 a.m. on May 24, police arrived at the hotel and forced him to go home. They put him under house arrest until Obama left Vietnam.

In some cases, security agents have used more extreme measures, such as detaining activists and sending them back to their hometown via train or airplane.

In June 2011, blogger Nguyen Ngoc Nhu Quynh (also known as Mother Mushroom) was visiting friends in Ho Chi Minh City. Police detained her for a day and then sent her on a train back to her home in Nha Trang so she could not join an anti-China protest in Ho Chi Minh City. In May 2016, two days before the national election, security agents detained activist Nguyen Viet Dung, who was visiting fellow activists in Ho Chi Minh City, and escorted him to the airport. After landing in Vinh, his hometown, he was physically assaulted before being released. In June 2018, activist Pham Le Vuong Cac flew from Ho Chi Minh City to Hanoi to take an exam for a legal course. Police stopped him upon arrival at Noi Bai International Airport and forced him to fly to Ho Chi Minh City so he could not join a protest in Hanoi that weekend.

Restrictions on International Travel

The Vietnamese authorities have also commonly violated the right to freedom of movement by preventing citizens from leaving or entering the country, particularly at the country's two major international airports and its six most important border gates. In many cases, police stop a traveler at an airport or land immigration counter, take them to another room, and tell them they cannot leave Vietnam. In some cases, police intercept a traveler as they are about to board a plane. In October 2006, Le Thi Cong Nhan passed through immigration and security checkpoints at the airport on the way to a labor rights conference in Warsaw when police arrived and stopped her from boarding.

Police prohibit people from leaving Vietnam on trips abroad for various purposes, including to engage in human rights advocacy.

In November 2019, police at Noi Bai Airport prevented Father Nguyen Dinh Thuc from leaving for Japan to welcome Pope Francis during his visit to Asia. Police allowed the rest of his group, including 12 priests and 2 lay people, to leave the country. Father Nguyen Dinh Thuc said that police told him that he was prohibited from leaving the country on orders from the local authorities “to protect national security, and social order and safety.”

In December 2015, police at Noi Bai Airport prohibited bloggers Nguyen Tuong Thuy and Pham Chi Thanh from leaving for Bangkok. Nguyen Tuong Thuy planned to attend a trip with other activists to celebrate International Human Rights Day in Myanmar and to learn about campaigning for a free and fair election. In February 2014, Dr. Pham Chi Dung was stopped at Tan Son Nhat airport in Ho Chi Minh City and prohibited from leaving Vietnam for Geneva. He planned to participate in a human rights event during Vietnam's Universal Periodical Review at the United Nations. Police told him the ban was at the request of Ho Chi Minh City police and confiscated his passport. He sent complaints to the country's leaders but did not receive a response.

The authorities appear so sensitive to the possibility that activists may meet with foreign officials or exiled dissidents that they even prevent them from leaving on personal trips, such as for tourism or to accompany loved ones for medical treatment.

In June 2019, police at Noi Bai Airport prohibited environmental activist Cao Vinh Thinh from leaving for a tourist trip to Thailand. Police told her the travel ban was requested by Department 7 of the Domestic Security Bureau. In January 2017, a former political prisoner, Pham Thanh Nghien, was blocked from accompanying her father on a trip to Thailand for his medical treatment. In December 2017, Father Luu Ngoc Quynh was blocked from taking a flight from Noi Bai Airport to France to attend a private religious event. Police told him the ban was “to protect national security, and public order and safety.”

On May 25, 2019, rights activists and bloggers issued a “Joint Statement of People Whose Rights to Freedom of Movement Have Been Violated.” According to BBC Vietnamese, as of May 27, 100 people had signed the statement.

Authorities have engaged in collective punishment, imposing international travel bans against family members of rights activists, religious freedom campaigners, former political prisoners, independent bloggers, and journalists. Nguyen Bac Truyen’s wife Bui Thi Kim Phuong was blocked in March 2019; Nguyen Van Dai’s wife Vu Minh Khanh in April 2017; Do Thi Minh Hanh’s older sister Do Ngoc Xuan Tram in June 2017; and Nguyen Tuong Thuy’s son Nguyen Tuong Trong in May 2015.

The government does not publish its travel ban list or proactively notify those on the list. Rights activists and bloggers may suspect that they are on the list, but no one knows for sure until police stop them at airports or border gates and prohibit them from leaving Vietnam. In a few instances, people learned that they were on the travel ban list when they tried to renew their old passport or apply for a new one, as in the cases of Huynh Cong Thuan in May 2012, Tran Thi Nga in June 2015, and Le Cong Dinh in August 2018 and December 2019. Others, including blogger Bui Thanh Hieu (also known as Wind Trader), poet Bui Minh Quoc, and activist Nguyen Trang Nhung, lost their money on tickets and other travel-related expenses, as they were prohibited from leaving at the last minute.

The authorities have banned some activists from further international travel as punishment for activities while abroad. Pham Doan Trang only learned that she was on the travel ban list upon returning to Vietnam from the United States in January 2015. Similarly, when Bui Quang Minh returned from the Philippines in July 2015, police confiscated his passport at Tan Son Nhat airport and provided him a “record re the discovery of a person-not-yet-allowed-to-leave-the-country, [who has] now entered the country.” Others

subjected to police interrogation and passport confiscation upon returning to Vietnam include Truong Thi Ha in March 2020, Dinh Thi Phuong Thao in November 2019, and Nguyen Thi Kim Thanh in February 2019.

Authorities enforcing this policy almost never offer any explanation for the ban or provide legal documentation to support it. As a result, victims of a travel ban rarely know for certain why they have been targeted or how long the ban on international travel will last. At airports and border gates, security agents sometimes tell rights activists and bloggers that they cannot leave for unspecified national security reasons. In other cases, people are told that their ban is at the request of the police of a certain city or province, or a particular police department within the Ministry of Public Security. In some cases, police also confiscate passports.

Police typically refuse to provide a written record to the person on the ban list. In one very rare instance in February 2014, immigration officials at Moc Bai border gate in Tay Ninh province provided Hoang Van Dung and Nguyen Nu Phuong Dung with a written record in which they learned that the travel ban against them began in August 2013.

People usually can only guess why they are on the travel ban list. When Father Nguyen Duy Tan was prohibited from leaving Ho Chi Minh City in June 2018, he assumed the police were retaliating against him for attending a meeting with European diplomats in Ho Chi Minh City the previous month to discuss restrictions on freedom of religion in Vietnam. “I provided truth in my speech that displeased the government, thus they retaliated against me by preventing me from going this time,” he said. Atypically, Nguyen Trang Nhung learned orally from the police that she was banned for attending a conference in the Philippines on fair trials.

Exceptionally, Nguyen Trang Nhung learned orally that her travel ban was valid for three years from October 2014 to October 2017. In another case, Huynh Cong Thuan learned orally in May 2012 that the travel ban against him was valid until August 2014. Police told Bui Minh Quoc in May 2019 that the travel ban against him in March 2018 had been lifted but did not provide written confirmation. Often as the result of domestic or international pressure, some people eventually get their passports back and are allowed to leave the country.

Despite these serious infringements on basic rights, few people have opportunities for redress, as provided under international human rights law. Although daunting, a number of people have nonetheless tried to resist Vietnam's powerful one-party state and challenge the legality of their mistreatment—a difficult and often impossible feat in the country's Communist Party-controlled courts.

Father Dinh Huu Thoai, Pastor Pham Ngoc Thach, Nguyen Thi Huyen Trang, Nguyen Trang Nhung, and Huynh Cong Thuan have filed multiple complaints and lawsuits against the police, but so far to no avail. In a particularly egregious case, Pham Van Diep filed several complaints and lawsuits against the authorities for banning him first from returning to Vietnam in 2013 and 2016, and then later from leaving Vietnam in 2019. Authorities responded by arresting him in June 2019, and a court sentenced him to nine years in prison in November 2019.

Key Recommendations

- The government should end arbitrary restrictions on the right to freedom of movement, including house arrests, detention, harassment, surveillance, and domestic and international travel bans, against activists and other critics of the government.
- The government should end the general practice of placing citizens on travel ban lists. Anyone lawfully placed on a travel ban list should be properly notified and be able to appeal the decision to an independent and impartial court.
- The National Assembly should repeal article 14(2) and article 15(4) of the Constitution, which allow for restrictions on human rights for reasons of national security that go beyond what is permissible under international human rights law.
- The National Assembly should repeal or amend provisions of the Law on Immigration that allow the authorities to arbitrarily ban Vietnamese citizens from traveling abroad or returning to Vietnam on the basis of vaguely defined national security provisions.

Methodology

This report provides information on numerous cases of restrictions on the right to freedom of movement imposed by Vietnamese authorities since 2004. It is based on independent media reports; reports in Vietnamese state media; information posted on social media websites, independent blogs, and private websites inside and outside Vietnam; and private communications with victims of abuses, their family members, and witnesses.

Human Rights Watch has cross-checked claims wherever possible with other witness accounts of the same incidents reported in the media or posted on other blogs, websites, or social media.

Foreign news services used as sources in this report include Radio Free Asia (RFA), Voice of America (VOA), the British Broadcasting Corporation (BBC), Radio France Internationale (RFI), Nguoi Viet, Viet Bao, Saigon Broadcasting Television Network (SBTN), the Special Broadcasting Service (SBS) Australia, the Straits Times/AFP, the Diplomat, Time, and the New York Times. While some of these news sources do not always have a presence in Vietnam, they conduct extensive interviews by telephone and through the internet with victims and witnesses.

Facebook and YouTube remain the key social media platforms that activists use to describe episodes of abuse and mistreatment. Among the most important independent blogs and websites outside of Vietnam are Dien Dan (Forum), Dan Lam Bao (Citizen Journalism), Defend the Defenders, Bao Tieng Dan (Voice of the People), the Vietnamese, Luat Khoa Tap Chi (Law Magazine), and Dan Chim Viet (A Flock of Vietnamese Birds). Sources also include articles from websites that are now no longer active, such as talawas, Dan Luan (Citizens Discuss), and Chua Cuu The (Redemptorist news website).

Independent blogs and websites based in Vietnam or run by people who live in Vietnam include Thanh nien Cong giao (Catholic Youth), Tin mung cho nguoi ngheo (Good News for the Poor), Bauxite Vietnam, Viet Nam Thoi bao, Van Viet, and the blogs of Nguyen Tuong Thuy, Nguyen Xuan Dien, Huynh Cong Thuan, Pham Hong Son, and Pham Doan Trang.

Vietnam state-sanctioned media cited include Cong an Nhan dan (the People's Public Security), An ninh TV (Security Television), Quan doi Nhan dan (the People's Army), Ha Noi Moi (New Hanoi), Chinh phu (the Government), Tuoi tre (Youth), Vietnam Net, and VnExpress.

The report also draws information from the annual human rights reports of the US Department of State.

Human Rights Watch previously has reported on repression against Indigenous communities, such as Montagnards¹ in the Central Highlands of Vietnam and Khmer Krom² in the Mekong Delta. However, we have focused our research for this report on known human rights activists and bloggers, and so do not attempt to document cases from these groups or of minority groups from the northwest mountainous areas, such as people from different ethnic minorities who resist state-mandated “assimilation,” advocate for autonomous government, or join independent house churches (such as Ha Mon Catholics or Dega Protestants) of which the government disapproves. Facing persistent persecution including torture and imprisonment, many members of these communities have tried to flee to Cambodia or Laos but, if arrested, face charges such as “undermining national unity”³ for joining unsanctioned religious groups, or “fleeing abroad to oppose the people's administration.”⁴ Many have been convicted and sentenced to long prison terms.

This report also does not include cases of non-Vietnamese who were subject to travel bans and either cannot visit Vietnam or have been deported from the country. These include

¹ Human Rights Watch, *Persecuting “Evil Way” Religion: Abuses against Montagnards in Vietnam* (New York: Human Rights Watch, 2015), <https://www.hrw.org/report/2015/06/26/persecuting-evil-way-religion/abuses-against-montagnards-vietnam>.

² For instance, in February 2020 Cambodian monk Seun Ty went to Soc Trang in Vietnam to visit his family. Police interrogated and confiscated his Cambodian passport, claiming that he violated Vietnam's cybersecurity law for posting an interview on Facebook while in Cambodia. Two weeks later, under international pressure, police returned his passport. See “Vietnam Confiscated the Passport of a Cambodian Monk for ‘Violating Cybersecurity Law’ (Viet Nam tich thu ho chieu cua nha su Campuchia vi ‘vi pham Luat An ninh Mang’),” *VOA Vietnamese*, February 4, 2020, <https://www.voatiengviet.com/a/vn-tich-thu-ho-chieu-nha-su-campuchia/5288339.html> (accessed on February 5, 2020); Van Anh, “Khmer Krom People Harassed When Visiting Vietnam (Nguoi Khmer Krom bi sach nhieu khi ve tham Viet Nam),” *Radio Free Asia Vietnamese*, November 15, 2015, https://www.rfa.org/vietnamese/in_depth/khmer-krom-harassed-when-visiting-vn-va-11152015084717.html (accessed on November 15, 2015).

³ Ibid.

⁴ BT, “A Trial of Those Who Fled Abroad to Oppose the People's Administration (Xet xu vu tron di nuoc ngoai nham chong chinh quyen nhan dan),” *Security Television* (ANTV), August 30, 2018, <http://www.antv.gov.vn/tin-tuc/phap-luat/xet-xu-vu-tron-di-nuoc-ngoai-nham-chong-chinh-quyen-nhan-dan-245692.html> (accessed on January 15, 2020).

human rights activists from international nongovernmental organizations such as Human Rights Watch or Amnesty International who cannot obtain visas to conduct research in Vietnam or who are prohibited from entering Vietnam, independent activists, or foreign journalists who attempt to cover sensitive issues, such as the Formosa Steel Plant toxic spill.⁵

⁵ “Vietnam prohibits leaders from international human rights group to enter the country (Viet Nam cam lanh dao nhan quyen quoc te nhap canh),” *BBC Vietnamese*, September 10, 2018, <https://www.bbc.com/vietnamese/vietnam-45468739> (accessed on September 10, 2018); Nguyen Nguyen, “Two foreign journalists kicked out of Vietnam for reporting on environmental disaster (Hai phong vien nuoc ngoai bi truc xuat khoi Viet Nam vi dua tin lien quan tham hoa moi truong),” *Saigon Broadcasting Television Network*, May 28, 2017, <https://www.sbtn.tv/hai-phong-vien-nuoc-ngoai-bi-truc-xuat-khoi-viet-nam-vi-dua-tin-lien-quan-tham-hoa-moi-truong> (accessed on May 15, 2020).

I. Emblematic Cases

This chapter highlights the cases of nine bloggers and activists whom the government has imposed severe restrictions on their freedom of movement because of their advocacy of human rights and democracy: Nguyen Thuy Hanh, Pham Doan Trang, Nguyen Tuong Thuy, Pham Chi Dung, Pham Chi Thanh, Pham Van Diep, Le Cong Dinh, Huynh Cong Thuan, and Nguyen Quang A.

Nguyen Thuy Hanh is currently in detention awaiting trial on charges of conducting propaganda against the state under article 117 of the Vietnamese penal code. Five others—Pham Doan Trang, Nguyen Tuong Thuy, Pham Chi Dung, Pham Chi Thanh, and Pham Van Diep—are serving long prison sentences on the same charges. Le Cong Dinh is a former political prisoner. All nine have been placed under house arrest multiple times and banned from leaving Vietnam at one point or another.

This chapter also spotlights recurring incidents when police put many activists under house arrest to prevent them from participating in certain events. These include gatherings of the literary group Van Viet, religious celebrations of independent Hoa Hao Buddhist followers, the days before and after the violent clash at Dong Tam commune in January 2020, the June 2018 protests against the draft law on economic zones and the cybersecurity law, and bilateral human rights dialogues between Vietnam and the United States.

Nguyen Thuy Hanh



Nguyen Thuy Hanh, 2016. © 2016 Private

Nguyen Thuy Hanh, 59, is a retired businesswoman living in Hanoi who, in the late 2000s, began to advocate for democracy and human rights in Vietnam. She also participated in numerous anti-China protests and environmental protests, and staged individual protests against Vietnam's problematic cybersecurity law.⁶ She often voiced support for fellow rights activists, political prisoners, and their families.

In February 2016, Nguyen Thuy Hanh announced that she would run in the next national parliamentary election as an independent candidate.⁷ At a required meeting to elicit opinions from

local residents, people assigned by the Communist Party took the stage to denounce her, pointing out that she often went to protests at Hanoi's popular Hoan Kiem Lake, a known gathering spot of anti-government protesters. They showed photos of her with the banners, "I hate dictatorship so I don't like communism" (Toi ghet doc tai nen khong ua cong san), and "Freedom for Ba Sam Nguyen Huu Vinh and Nguyen Thi Minh Thuy" (Tu do cho Ba Sam Nguyen Huu Vinh Nguyen Thi Minh Thuy) as evidence that she was a reactionary.⁸ In the

⁶ Nguyen Thuy Hanh's Facebook status, July 8, 2018, <https://www.facebook.com/Melinh.liberty/posts/1386420408224424> (accessed on June 25, 2021). See also Nguyen Thuy Hanh's Facebook status, December 30, 2018, <https://www.facebook.com/Melinh.liberty/posts/966541803545622> (accessed on June 26, 2021); Nguyen Thuy Hanh's Facebook status, December 31, 2018, <https://www.facebook.com/Melinh.liberty/posts/966800640186405> (accessed on June 26, 2021); Nguyen Thuy Hanh's Facebook status, June 7, 2019, <https://www.facebook.com/Melinh.liberty/posts/1063531637179971> (accessed on June 26, 2021).

⁷ Nguyen Thuy Hanh's Facebook status, February 10, 2016, <https://www.facebook.com/Melinh.liberty/posts/450975841768890> (accessed on June 26, 2021).

⁸ Nguyen Thuy Hanh's Facebook status, June 7, 2019, <https://www.facebook.com/Melinh.liberty/posts/1063531637179971> (accessed on June 26, 2021).

end, the authorities did not allow her and dozens of other independent candidates to be on the ballot.⁹

In April 2018, Nguyen Thuy Hanh founded the 50K Fund (50,000 VND, \$2) to help political prisoners, their family members, and other victims of injustice. She explained that 50,000 VND is a small sum that would allow people without a lot of money to contribute. Moreover, the size of the donation was so small that donors would be less afraid of government retaliation. The fund prioritizes families of political prisoners who live in remote areas and suffer poverty and hardship. Within a year, the fund had provided monetary assistance to families of almost 200 political prisoners, activists who suffer physical abuse, and impoverished land petitioners.¹⁰

In addition to visiting families of political prisoners, Nguyen Thuy Hanh often accompanied them during visits to prisons. As she was not a close family member, she was not allowed to meet political prisoners, but she still went along to provide support and solidarity with the families.¹¹

On January 9, 2020, an elderly villager, Le Dinh Kinh, and three police officers died after a clash at Hanoi's Dong Tam commune, the site of a longstanding land conflict. Nguyen Thuy Hanh's husband Huynh Ngoc Chanh reported that eight people blocked the entrance of their apartment and prevented them from leaving, including to buy food and to a medical appointment.¹² This house arrest lasted until January 16.¹³

⁹ Martin Petty, "Day of democracy in communist Vietnam in vote on party's parliament," *Reuters*, May 21, 2016, <https://www.reuters.com/article/us-vietnam-politics/day-of-democracy-in-communist-vietnam-in-vote-on-partys-parliament-idUSKCN0YCoRE> (accessed on June 26, 2021).

¹⁰ Mac Viet Hong, "Ms. Thuy Hanh gave an interview about 50K Fund (Ba Thuy Hanh tra loi phong van ve Quy 50K)," *Dan Chim Viet*, May 9, 2019, <https://www.danchimviet.info/ba-thuy-hanh-tra-loi-phong-van-ve-quy-50k/05/2019/14983/> (accessed on June 24, 2021).

¹¹ Nguyen Thuy Hanh's Facebook status, June 16, 2019; <https://www.facebook.com/Melinh.liberty/posts/1070032506529884> (accessed on June 26, 2021). See also Nguyen Thuy Hanh's Facebook status, March 4, 2019, <https://www.facebook.com/Melinh.liberty/posts/1004862239713578> (accessed on June 26, 2021); Nguyen Thuy Hanh's Facebook status, February 10, 2019, <https://www.facebook.com/Melinh.liberty/posts/991066454426490> (accessed on June 26, 2021).

¹² Huynh Ngoc Chanh's Facebook status, January 12, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207051657527530> (accessed on March 10, 2020).

¹³ Huynh Ngoc Chanh's Facebook status, January 21, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207088876497981> (accessed on March 10, 2020).

Le Dinh Kinh's funeral was held on January 13. As many of those who wanted to pay tribute were either put under house arrest or could not enter the village, Nguyen Thuy Hanh agreed to be the recipient of funds for the funeral.¹⁴ In two days, 688 people contributed a total of 528,453,669 VND (\$22,700), a large sum.¹⁵

On January 17, as soon as her house arrest ended, Nguyen Thuy Hanh went to Vietcombank to withdraw the money, only to learn the bank had frozen her account at the request of police, who claimed the money would be sent to terrorists.¹⁶ A GoFundMe page was immediately set up to raise money for the funeral and collected more than US\$39,000.¹⁷

On January 20, Nguyen Thuy Hanh and Huynh Ngoc Chanh went to Vietcombank to inquire about the frozen money. On their way home, men in civilian clothes intercepted them, forced Nguyen Thuy Hanh into a car, and took her to police headquarters. After three hours of interrogation, the police released her.¹⁸

Nguyen Thuy Hanh has been placed under house arrest on numerous occasions. In May 2016, she was held and prevented from protesting against the Formosa toxic spill. Instead, she staged an individual protest inside her house, demanding a transparent investigation of Formosa.¹⁹

In March 2017, security agents put many people under house arrest so they could not attend a gathering to commemorate those who died during the 1988 Gac Ma battle (the

¹⁴ Nguyen Thuy Hanh's Facebook status, January 14, 2020, <https://www.facebook.com/Melinh.liberty/posts/1241846626015137> (accessed on March 10, 2020).

¹⁵ Huynh Ngoc Chanh's Facebook status, January 17, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207071000371089> (accessed on March 10, 2020).

¹⁶ "Account Receiving Foreign Money in Hanoi Disturbance Case Frozen," *Vietnam Net*, January 18, 2020, <https://vietnamnet.vn/en/society/account-receiving-foreign-money-in-hanoi-disturbance-case-frozen-610378.html> (accessed on March 10, 2020).

¹⁷ GoFundMe Page for Dong Tam villagers, January 17, 2020, <https://www.gofundme.com/f/chungtaygiupdongbaodongtam> (accessed on March 10, 2020).

¹⁸ "Speaking Up about Dong Tam, Facebookers Were 'Invited' to Work With Police, and Prosecuted (Len tieng cho Dong Tam Facebookers bi 'moi' lam viec, khoi to)," *BBC Vietnamese*, January 21, 2020, <https://www.bbc.com/vietnamese/vietnam-51186676> (accessed on March 10, 2020).

¹⁹ "Many people were 'prevented' to go protest (Nhiều người 'bị ngăn cản' đi biểu tình)," *BBC Vietnamese*, May 15, 2015, https://www.bbc.com/vietnamese/vietnam/2016/05/160515_protest_vietnam_fish (accessed on January 10, 2019).

Johnson South Reef skirmish) between China and Vietnam.²⁰ Anticipating that she might be put under house arrest, Nguyen Thuy Hanh left her house two days prior to the occasion.²¹ When she arrived at the gathering, the police detained and interrogated her for several hours.²²

In March 2018, also on the anniversary of the Gac Ma battle, police detained and interrogated Nguyen Thuy Hanh for hours and questioned her about her participation in anti-China protests and her effort to raise money to help political prisoners.²³

In June 2018, mass protests broke out in several Vietnamese cities against a draft law on a special economic zone and the law on cybersecurity.²⁴ The police, seeking to prevent possible protests the following weekend, put many rights activists under house arrest, including Nguyen Thuy Hanh and Huynh Ngoc Chenh.²⁵

In February 2019, on the anniversary of the 1979 border war between Vietnam and China,²⁶ the authorities prevented Nguyen Thuy Hanh from leaving her house to commemorate the Vietnamese soldiers who died.²⁷ She wrote at the time: “Down with those who robbed me

²⁰ Nhat Binh, “Vietnamese Communists prevented, arrested and assaulted those who commemorated Gac Ma (CSVN ngan chan, bat bo, danh dap, nhung nguoi tuong niem Gac Ma),” *Nguoi Viet*, March 14, 2017, <https://www.nguoi-viet.com/viet-nam/csvn-ngan-chan-bat-bo-danh-dap-nhung-nguoi-tuong-niem-gac-ma/> (accessed on September 27, 2017).

²¹ Nguyen Thuy Hanh’s Facebook status, May 28, 2019, <https://www.facebook.com/Melinh.liberty/posts/1056617971204671> (accessed on June 26, 2021). See also Nhat Binh, “Vietnamese Communists prevented, arrested and assaulted those who commemorated Gac Ma (CSVN ngan chan, bat bo, danh dap, nhung nguoi tuong niem Gac Ma),” *Nguoi Viet*, March 14, 2017, <https://www.nguoi-viet.com/viet-nam/csvn-ngan-chan-bat-bo-danh-dap-nhung-nguoi-tuong-niem-gac-ma/> (accessed on September 27, 2017).

²² Nhat Binh, “Vietnamese Communists prevented, arrested and assaulted those who commemorated Gac Ma (CSVN ngan chan, bat bo, danh dap, nhung nguoi tuong niem Gac Ma),” *Nguoi Viet*, March 14, 2017, <https://www.nguoi-viet.com/viet-nam/csvn-ngan-chan-bat-bo-danh-dap-nhung-nguoi-tuong-niem-gac-ma/> (accessed on September 27, 2017).

²³ “Female Activist Nguyen Thuy Hanh Was Arrested (Nha hoat dong nu Nguyen Thuy Hanh bi bat),” *Radio Free Asia Vietnamese*, March 14, 2018, <https://www.rfa.org/vietnamese/news/vietnamnews/female-activist-thuy-hanh-detained-03142018083959.html> (accessed on May 19, 2020). See also “A Civil Society Activist Assaulted During the Anniversary of Gac Ma (Mot nha hoat dong xa hoi bi danh trong ngay ky niem Gac Ma),” *Radio Free Asia Vietnamese*, March 15, 2018, <https://www.rfa.org/vietnamese/news/vietnamnews/activist-beaten-police-hanoi-03152018111427.html> (accessed on May 19, 2020).

²⁴ “Vietnam: Investigate Police Response to Mass Protests,” Human Rights Watch news release, June 15, 2018, <https://www.hrw.org/news/2018/06/15/vietnam-investigate-police-response-mass-protests>.

²⁵ Nguyen Thuy Hanh’s Facebook status, June 16, 2018, <https://www.facebook.com/Melinh.liberty/posts/824625784403892> (accessed on June 10, 2020).

²⁶ Nayan Chanda, *Brother Enemy: The War After the War, A History of Indochina Since the Fall of Saigon*, (New York: Harcourt Brace Jovanovich, 1986).

²⁷ Nguyen Thuy Hanh’s Facebook status, February 16, 2019, <https://www.facebook.com/Melinh.liberty/posts/994656944067441> (accessed June 26, 2021);

of my human rights, who prevented me from going to commemorate my compatriots and soldiers who were murdered during the border war on February 17! Down with those who were coward to the enemy and cruel to their own citizens!”²⁸

In May 2019, prominent blogger Nguyen Huu Vinh (also known as Anh Ba Sam) completed his five-year prison sentence and was released.²⁹ Four security agents were reportedly stationed outside Nguyen Thuy Hanh and Huynh Ngoc Chanh’s apartment so they could not welcome Nguyen Huu Vinh home.³⁰

In February 2020, security agents prevented Nguyen Thuy Hanh from leaving for several days. When she tried to leave her house, they would push her back inside.³¹ On February 26, they allowed her to leave to carry out some private business under intrusive surveillance.³²

In April and May 2020, security agents put Nguyen Thuy Hanh under another long stretch of house arrest for almost a month prior to the arrests of prominent bloggers Nguyen Tuong Thuy and Pham Chi Thanh.³³

According to Huynh Ngoc Chanh, security agents mainly prevented Nguyen Thuy Hanh from leaving the house but were easier on him.³⁴

Nguyen Thuy Hanh’s Facebook status, February 17, 2019, <https://www.facebook.com/Melinh.liberty/posts/995206537345815> (accessed on June 26, 2021).

²⁸ Ibid.

²⁹ “Vietnam: Free Imprisoned Bloggers,” Human Rights Watch news release, September 19, 2016, <https://www.hrw.org/news/2016/09/20/vietnam-free-imprisoned-bloggers>.

³⁰ Huynh Ngoc Chanh’s Facebook status, May 5, 2019, <https://www.facebook.com/ho.lytien.1/posts/10205672741615494> (accessed on May 5, 2020). See also Nguyen Thuy Hanh’s Facebook status, May 4, 2019, <https://www.facebook.com/Melinh.liberty/posts/1040448666154935> (accessed on June 26, 2021).

³¹ Nguyen Thuy Hanh’s Facebook status, February 27, 2020, <https://www.facebook.com/Melinh.liberty/posts/1277437919122674> (accessed on April 17, 2020).

³² Ibid.

³³ Nguyen Thuy Hanh’s Facebook status, April 12, 2020, <https://www.facebook.com/Melinh.liberty/posts/1315706508629148> (accessed on June 25, 2021). Nguyen Thuy Hanh’s Facebook status, April 20, 2020, <https://www.facebook.com/Melinh.liberty/posts/1321829678016831> (accessed on June 25, 2021); Huynh Ngoc Chanh’s Facebook status, April 29, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207550383675372> (accessed on June 25, 2021); Nguyen Thuy Hanh’s Facebook status, May 22, 2020, <https://www.facebook.com/Melinh.liberty/posts/1348370095362789> (accessed on June 25, 2021); Huynh Ngoc Chanh’s Facebook status, May 22, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207666427656399> (accessed on June 25, 2021).

³⁴ Huynh Ngoc Chanh’s Facebook status, April 29, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207550383675372> (accessed on June 25, 2021).

In January 2021, during the 13th Communist Party of Vietnam Congress, security agents put many activists including Nguyen Thuy Hanh and Huynh Ngoc Chanh under house arrest for days.³⁵ Nguyen Thuy Hanh wrote:

The authorities have moved numerous soldiers to Hanoi to guard for the party congress, yet that did not put their minds at ease. They brazenly robbed us, citizens who did not violate any law, of our rights to freedom of movement, and the police locked us inside our home throughout the entire congress. Which law allows the authorities to treat us like that?³⁶

As soon as the party congress was over, the guards outside their house disappeared. Nguyen Thuy Hanh wrote:

This afternoon, when I opened my door, the bunch of guards were no longer there. They also took the chairs they sat on away. I felt a huge relief. I took in a deep breath of the air of freedom, and breathed out slowly. One day in prison is as long as a thousand autumns outside. I felt pain for [political] prisoners. They only guarded outside my house and yet caused me such annoyance. Political prisoners are spending years behind bars. I cannot imagine their pain. Such unmeasurable sacrifices they paid for democracy and freedom.³⁷

On March 14, 2021, Nguyen Thuy Hanh wrote on Facebook to her youngest son, who was in the United States:

³⁵ Nguyen Thuy Hanh's Facebook status, January 25, 2021, <https://www.facebook.com/Melinh.liberty/posts/1553046484895148> (accessed on Mar 15, 2021). See also Huynh Ngoc Chanh's Facebook status, January 25, 2021, <https://www.facebook.com/ho.lytien.1/posts/10208592433085956> (accessed on Mar 15, 2021). See also "Activists are put under house arrest and subject to surveillance even though they do not care about the party congress" (Khong quan tam den dai hoi dang, gioi hoat dong van bi canh gac, theo doi), *VOA Vietnamese*, January 26, 2021, <https://www.voatiengviet.com/a/khong-quan-tam-den-dai-hoi-dang-gioi-hoat-dong-van-bi-can-h-gac-theo-doi/5751921.html> (accessed on January 27, 2021).

³⁶ Nguyen Thuy Hanh's Facebook status, January 25, 2021, <https://www.facebook.com/Melinh.liberty/posts/1553046484895148> (accessed on Mar 15, 2021).

³⁷ Nguyen Thuy Hanh's Facebook status, February 1, 2021, <https://www.facebook.com/Melinh.liberty/posts/1558763034323493> (accessed on Mar 15, 2021).

You could not return to Vietnam because your paperwork on naturalization has not been done. I could not go to visit you because I am prohibited to leave the country. It has been nine years I have not been able to see you, my son. I miss you so much it hurts. Happy birthday to you, my youngest son!³⁸

On March 29, Nguyen Thuy Hanh and another activist visited the family of Le Trong Hung, who had attempted to run as an independent candidate in National Assembly elections, to provide some financial assistance for a cell phone with software for Le Trong Hung's wife, Do Le Na, who is blind.³⁹ Le Trong Hung had been arrested on March 27 and charged with conducting propaganda against the state under article 117 of the penal code.⁴⁰ On December 31, a court in Hanoi sentenced Le Trong Hung to five years in prison and five years of probation after his release.⁴¹

On April 4, 2021, police arrested Nguyen Thuy Hanh and charged her under article 117.⁴² She faces up to 20 years in prison.⁴³

³⁸ Nguyen Thuy Hanh's Facebook status, March 14, 2021, <https://www.facebook.com/Melinh.liberty/posts/1588917691308027> (accessed on April 7, 2021).

³⁹ Nguyen Thuy Hanh's Facebook status, March 29, 2021, <https://www.facebook.com/Melinh.liberty/posts/1600019856864477> (accessed on June 8, 2021).

⁴⁰ Trinh Huu Long, "Vietnam Briefing: Another Congressional Candidate Arrested While Congress Elects New Leaders," *The Vietnamese*, March 29, 2021, <https://www.thevietnamese.org/2021/03/vietnam-briefing-another-congressional-candidate-arrested-while-congress-elects-new-leaders/> (accessed April 15, 2021).

⁴¹ "Vietnam: Independent Political Candidate Faces Charges," Human Rights Watch news release, December 29, 2021, <https://www.hrw.org/news/2021/12/29/vietnam-independent-political-candidate-faces-charges>.

⁴² "Vietnamese Activist Who Aids Jailed Dissidents' Families Arrested For 'Anti-State Documents'," *Radio Free Asia*, April 7, 2021, <https://www.rfa.org/english/news/vietnam/election-04072021150632.html> (accessed on June 26, 2021).

⁴³ Article 117 of the penal code punishes people for "making, storing, disseminating, or propagandizing information, materials and products that aim to oppose the State of the Socialist Republic of Vietnam, and the heaviest sentence is 20 years of imprisonment.

Pham Doan Trang



Pham Doan Trang with two books that she co-authored, 2019.

© 2019 Private

Pham Doan Trang, 44, is a writer, journalist, and human rights researcher and advocate. She has repeatedly faced harassment, intimidation, beatings, and arbitrary arrest for her work, as well as severe restrictions on her freedom of movement. She walks with a pronounced and permanent limp caused by an injury she suffered when security forces forcibly broke up an environmental protest in Hanoi in April 2015.⁴⁴

In 2009, police detained her for nine days for “national security” reasons. Government security agents subsequently detained and interrogated

her on many occasions and placed her under house arrest to stop her from joining public protests or meeting foreign diplomats.

In September 2015, Pham Doan Trang went to the police headquarters of Hai Ba Trung district in Hanoi to protest the arbitrary detention of fellow activist Le Thu Ha and others. There, security agents bloodied her mouth during beatings of protesters.⁴⁵ Like Nguyen Quang A, Pham Doan Trang was blocked from meeting with President Obama during his May 2016 trip to Hanoi.⁴⁶ In the weeks before the visit, Pham Doan Trang was receiving medical treatment in Ho Chi Minh City for her injuries from April 2015. Having received an invitation from the US embassy to meet with Obama, she feared that police would stop her if she flew from Ho Chi Minh City to Hanoi. She decided to go by car instead, accompanied

⁴⁴ “Vietnam: Activists Beaten in Concert Raid,” Human Rights Watch news release, August 22, 2018, <https://www.hrw.org/news/2018/08/22/vietnam-activists-beaten-concert-raid>.

⁴⁵ “Vietnam: Free Prominent Blogger,” Human Rights Watch news release, December 13, 2021, <https://www.hrw.org/news/2021/12/13/vietnam-free-prominent-blogger>.

⁴⁶ Ibid.

by activists Tran Thu Nguyet and Vu Huy Hoang.⁴⁷ On May 23, the day before the meeting with Obama, security agents stopped their car and detained the three in Ninh Binh, about 100 kilometers south of Hanoi.⁴⁸ Pham Doan Trang and her friends were released the next afternoon, after Obama had left Hanoi.⁴⁹

In November 2017, authorities detained her after she met with an EU delegation that was preparing for the annual bilateral human rights dialogue between the EU and Vietnam. Police detained her again in February and June 2018 and interrogated her about her writing and activities.⁵⁰

Pham Doan Trang was able to travel to the United States for a short-term fellowship in 2014. However, upon arriving back to Hanoi in January 2015, police detained and interrogated her for 15 hours.⁵¹ She said that police informed her that she was on the travel ban list and should not have been allowed to leave the country in the first place.⁵²

Pham Doan Trang has been prevented from traveling or moving from her house on numerous other occasions and interrogated after meeting with foreign diplomats.

In a media interview in May 2017, she said:

Outside my door there are always at least three persons at each shift, and they get rotated. That was outside my door. I am not sure how many more there are outside the gate and on the first floor, but I think probably more than 10 people. They sat there all day and all night. They probably worry that I would sneak out and flee at night. Yesterday morning was Sunday [and] I wanted to escort my mother to a funeral of a relative, but they did

⁴⁷ Pham Doan Trang's Facebook status, March 15, 2017, <https://www.facebook.com/pham.doan.trang/posts/10155353168408322> (accessed on June 10, 2020).

⁴⁸ Peter Lam Bui's Facebook status, May 23, 2016, <https://www.facebook.com/peterlambui43/posts/1067931826611904> (accessed on June 10, 2020).

⁴⁹ Richard C. Paddock, "The Jailed Activist Left a Letter Behind. The Message: Keep Fighting," *New York Times*, October 14, 2020, (accessed June 23, 2021), <https://www.nytimes.com/2020/10/14/world/asia/vietnam-pham-doan-trang-arrest.html>.

⁵⁰ "Vietnam: Free Prominent Blogger," Human Rights Watch news release, December 13, 2021, <https://www.hrw.org/news/2021/12/13/vietnam-free-prominent-blogger>.

⁵¹ Tran Phuong, "Who is Pham Doan Trang? (Pham Doan Trang là ai?)" *Luat Khoa tap chi*, October 25, 2020, <https://www.luatkhoa.org/2020/10/pham-doan-trang-la-ai> (accessed on June 23, 2021).

⁵² Pham Doan Trang's Facebook status, September 6, 2019, <https://www.facebook.com/pham.doan.trang/posts/10157840336368322> (accessed on June 23, 2021).

not allow us to go. When my young friends came over to see me, these people instigated trouble [for my friends]. Upon being asked why they did not allow me to go anywhere, they instigated trouble and slapped a friend of mine. A scuffle broke out. Several dozen people including thugs rushed there, surrounded my house and intimidated my friends and thus [my friends] had to leave.⁵³

In October 2020, police in Ho Chi Minh City arrested Pham Doan Trang and charged her with conducting propaganda against the state under article 88 of the 1999 penal code.⁵⁴ In December 2021, a court in Hanoi sentenced her to nine years in prison.

Nguyen Tuong Thuy



Nguyen Tuong Thuy, 2016. © Private

Nguyen Tuong Thuy, 72, served in the army for 22 years. He began participating in anti-China protests in the early 2000s and openly voiced support for prominent political prisoners.⁵⁵

In December 2013, he and other activists founded a humanitarian group, Hoi Bau Bi Tuong Than (Association of Gourd and Squash Mutual Assistance), to provide financial and spiritual support for political prisoners, land rights petitioners, and their families. In April 2014, he went to

⁵³ Lan Huong, "The 'Tradition' of Blocking the Paths of Activists Prior to Human Rights Dialogue ('Truyen thong' ngan chan nha hoat dong truoc doi thoai nhan quyen)," *Radio Free Asia Vietnamese*, May 22, 2017, https://www.rfa.org/vietnamese/in_depth/vn-tradition-of-prevent-activists-fr-join-human-rights-events-lh-05222017140543.html (accessed on June 23, 2021).

⁵⁴ "Pham Doan Trang: Vietnam arrests leading pro-democracy blogger," *BBC*, October 7, 2020, <https://www.bbc.com/news/world-asia-54452851> (accessed June 18, 2021).

⁵⁵ "Vietnam: Crackdown on Peaceful Dissent Intensifies," Human Rights Watch news release, June 19, 2020, <https://www.hrw.org/news/2020/06/19/vietnam-crackdown-peaceful-dissent-intensifies>.

the US to testify before Congress about the lack of media freedom in Vietnam. In July 2014, he helped establish the Independent Journalists Association of Vietnam. Until his arrest in May 2020, he served as vice president of the association.

Security agents have harassed, intimidated, assaulted, and arbitrarily detained him, and imposed house arrest and a travel ban. In December 2015, police at Noi Bai Airport prohibited Nguyen Tuong Thuy from leaving for a trip with other activists to celebrate International Human Rights Day in Myanmar and to learn about campaigning for a free and fair election.⁵⁶ Seven months prior to that, police also prohibited Nguyen Tuong Thuy's son, Nguyen Tuong Trong, from leaving Vietnam for the Philippines, without providing a reason.⁵⁷

On April 16-17, 2016, security agents put Nguyen Tuong Thuy under house arrest to prevent him from attending a gathering with other activists to discuss President Obama's upcoming visit in May.⁵⁸ On February 27, 2018, security agents put him under house arrest and prevented other activists from visiting him to attend an informal gathering that he planned to host.⁵⁹ In January 2020, men in civilian clothes stationed outside Nguyen Tuong Thuy's house during the violent Dong Tam commune clash that involved the death of a villager and three police officers prevented him from leaving his house.⁶⁰

On February 26, 2020, during the 49th day anniversary of farmer Le Dinh Kinh's death, security agents put both Nguyen Tuong Thuy and his wife Pham Thi Lan under house arrest. Nguyen Tuong Thuy wrote:

⁵⁶ Da Nguyen, "Four human rights activists were prohibited to leave the country on the same day (Bon nguoi hoat dong nhan quyen bi cam xuat canh trong cung mot ngay)," *Dan Luan*, December 7, 2015, <https://www.danluan.org/tin-tuc/20151206/4-nguoi-hoat-dong-nhan-quyen-bi-cam-xuat-can-ung-mot-ngay> (accessed on Jun 23, 2021). Nguyen Tuong Thuy, "A trip to visit and learn from the experience of Burma (Chuyen di tham quan hoc hoi kinh nghiem cua Mien Dien)," *Viet Nam Thoi Bao*, December 8, 2015, <https://vietnamthoibao.org/vntb-chuyen-di-tham-quan-hoc-hoi-kinh-nghiem-cua-mien-dien/> (accessed on June 23, 2021).

⁵⁷ See the case of Nguyen Tuong Trong, May 2015, in Appendix 1.

⁵⁸ Nguyen Tuong Thuy, "Dr. Pham Chi Dung As I Know (Tien si Pham Chi Dung, nhu toi biet)," *Radio Free Asia Blog*, December 4, 2019, <https://www.rfa.org/vietnamese/news/blog/pham-chi-dung-the-one-i-know-12042019105254.html> (accessed on March 20, 2020).

⁵⁹ Phan Bach, "The House of Mr. Nguyen Tuong Thuy Was Surrounded by the Police (Nha cua ong Nguyen Tuong Thuy bi cong an vay chat)," *SBS Vietnamese*, March 1, 2018, <https://www.sbs.com.au/language/vietnamese/audio/nha-cu-a-ong-nguye-n-tuo-ng-thu-y-bi-cong-an-vay-cha-t> (accessed on May 19, 2020).

⁶⁰ Dang Bich Phuong's Facebook status, January 10, 2020, <https://www.facebook.com/phuong.dangbich/posts/2236084893159968> (accessed on June 1, 2020).

Today, February 26, 2020, marks the 49th day anniversary of elderly Le Dinh Kinh. Pham Thi Lan (my wife—Nguyen Tuong Thuy) tried to leave our house for an appointment with the dentist, but the police did not allow her to go. This is the first time my wife’s rights to freedom of movement were violated. Those who know my wife, Lan, must be very surprised about this. Perhaps Ms. Lan commits a crime by being the wife of Mr. Thuy.... In order to deal with the 49th day anniversary of elderly Le Dinh Kinh, since early yesterday morning I and many others in Hanoi have been put under house arrest.

The guarding and obstruction of citizens’ rights to freedom of movement carried out by Vietnamese police have occurred for a long time. In addition to guarding and preventing people from leaving their houses, they use many other illegal, blatant, aggressive, and cruel ploys such as kidnapping and taking people to police stations for interrogation, pressuring employers to fire their employees and property owners to kick tenants out of rental houses, assaulting people brutally in the streets, robbing money, spraying paint on doors, throwing dirty stuff into people’s houses, and beating people inside police stations.⁶¹

On May 23, 2020, police arrested Nguyen Tuong Thuy in Hanoi and charged him with “making, storing, disseminating, or propagandizing information, materials, and products that aim to oppose the state of the Socialist Republic of Vietnam” under article 117 of the penal code.⁶² In January 2021, he was convicted and sentenced to 11 years in prison.⁶³

⁶¹ Nguyen Tuong Thuy, “In a panic, Vietnamese police deprives Ms. Pham Thi Lan of her right to freedom of movement (Trong cơn hoảng hốt, công an Việt Nam cướp quyền di lại của bà Phạm Thị Lan),” post to “Nguyen Tuong Thuy’s Blog” (blog), February 26, 2020, <http://ntuongthuy.blogspot.com/2020/02/trong-con-hoang-hot-cong-viet-nam-cuop.html> (accessed on December 26, 2021).

⁶² “Vietnam: Crackdown on Peaceful Dissent Intensifies,” Human Rights Watch news release, June 19, 2020, <https://www.hrw.org/news/2020/06/19/vietnam-crackdown-peaceful-dissent-intensifies>.

⁶³ “Vietnam: Crackdown Ahead of Party Congress,” Human Rights Watch news release, January 22, 2021, <https://www.hrw.org/news/2021/01/22/vietnam-crackdown-ahead-party-congress>.

Pham Chi Dung



Pham Chi Dung, 2014. © 2014 Private

Pham Chi Dung, 56, is an independent journalist who has written and commented on various social and political issues in Vietnam.⁶⁴ He has campaigned for democracy, freedom of the press, political pluralism, the rule of law, and the development of independent civil society. He is a founding member and the president of the Independent Journalists Association of Vietnam. Authorities have repeatedly arrested or harassed him for his activities. In July 2012, police arrested and charged him with subversion under article 79 and conducting propaganda against the

state under article 88 of the 1999 penal code. After detaining him for several months, they dropped the charges and released him in March 2013.⁶⁵

On February 1, 2014, police at Tan Son Nhat airport in Ho Chi Minh City prohibited Pham Chi Dung from leaving Vietnam for Geneva. He planned to participate in a session about human rights during Vietnam's Universal Periodical Review at the United Nations Human Rights Council. Police told him that he was banned from travel at the request of Ho Chi Minh City police, and they confiscated his passport.⁶⁶ He wrote a complaint to the president, prime minister, minister of foreign affairs, minister of public security, and the

⁶⁴ "Vietnam: Crackdown on Peaceful Dissent Intensifies," Human Rights Watch news release, June 19, 2020, <https://www.hrw.org/news/2020/06/19/vietnam-crackdown-peaceful-dissent-intensifies>.

⁶⁵ "Suspend the criminal case against journalist Pham Chi Dung (Dinh chi vu an nha bao Pham Chi Dung)," *BBC Vietnamese*, March 13, 2013, https://www.bbc.com/vietnamese/vietnam/2013/03/130313_phamchidung_case_dropped (accessed on July 13, 2021).

⁶⁶ "Mr. Pham Chi Dung Prohibited From Leaving the Country (Ong Pham Chi Dung bi cam xuat canh)," *BBC Vietnamese*, February 2, 2014, https://www.bbc.com/vietnamese/vietnam/2014/02/140202_phamchidung_stopped (accessed on May 19, 2020).

municipal government of Ho Chi Minh City, but did not receive any response.⁶⁷ Until his arrest in November 2019, Pham Chi Dung did not receive his passport back.⁶⁸

Plainclothes security agents placed Pham Chi Dung under house arrest and detained him many times to prevent his participation in certain events. In November 2013, he went to visit the late dissident Nguyen Thanh Giang in Hanoi. Security agents stopped him as he arrived and took him to a nearby police station where they interrogated him for six hours and prohibited him from visiting Nguyen Thanh Giang.⁶⁹ In July 2014, security agents put Pham Chi Dung under house arrest during the visit of then-UN Special Rapporteur on Freedom of Religion or Belief Heiner Bielefeldt,⁷⁰ and again in August 2015, so he could not attend a meeting with then-US Assistant Secretary of State for Democracy, Human Rights, and Labor Tom Malinowski.⁷¹ In April 2016, security agents put him under house arrest to prevent him from attending a gathering to discuss President Obama's upcoming visit in May.⁷²

On November 4, 2019, Pham Chi Dung, on behalf of the Independent Journalists Association of Vietnam, signed a joint letter from nongovernmental organizations to members of the European Parliament to raise objections to the passage of an EU-Vietnam trade deal without concrete human rights improvement.⁷³ On November 16, 2019, he

⁶⁷ Pham Chi Dung, "An Open Letter to the United States Congress and the Government of Vietnam (Thu ngo gui Quoc hoi Hoa Ky va Chinh phu Viet Nam)," *VOA Vietnamese*, July 17, 2014, <https://www.voatiengviet.com/a/thu-ngo-goi-quoc-hoi-my-va-chinh-phu-vietnam/1959036.html> (accessed on July 9, 2018).

⁶⁸ Nguyen Tuong Thuy, "Dr. Pham Chi Dung As I Know (Tien si Pham Chi Dung, nhu toi biet)," *Radio Free Asia Blog*, December 4, 2019, <https://www.rfa.org/vietnamese/news/blog/pham-chi-dung-the-one-i-know-12042019105254.html> (accessed on March 20, 2020).

⁶⁹ Nguyen Tuong Thuy, "Dr. Pham Chi Dung As I Know (Tien si Pham Chi Dung, nhu toi biet)," *Radio Free Asia Blog*, December 4, 2019, <https://www.rfa.org/vietnamese/news/blog/pham-chi-dung-the-one-i-know-12042019105254.html> (accessed on March 20, 2020).

⁷⁰ Gia Minh, "Why were Campaigners in Saigon Were Prohibited From Leaving Their Houses on July 25? (Vi sao cac nha tranh dau o SG bi cam ra khoi nha hom 25/7?)," *Radio Free Asia Vietnamese*, July 25, 2014, https://www.rfa.org/vietnamese/in_depth/activists-closely-watched-or-kept-at-home-gm-07252014084001.html (accessed on May 19, 2020).

⁷¹ "Vietnam: Restriction on the Rights to Freedom of Movement that Violated International and National Laws (Vietnam: Nhung han che ve quyen tu do di lai vi pham luat quoc te va luat quoc gia)," *Citizen Journalism (Dan Lam Bao)*, September 14, 2015, <https://danlambaovn.blogspot.com/2015/09/viet-nam-nhung-han-che-ve-quyen-tu-do-i.html?hl=en> (accessed on May 19, 2020).

⁷² Nguyen Tuong Thuy, "Dr. Pham Chi Dung As I Know (Tien si Pham Chi Dung, nhu toi biet)," *Radio Free Asia Blog*, December 4, 2019, <https://www.rfa.org/vietnamese/news/blog/pham-chi-dung-the-one-i-know-12042019105254.html> (accessed on March 20, 2020).

⁷³ Letter from Human Rights Watch and other NGOs to Members of the European Parliament, "Joint NGO Letter on EU-Vietnam Free Trade Agreement," November 4, 2019, <https://www.hrw.org/news/2019/11/04/joint-ngo-letter-eu-vietnam-free-trade-agreement>.

published a commentary piece on Voice of America Vietnamese, contending that the EU showed a lack of care about human rights regarding the trade deal.⁷⁴ On November 21, 2019, police in Ho Chi Minh City arrested Pham Chi Dung again and charged him with “making, storing, disseminating or propagandizing information, materials and products that aim to oppose the State of the Socialist Republic of Vietnam,” apparently because of his communications with European Parliament members and his sending them a video for a planned December 2019 hearing on the EU-Vietnam trade deal.⁷⁵ In January 2021, he was sentenced to 15 years in prison.⁷⁶

Pham Chi Thanh



Pham Chi Thanh (suit, middle), 2016. © Private

Pham Chi Thanh, 70, is a journalist, writer, and blogger. His first novel, *Hau Chi Pheo*, published officially in 1991, condemns the land reform carried out by the Communist Party in the 1950s and portrays local Party leaders as immoral, stupid, and cruel. In 2007, he lost his position as the editorial secretary at *Voice of Vietnam* newspaper for writing anti-China pieces. In 2014, he self-published his second novel, *Co Hon Xa Nghia*, which is highly critical of Vietnam’s socialist and political regime. In 2019, under the pen name Ba Dam Xoe Pham Thanh, he published a collection criticizing

Communist Party General Secretary Nguyen Phu Trong for being close to China.⁷⁷

⁷⁴ Pham Chi Dung, “Why was the EU in such a hurry and so easily sign the EVFTA and IPA? (Vi sao EU voi va va de dai ky ket EVFTA va IPA?),” *VOA Vietnamese*, November 16, 2019, <https://www.voatiengviet.com/a/eu-evfta-ipa-vietnam/5168016.html> (accessed on June 18, 2020).

⁷⁵ “EU: Press Vietnam On Human Rights Reform,” Human Rights Watch news release, February 17, 2020, <https://www.hrw.org/news/2020/02/17/eu-press-vietnam-human-rights-reforms>.

⁷⁶ “Vietnam: Crackdown Ahead of Party Congress,” Human Rights Watch news release, January 22, 2021, <https://www.hrw.org/news/2021/01/22/vietnam-crackdown-ahead-party-congress>.

⁷⁷ “Vietnam: Crackdown on Peaceful Dissent Intensifies,” Human Rights Watch news release, June 19, 2020, <https://www.hrw.org/news/2020/06/19/vietnam-crackdown-peaceful-dissent-intensifies>.

Pham Chi Thanh has suffered regular police harassment and intimidation. Between 2014 and 2016, police summoned him many times and interrogated him about his writing.⁷⁸ On December 6, 2015, the police at Noi Bai Airport prohibited Pham Chi Thanh from leaving Vietnam for Bangkok “to protect national security and social order and safety.”⁷⁹ In November 2017, during the Asia-Pacific Economic Cooperation (APEC) meeting in Da Nang, security agents put Pham Chi Thanh under house arrest for several days.⁸⁰

Prior to and during the meeting between North Korean Chairman Kim Jong-Un and US President Donald Trump in Hanoi on February 27-28, 2019, Pham Chi Thanh was also put under house arrest. He posted photos of men in civilian clothes outside his door, calling them “the phantoms in front of my house.”⁸¹

On May 21, 2020, Hanoi police searched Pham Chi Thanh’s house for several hours and arrested him. He was charged with “making, storing, disseminating or propagandizing information, materials and products that aim to oppose the State of the Socialist Republic of Vietnam,” under article 117 of the country’s penal code. In November 2020, Pham Chi Thanh was reportedly sent to a central mental institute for six weeks.⁸² On May 28, 2021, more than a year after his arrest, his defense lawyer Ha Huy Son was allowed to see him for

⁷⁸ “Police summoned writer Pham Thanh for questioning (Nha van Pham Thanh bi an ninh trieu tap),” *BBC Vietnamese*, April 3, 2016, https://www.bbc.com/vietnamese/vietnam/2016/04/160403_phamthanh_trieutap (accessed on June 23, 2021).

⁷⁹ Da Nguyen, “Police Prohibited 4 Human Rights Activists From Going Abroad on December 6 When They Were Carrying Out Routine Procedure To Leave Vietnam (Co quan cong an vua cam xuat canh 4 nguoi hoat dong nhan quyen trong cung ngay 6/12 khi ho dang lam thu tuc xuat canh binh thuong ra khoi Viet Nam),” *Citizens Discuss (Dan Luan)*, December 7, 2015, <https://www.danluan.org/tin-tuc/20151206/4-nguoi-hoat-dong-nhan-quyen-bi-cam-xuat-canhh-cung-mot-ngay> (accessed on July 8, 2018).

⁸⁰ Pham Chi Thanh’s Facebook status, November 23, 2017, https://www.facebook.com/permalink.php?story_fbid=759773890885410&id=100005584186799 (accessed on November 30, 2017).

⁸¹ Pham Chi Thanh’s Facebook status, February 26, 2019, https://www.facebook.com/permalink.php?story_fbid=1026879230841540&id=100005584186799 (accessed on February 26, 2019).

⁸² “Dissident writer Pham Thanh was sent to a mental institute (Nha van bat dong chinh kien Pham Thanh bi dua vao vien tam than),” *Radio Free Asia*, November 30, 2020, <https://www.rfa.org/vietnamese/news/vietnamnews/dissident-writer-pham-thanh-put-in-mental-health-hospice-11302020080641.html> (accessed on December 5, 2020). See also Lich Nguyen’s Facebook post, January 25, 2021, <https://www.facebook.com/lich.nguyen.5095110/posts/1344621329230700> (accessed on January 25, 2021).

the first time.⁸³ In July 2021, he was convicted and sentenced to five-and-a-half years in prison, followed by five years of house arrest.⁸⁴

Pham Van Diep



Pham Van Diep, 2018. © Private

Pham Van Diep, 57, is a long-time critic of the Vietnamese government and a campaigner for the rule of law.⁸⁵

Originally from the city of Thanh Hoa, south of Hanoi, he went to Russia to study in December 1992 and stayed there until June 2016.⁸⁶

In 2002, he began to write and publish online opinion pieces critical of the government.⁸⁷ In 2006, he joined the Democracy Party 21, founded by

⁸³ Ha Huy Son's Facebook status, May 28, 2021, <https://www.facebook.com/huyson.ha.3/posts/2469893879822955> (accessed on May 31, 2021).

⁸⁴ "Vietnam Jails Former Radio Journalist, Arrests Freelancers Over 'Distorted Information,'" *The Straits Times/AFP*, July 9, 2021, <https://www.straitstimes.com/asia/se-asia/vietnam-jails-former-radio-journalist-arrests-freelancers-over-distorted-information>; "Vietnam: Free Prominent Novelist," Human Rights Watch news release, July 8, 2021, <https://www.hrw.org/news/2021/07/08/vietnam-free-prominent-novelist>.

⁸⁵ "Vietnam: Long Time Critic Facing Trial," Human Rights Watch news release, November 20, 2019, <https://www.hrw.org/news/2019/11/20/vietnam-longtime-critic-facing-trial>. See Pham Van Diep, "I Have to Call for Help from International Community Because the Vietnamese State Does Not Protect Its Citizen (Phải cầu cứu Quốc tế khi Nhà nước Việt Nam không bảo vệ được quyền lợi người dân!)," *Citizens Discuss* (Dân Luận), December 22, 2013, <https://www.danluan.org/tin-tuc/20131222/pham-van-diep-phai-cau-cuu-quoc-te-khi-nha-nuoc-viet-nam-khong-bao-ve-duoc-quyen> (accessed February 15, 2020). See also Nguoi Buon Gio, "Rush to Return, Rush to Leave (Vội vã trở về vội vã ra đi)," *Citizens Discuss* (Dân Luận), May 1, 2013, <https://www.danluan.org/tin-tuc/20130501/nguoi-buon-gio-vat-va-tro-ve-vat-va-ra-di> (accessed February 15, 2020).

⁸⁶ "A Vietnamese Person Denied Entry at Noi Bai Airport (Nguoi VN bi tu choi nhap canh Noi Bai)," *BBC Vietnamese*, May 1, 2013, https://www.bbc.com/vietnamese/vietnam/2013/05/130501_phamvandiep_refusal (accessed on February 15, 2020).

⁸⁷ Pham Van Diep, "Inner thoughts of a person who is accused of opposing the state and retaliated by the police (Tam su cua mot nguoi bi cong an quy ket la chong doi nha nuoc va bi tru dap)," *Dan Luan*, August 7, 2013, <https://www.danluan.org/tin-tuc/20130807/tam-su-cua-mot-nguoi-bi-ca-quy-ket-la-chong-doi-nha-nuoc-va-bi-tru-dap> (accessed on August 21, 2019).

dissident Hoang Minh Chinh.⁸⁸ In 2007, during a trip to Vietnam to visit family, the police summoned him for questioning and did not allow him to return to Russia. He filed a complaint with the Ministry of Public Security and a lawsuit but did not receive a response. Police allowed him to leave four months later.⁸⁹

In 2009, Pham Van Diep wrote an article defending pro-democracy campaigner Tran Anh Kim, and in 2010, he wrote to support rights defender Cu Huy Ha Vu.⁹⁰ In mid-2011, during a trip home in Vietnam, he participated in two anti-China protests in Hanoi.⁹¹ In 2012, he wrote an open letter to the Vietnamese Communist Party, criticizing article 4 of the Constitution, which declares that the Communist Party is the leading force of the state and the society.⁹² He also urged the government to abolish the then-article 258 (now article 331) of the penal code on “infring[ing] upon the interests of the state” and to immediately release all people imprisoned under it.⁹³

In April 2013, Pham Van Diep flew back to Vietnam and was denied entry at Noi Bai Airport, even though he held a Vietnamese passport. Upon returning to Russia, he filed a

⁸⁸ Ha Dong, “[Police] detains Mr. Pham Van Diep for using social media to oppose the Party and the State (Bat tam giam ong Pham Van Diep su dung mang xa hoi chong pha Dang, Nha nuoc),” *Tuoi Tre*, June 29, 2019, <https://tuoitre.vn/bat-tam-giam-ong-pham-van-diep-su-dung-mang-xa-hoi-chong-pha-dang-nha-nuoc-2019062921575469.htm> (accessed on August 21, 2019).

⁸⁹ Pham Van Diep, “I Have to Call for Help from International Community Because the Vietnamese State Does Not Protect Its Citizen (Phải cầu cứu Quốc tế khi Nhà nước Việt Nam không bảo vệ được quyền lợi người dân!),” *Citizens Discuss* (Dân Luận), December 22, 2013, <https://www.danluan.org/tin-tuc/20131222/pham-van-diep-phai-cau-cuu-quoc-te-khi-nha-nuoc-viet-nam-khong-bao-ve-duoc-quyen> (accessed February 15, 2020). See also Nguoi Buon Gio, “It is hard to return, and it is hard to leave (Vat va tro ve vat va ra di...),” *Dan Luan*, May 1, 2013.

⁹⁰ Pham Van Diep, “A letter to three friend and Tran Anh Kim who had been prosecuted under article 79 of the Vietnam penal code (Thu gui cho 3 ban va anh Tran Anh Kim bi truy to theo dieu 79 bo luat hinh su Viet Nam),” *Dan Luan*, December 28, 2009, <https://www.danluan.org/tin-tuc/20091228/thu-gui-cho-3-ban-va-anh-tran-anh-kim-bi-truy-to-theo-dieu-79-bo-luat-hinh-su-viet> (accessed on November 8, 2019); Pham Van Diep, “Thoughts of a Vietnamese (Suy nghi cua mot nguoi Viet Nam),” *Dan Luan*, November 15, 2010, <https://www.danluan.org/tin-tuc/20101115/pham-van-diep-suy-nghi-cua-mot-nguoi-viet-nam> (accessed on November 8, 2019).

⁹¹ Pham Van Diep, “A Denunciation to the Chairman of the Hanoi People’s Committee (Don to cao gui Chu tich Uy ban Nhan dan Thanh pho Ha Noi),” *Dan Luan*, August 19, 2011, <https://www.danluan.org/tin-tuc/20110818/pham-van-diep-don-to-cao-gui-chu-tich-uy-ban-nhan-dan-thanh-pho-ha-noi> (accessed on November 8, 2019).

⁹² Pham Van Diep, “An open letter to the leaders of the Communist Party of Vietnam regarding Article 4 of in the Constitution (Thu ngo gui Lanh dao Dang Cong san Viet Nam ve dieu 4 Hien phap),” *Dan Luan*, July 31, 2012, <https://www.danluan.org/tin-tuc/20120730/pham-van-diep-thu-ngo-gui-lanh-dao-dang-cong-san-viet-nam-ve-dieu-4-hien-phap> (accessed on November 8, 2019).

⁹³ Pham Van Diep, “A petition to the National Assembly to urge for the abolishment of article 258 of the penal code, and the release of all people who were arrested and charged under this article (Don kien nghi gui Quoc hoi ve viec huy dieu 258 BLHS va tra tu do cho nhung nguoi bi bat vi dieu nay),” *Dan Luan*, September 25, 2013, <https://www.danluan.org/tin-tuc/20130924/don-kien-nghi-gui-quoc-hoi-ve-viec-huy-dieu-258-blhs-va-tra-tu-do-cho-nhung-nguoi> (accessed on November 8, 2019); Article 331 (formerly article 258): Abusing the rights to democracy and freedom to infringe upon the interests of the state; the legitimate rights and interests of individuals and organization.

complaint at the Vietnamese Embassy in Moscow but did not receive any response.⁹⁴ He later filed, via an authorized person, an administrative lawsuit at the People's Court of Hanoi but again did not receive any response.⁹⁵

In December 2013, Pham Van Diep flew back to Vietnam and was again denied entry at Noi Bai Airport.⁹⁶ The Vietnamese authorities put him on a flight to Frankfurt en route to Moscow. Upon arrival at Frankfurt Airport, he persuaded the German authorities not to put him on a flight to Moscow but on a flight back to Hanoi instead. His request was granted, and on December 10 he arrived again at Noi Bai Airport. This time, Vietnamese police forced him to board a flight to Moscow right away.⁹⁷ He filed a complaint with the Vietnamese Embassy in Moscow again, and again did not receive any response.

In June 2016, Pham Van Diep flew back to Vietnam and was denied entry again at Noi Bai Airport.⁹⁸ This time, police forced him to take a flight back to Moscow. Upon arrival in Moscow, he requested not to enter Russia and was sent back to Noi Bai Airport, where police denied him entry again. The Thai airline that transported him flew him to Bangkok, where he stayed for two weeks. He then tried to enter Vietnam via the Cau Treo border on June 23, 2016. Police there denied him entry and took him to the Laos police, who confiscated his passport. Five days later, Pham Van Diep went to Patuxai, the Victory Monument in Vientiane, the Laotian capital, and protested against the Vietnamese Communist Party. Laos police arrested and charged him with “using the territory of the Lao People's Democratic Republic to oppose neighboring countries.” A Laos court put him on trial in February 2018 and sentenced him to 21 months in prison.⁹⁹

⁹⁴ Pham Van Diep, “A Request of Dialogue to Minister of Public Security Tran Dai Quang (Don de nghi doi thoai gui Bo truong Cong an Tran Dai Quang),” *Citizens Discuss* (Dan Luan), December 5, 2013, <https://www.danluan.org/tin-tuc/20131205/don-de-nghi-bo-truong-bo-cong-an-tran-dai-quang> (accessed on February 15, 2020).

⁹⁵ Pham Van Diep, “[I] must call for international help when the State of Vietnam did not protect the rights of its citizens! (Phải cầu cứu Quốc tế khi Nhà nước Việt Nam không bảo vệ được quyền lợi người dân!).” *Dan Luan*, December 22, 2013.

⁹⁶ “A Vietnamese Citizen Was Denied Entry to the Country Again (Cong dan VN lai bi tu choi nhap canh),” *BBC Vietnamese*, December 10, 2013, https://www.bbc.com/vietnamese/vietnam/2013/12/131210_entry_refusal_vietnamese (accessed on November 14, 2019).

⁹⁷ Pham Van Diep, “[I] must call for international help when the State of Vietnam did not protect the rights of its citizens! (Phải cầu cứu Quốc tế khi Nhà nước Việt Nam không bảo vệ được quyền lợi người dân!).” *Dan Luan*, December 22, 2013.

⁹⁸ Pham Van Diep's Facebook status, May 9, 2019, https://www.facebook.com/permalink.php?story_fbid=199125734397641&id=100029006467912 (accessed on November 14, 2019).

⁹⁹ Ibid. See also “Vietnam: Longtime Critic Facing Trial,” Human Rights Watch news release, November 20, 2019, <https://www.hrw.org/news/2019/11/20/vietnam-longtime-critic-facing-trial>.

After Pham Van Diep was released in March 2018, Laos police took him to Cau Treo border in Ha Tinh province. This time, he was allowed to enter Vietnam. In April 2019, he tried to leave for Russia but was stopped at the airport and told he was on a list of people not allowed to leave the country. He filed an unsuccessful lawsuit against the police for keeping him in Vietnam.¹⁰⁰

In May 2019, Pham Van Diep wrote on Facebook:

Vietnamese people must be able to enjoys the rights enshrined in international conventions and the Vietnamese Constitution and laws. This is a legitimate demand. Those who abuse rights cannot silence us.¹⁰¹

The police arrested Pham Van Diep in June 2019 and charged him with “making, storing, disseminating or propagandizing information, materials and products that aim to oppose the State of the Socialist Republic of Vietnam” under article 117 of the penal code.¹⁰² In November 2019, a court in Thanh Hoa province convicted and sentenced him to nine years in prison.

¹⁰⁰ Ibid.

¹⁰¹ Pham Van Diep’s Facebook status, May 26, 2019, https://www.facebook.com/permalink.php?story_fbid=203772583932956&id=100029006467912 (accessed on November 8, 2019).

¹⁰² “Vietnam: Longtime Critic Facing Trial,” Human Rights Watch news release, November 20, 2019, <https://www.hrw.org/news/2019/11/20/vietnam-longtime-critic-facing-trial>.

Le Cong Dinh



Le Cong Dinh, 2016. © Private

Le Cong Dinh, 54, is a prominent pro-democracy campaigner and a former political prisoner. He served more than three-and-a-half years in prison between 2009 and 2013 for his affiliation with the Democratic Party of Vietnam, a group promoting human rights and democracy that the government banned.¹⁰³

Since Le Cong Dinh's release in February 2013, the authorities have placed him under heavy and intrusive surveillance and repeatedly blocked him from leaving his house to attend protests, civil society events, and meetings with foreign embassies or foreign officials. For

instance, he was blocked from meeting US officials during an annual US-Vietnam human rights dialogue in Hanoi the week of May 15, 2019.¹⁰⁴

In May 2019, Ho Chi Minh City security personnel placed him under house arrest to prevent him from meeting diplomats at the house of prominent activist and former political prisoner Nguyen Dan Que.¹⁰⁵ He was previously placed under house arrest on June 26, 2018, to prevent him from attending a gathering on the International Day in Support of

¹⁰³ "Vietnam: Overturn Conviction of Peaceful Democracy Activists," Human Rights Watch news release, May 10, 2010: <https://www.hrw.org/news/2010/05/10/vietnam-overturn-conviction-peaceful-democracy-activists>.

¹⁰⁴ Pham Chi Dung, "Vietnamese Police Stationed Outside the Houses of Dissidents: What Was the Message from American Reaction?" (Cong an VN chan cua bat dong: Thong diep nao tu phan ung cua My?), *VOA Vietnamese*, May 18, 2019, <https://www.voatiengviet.com/a/cong-an-chan-cua-bat-dong-thong-diep-cua-my/4921768.html> (accessed on September 17, 2019). See also Le Cong Dinh's Facebook status, May 12, 2019, <https://www.facebook.com/le.cogito.7/posts/1050358895162562> (accessed on May 13, 2019).

¹⁰⁵ Pham Chi Dung, "Vietnamese Police Stationed Outside the Houses of Dissidents: What Was the Message From American Reaction?" (Cong an VN chan cua bat dong: Thong diep nao tu phan ung cua My?), *VOA Vietnamese*, May 18, 2019, <https://www.voatiengviet.com/a/cong-an-chan-cua-bat-dong-thong-diep-cua-my/4921768.html> (accessed on September 17, 2019). See also Le Cong Dinh's Facebook status, May 12, 2019, <https://www.facebook.com/le.cogito.7/posts/1050358895162562> (accessed on May 13, 2019).

Victims of Torture, and on February 22, 2018, to prevent him from attending a meeting with other former political prisoners.¹⁰⁶

Authorities also stopped Le Cong Dinh and another dissident, writer Nguyen Vien, from meeting then-US Secretary of State John Kerry on January 13, 2017.¹⁰⁷ And like several other dissidents, he reported being placed under house arrest during a protest on May 15, 2016, and again during a visit to Vietnam the following week by US President Barack Obama from May 23-25, 2016.¹⁰⁸

The authorities have also blocked Le Cong Dinh from leaving the country several times. In August 2018, he applied for a passport but was refused. Although he did not receive a written explanation, an official told him orally that he was on a travel ban list.¹⁰⁹

Le Cong Dinh later wrote that he had visited the Immigration Office in Ho Chi Minh City on December 13, 2019, to inquire about the status of another application for a passport, submitted on December 4.¹¹⁰ A police officer again told him that the government would not issue him a passport. When he asked for a reason, the officer replied, “You probably know the reason yourself.”¹¹¹

¹⁰⁶ Pham Ba Hai’s Facebook status, June 26, 2018, <https://www.facebook.com/trangthienlong/posts/1596430080479280> (accessed on July 8, 2018). See also “Former Vietnamese Prisoners of Conscience Blocked from New Year Gathering in HCM City,” *Defend the Defenders*, February 22, 2018, <http://www.vietnamhumanrightsdefenders.net/2018/02/23/former-vietnamese-prisoners-of-conscience-blocked-from-new-year-gathering-in-hcm-city/> (accessed on February 23, 2018).

¹⁰⁷ “Dissidents were not allowed to meet the U.S. Secretary of State John Kerry (Cac nha bat dong chinh kien khong the gap ngoai truong My John Kerry),” *Radio Free Asia*, January 13, 2017, <http://www.rfa.org/vietnamnews/activist-were-isolated-while-john-kerry-visit-hcmc-01132017074140.html> (accessed on January 18, 2017).

¹⁰⁸ Le Cong Dinh’s Facebook status, May 23, 2016, <https://www.facebook.com/LSLeCongDinh/posts/1710642985876145> (accessed on May 19, 2020). See also “Many people ‘were prevented’ from going to protest (Nhiều người ‘bị ngăn cản’ đi biểu tình),” *BBC*, May 15, 2016, https://www.bbc.com/vietnamese/vietnam/2016/05/160515_protest_vietnam_fish (accessed on January 10, 2019).

¹⁰⁹ Le Cong Dinh’s Facebook status, August 23, 2018, <https://www.facebook.com/LSLeCongDinh/posts/21371222866561486> (accessed on September 7, 2018).

¹¹⁰ Le Cong Dinh’s Facebook status, December 16, 2019, <https://www.facebook.com/le.cogito.7/posts/1213882598810190> (accessed December 17, 2019).

¹¹¹ *Ibid.*

Huynh Cong Thuan



Huynh Cong Thuan, 2018. © 2018 Private

Huynh Cong Thuan, 70, is a land rights activist who has participated in pro-environment and anti-China protests for over a decade. He often speaks publicly in support of detained human rights activists and other political prisoners. He volunteered to provide help to disabled veterans from the Republic of Vietnam (South Vietnam) through a program at the Ky Dong Redemptorist Church in Ho Chi Minh City.¹¹² He joined the Independent Journalists Association of Vietnam, which was founded in 2014 to promote media freedom and democracy.

Huynh Cong Thuan has faced numerous instances of harassment and restrictions on his freedom of movement. Between December 2014 and May 2019, men in civilian clothes put Huynh Cong Thuan under house arrest at least 11 times.

On December 26-27, 2014, men in civilian clothes outside his house in Ho Chi Minh City prevented him from going anywhere, including to get food. When he called the police for help, the men tried to snatch his cell phone. No police came to help.¹¹³ A month later, on January 25, 2015, men in civilian clothes placed him under house arrest again and did not

¹¹² Mac Lam, "The Redemptorist Order in Saigon Temporarily Suspended the Program of 'Assistance for the Invalid Soldiers' (Dong Chua Cuu The Saigon tạm ngưng chương trình 'trợ giúp thương phế binh')," *Radio Free Asia Vietnamese*, April 17, 2015, https://www.rfa.org/vietnamese/in_depth/saigon-redemptorist-suspends-the-wounded-soldier-support-programs-04172015103446.html (accessed on June 17, 2020).

¹¹³ Huynh Cong Thuan, "An Urgent Call for Help on February 7, 2015 (Thu kêu cuu khan cap 07/02/2015)," *Brotherhood for Democracy* (Hoi Anh em Dan chu), February 8, 2015, <https://haedc.org/2015/02/08/huynh-cong-thuan-thu-keu-cuu-khan-cap-07022015/> (accessed on July 6, 2020).

allow him to go anywhere for two days, including to work or get food. When he tried to exit his home, they assaulted him.¹¹⁴

The longest house arrest was for seven days and nights in May 2016 at the time of the national election and President Obama's visit to Vietnam. Huynh Cong Thuan filed multiple complaints to the authorities, to no avail.¹¹⁵

Below is a list of incidents when Huynh Cong Thuan was put under house arrest:

- December 26-27, 2014: men in civilian clothes put him under house arrest.
- January 25-26, 2015: men in civilian clothes put him under house arrest and attempted to assault him.
- May 1, 2016: men in civilian clothes put him under house arrest.
- May 15, 2016: unknown persons put iron superglue on the lock of his door.
- May 19-25, 2016: men in civilian clothes put him and his wife, Vo Thi Thanh Hai, under house arrest for seven days and nights. During that time, unknown persons put a lock on his door from the outside, threw red paint mixed with gasoline and shrimp paste into his house, destroyed and stole his potted plants, and threw rocks at his windows.
- June 26, 2016: unknown persons put a lock on his door from the outside.
- January 19, 2017: men in civilian clothes blocked the alley near his home and assaulted him when he tried to go to work.
- December 22, 2017: men in civilian clothes put him under house arrest. In the afternoon, his wife was able to sneak out. She reported the men to the ward police station but was assaulted by the men after she left the station.
- June 10, 2018: men in civilian clothes put him under house arrest.

¹¹⁴ This was not the first time Huynh Cong Thuan had been attacked. On January 25 and 26, 2015, two unidentified men blocked his house and prevented him from leaving. As he tried to leave his house on January 26, one of the men burst in and attacked him. He reported the case to the police. In September 2011, he was attacked in a café by a group of three unidentified men. He heard the café owner call one of them "police officer Tam." The other two struck him on the head with a bottle. Huynh Cong Thuan was taken to the hospital for urgent treatment. He reported the incident to the police. See also Human Rights Watch, *No Country for Human Rights Activists: Assaults on Bloggers and Democracy Campaigners in Vietnam* (New York: Human Rights Watch, 2017), <https://www.hrw.org/report/2017/06/19/no-country-human-rights-activists/assaults-bloggers-and-democracy-campaigners>.

¹¹⁵ Huynh Cong Thuan, "An Urgent Call for Help on February 7, 2015 (Thu keu cuu khan cap 07/02/2015)," Huynh Cong Thuan Blog, February 7, 2015, <https://huynhcongthuan.blogspot.com/2015/02/thu-keu-cuu-khan-cap-722015.html> (accessed on June 15, 2020). See also Huynh Cong Thuan, "A Call for Help – Re Thugs Act Blatantly at District 9, Ho Chi Minh City (Thu keu cuu – V/v con do long hanh tai quan 9, HCM)," Huynh Cong Thuan Blog, September 28, 2019, <http://huynhcongthuan.blogspot.com/2019/09/thu-keu-cuu-vv-con-o-long-hanh-tai-quan.html> (accessed on June 15, 2020).

- January 8, 2019: men in civilian clothes put him under house arrest.
- April 30-May 1, 2019: men in civilian clothes put him under house arrest.

Huynh Cong Thuan has also been assaulted by unidentified men on multiple occasions. On September 4, 2018, men in civilian clothes attacked and injured him on his way home from work.¹¹⁶ He received hospital treatment for a head injury.¹¹⁷

He was also placed on the government's travel ban list. In May 2012, when his passport was about to expire, he applied for a new passport.¹¹⁸ He said that a police officer told him that he would be banned from leaving Vietnam until August 2014. Huynh Cong Thuan filed multiple complaints demanding an explanation, to no avail. He eventually received a new passport.

¹¹⁶ "Submission to the European Union ahead of the EU-Vietnam Human Rights Dialogue, February 2019," Human Rights Watch, March 4, 2019, <https://www.hrw.org/news/2019/03/04/submission-european-union-ahead-eu-vietnam-human-rights-dialogue>.

¹¹⁷ Huynh Cong Thuan, "An Urgent Call for Help on February 7, 2015 (Thu keu cuu khan cap 07/02/2015)," Huynh Cong Thuan Blog, February 7, 2015, <https://huynhconghuan.blogspot.com/2015/02/thu-keu-cuu-khan-cap-722015.html> (accessed on June 15, 2020). See also Huynh Cong Thuan, "A Call for Help – Re Thugs Act Blatantly at District 9, Ho Chi Minh City (Thu keu cuu – V/v con do long hanh tai quan 9, HCM)," Huynh Cong Thuan Blog, September 28, 2019, <http://huynhconghuan.blogspot.com/2019/09/thu-keu-cuu-vv-con-o-long-hanh-tai-quan.html> (accessed on June 15, 2020).

¹¹⁸ Huynh Cong Thuan's Facebook status, August 21, 2016, <https://www.facebook.com/groups/217386115117397/permalink/555170684672270/> (accessed on June 15, 2020).

Nguyen Quang A



Nguyen Quang A, 2016. © Private

Nguyen Quang A, 76, is an economist, academic, and rights activist. In 2007, he was one of the founders of Vietnam's first and only independent policy think tank, which was forced to close in 2009.¹¹⁹ Over the last decade, Nguyen Quang A has participated in numerous meetings and protests on human rights issues and in anti-China protests.

Since January 2014, the authorities detained or put Nguyen Quang A under house arrest at least two dozen times to prevent him from attending meetings or events. He has also been repeatedly detained and interrogated when entering

or departing the country to attend meetings in the US, Europe, and Australia.

In December 2015, he co-signed an open letter prior to the 12th Party Congress urging the Politburo to abandon the name of the party, removing its reference to Communism, and transform the Congress into a democratic body with elected representatives and officials.¹²⁰ In March 2016, to demonstrate the undemocratic nature of the selection process for Vietnam's National Assembly, Nguyen Quang A nominated himself as an independent candidate and was—unsurprisingly—disqualified. Over the last decade, diplomats and foreign journalists have repeatedly sought to interview or speak with him

¹¹⁹ In September 2007, Nguyen Quang A and over a dozen other academics and intellectuals formed the Institute of Development Studies (IDS), Vietnam's only independent non-profit think tank, to study social and economic issues in Vietnam. They disbanded the institute in September 2009, however, in response to a government decree signed by then-Prime Minister Nguyen Tan Dung that sharply curtailed what subject matter "scientific and technical organizations" could research. See Mac Lam, "Vietnam's 1st Think Tank Disbanded," *Radio Free Asia*, September 16, 2009, <https://www.rfa.org/english/news/vietnam/ids-09162009131315.html> (accessed on December 10, 2019).

¹²⁰ "A Call to Urge the Leaders to Change the Name of the Party and the Name of the Country (Kêu gọi lãnh đạo 'doi ten dang, ten nuoc')," *BBC Vietnamese*, December 13, 2015, https://www.bbc.com/vietnamese/vietnam/2015/12/151213_vn_party_congress_12_open_letter (accessed on May 20, 2020).

about human rights and political issues; Vietnamese authorities have repeatedly taken actions to prevent those meetings from happening.

In May 2016, Nguyen Quang A was invited to a meeting President Obama scheduled with representatives of civil society.¹²¹ Two days before the visit, security agents were stationed outside Nguyen Quang A's house in Hanoi. In the early morning of May 24, Nguyen Quang A tried to leave his house for the meeting, accompanied by his wife, son, and another activist.¹²² As they approached a nearby intersection, men stopped him and asked where he was going. When Nguyen Quang A asked the men their identities, they pushed his wife aside and threw him into a parked car.¹²³ According to Nguyen Quang A, the men drove him around "to kill time" for several hours. By the time they dropped him off, Obama was on his way to Noi Bai International Airport to fly to Ho Chi Minh City.¹²⁴

On August 24, 2016, a German diplomat, Konrad Lax, went to visit Nguyen Quang A, who was staying with his mother in Que Vo in Bac Ninh province, 30 kilometers northwest of Hanoi. Upon arrival, Lax found a truck blocking the village entrance, preventing his car from entering. He parked and attempted to walk into the village. Security agents stopped him, claiming they were fixing electricity. A rope across the road stated: "No Passing." Local villagers could do so, but Lax was blocked. When Nguyen Quang A tried to leave his house and walk to the pagoda to meet Lax, four men in civilian clothes shoved him back inside his house. Nguyen Quang A said that he recognized one of the men as the village party cell secretary. After Lax left the village without meeting with Nguyen Quang A, security agents then withdrew from the area.¹²⁵

¹²¹ Jane Perlez, "With Views From the Inside, an Activist Challenges Vietnam's Rulers," *New York Times*, June 3, 2016, <https://www.nytimes.com/2016/06/04/world/asia/vietnam-activist-nguyen-quang-a.html> (accessed on July 20, 2020).

¹²² Nam Phuong, "Mr. Nguyen Quang A told the story of being prevented to meet President Obama (Ong Nguyen Quang A ke chuyen bi chan gap Obama)," *Nguoi Viet*, May 25, 2016, <https://www.nguoi-viet.com/viet-nam/Ong-Nguyen-Quang-A-ke-chuyen-bi-chan-gap-TT-Obama-5734/> (accessed on September 30, 2019).

¹²³ Ibid.

¹²⁴ Nguyen Quang A's Facebook status, May 24, 2016, <https://www.facebook.com/photo.php?fbid=1806331452928222&set=a.1643524029208966&type=3&theater> (accessed on September 30, 2019).

¹²⁵ Nguyen Quang A's Facebook status, August 24, 2016, <https://www.facebook.com/a.nguyenquang.16/videos/1847265052168195/> (accessed on October 1, 2019); Nguyen Quang A's Facebook status, August 24, 2016, <https://www.facebook.com/a.nguyenquang.16/posts/1847705988790768> (accessed on October 1, 2019); Nguyen Quang A's Facebook status, August 25, 2016, <https://www.facebook.com/a.nguyenquang.16/posts/1848091952085505> (accessed on October 1, 2019).

Nguyen Quang A has written that, on most occasions when he was put under house arrest or detained, he could discern the ostensible reason the authorities targeted him. Other times, he had no idea.

On September 18, 2018, Nguyen Quang A was planning to leave Vietnam for Australia.¹²⁶ After meeting in a café with a foreign academic, he left to catch a taxi for the airport. As he walked, men in civilian clothes approached him, forced him into a car, and took him to police headquarters at Noi Bai Airport. Police questioned him about an upcoming trip in October to Brussels where he planned to testify before the European Parliament about the European Union-Vietnam Free Trade Agreement. During the interrogation, police searched his suitcase despite his protests they were violating his legal rights. They also took away his passport. Eventually, the police released him, returned his passport, and sent him home in a car—but only after he missed his flight.¹²⁷

On the morning of October 8, 2018, the day of his planned trip to Brussels, police came to Nguyen Quang A's house and told him they would not prevent him from going to Brussels in the evening but that he should check his passport to make sure everything was okay. He discovered that someone had altered his birth year from 1946 to 1949, rendering it invalid. Nguyen Quang A posted on Facebook information about the defacing of his passport.¹²⁸ After pressure from EU diplomats, the authorities allowed him to leave for Brussels that same evening with a new passport.¹²⁹

Below is a list of occasions when Vietnamese security agents put Nguyen Quang A under house arrest:

¹²⁶ "Submission by Human Rights Watch to Australia-Vietnam Human Rights Dialogue," August 27, 2019, <https://www.hrw.org/news/2019/08/27/submission-human-rights-watch-australia-vietnam-human-rights-dialogue>.

¹²⁷ Pham Chi Dung, "Will the EU Sign EVFTA When Vietnamese Police Prohibit its Guest [Nguyen Quang A] From Leaving the Country (EU co ky EVFTA khi khach moi bi cong an VN cam xuất cảnh)?" *VOA Vietnamese*, October 3, 2018, <https://www.voatiengviet.com/a/evfta-nguyen-quang-a-cong-an-chan-xuat-can/4597793.html> (accessed on January 20, 2019).

¹²⁸ Nguyen Quang A's Facebook status, October 8, 2018, <https://www.facebook.com/photo.php?fbid=2323697781191584&set=a.1596208090607227&type=3&theater> (accessed on October 1, 2019).

¹²⁹ Nguyen Quang A's Facebook status, October 8, 2018, <https://www.facebook.com/a.nguyenquang.16/posts/2323826397845389> (accessed on October 18, 2019). See also Quoc Phuong, "Without International Pressure, I Would Not Be Able To Go and Attend EVFTA Testimony (Khong co suc ep quoc te, toi khong di du EVFTA duoc)," *BBC Vietnamese*, October 11, 2018, <https://www.bbc.com/vietnamese/vietnam-45823940> (accessed on October 12, 2018).

- January 20, 2014: security agents in civilian clothes detained him as he sought to visit the house of former political prisoner Pham Van Troi.
- September 2, 2015: security agents detained him for 15 hours at Noi Bai Airport upon return from a human rights advocacy trip in the United States.
- March 23, 2016: security agents detained him outside the People's Court of Hanoi during the trial of prominent blogger Nguyen Huu Vinh (also known as Anh Ba Sam) and his colleague Nguyen Thi Minh Thuy.
- May 8, 2016: security agents detained him when he was waiting for a bus.
- May 10, 2016: security agents detained him when he was on his way to lunch with then-US Assistant Secretary of State for Human Rights Tom Malinowski.
- May 15, 2016: security agents blocked his house and prevented him from going to give a talk at a conference called "Young Viet Talents" (Tai nang tre dat Viet).
- May 24, 2016: security agents detained him and drove him around so he could not attend a meeting with US President Barack Obama.
- June 2, 2016: security agents detained and drove him around so he could not attend a lunch with the EU ambassador to Vietnam.
- August 5, 2016: security agents detained him for hours to prevent him from attending a meeting with diplomats from Australia, Germany, the Netherlands, and New Zealand.
- August 23, 2016: security agents blocked him from leaving his house so he could not attend a meeting with Konrad Lax, a German diplomat.
- March 14, 2017: security agents detained him during the commemoration of Vietnamese soldiers who died during a battle against the Chinese army over the Johnson Reef in March 1988.
- March 22, 2017: security agents detained him for hours to prevent him from attending a reception with Australian diplomats.
- May 22, 2017: security agents detained and drove him around in a car for hours so he could not attend a dinner with the US delegation prior to the Vietnam-United States Human Rights Dialogue.
- June 28, 2017: security agents detained and drove him around in a car for hours because they thought he was going to attend a meeting between German diplomats and Vietnamese activists. He said he only learned of the meeting afterwards.
- August 17, 2017: security agents detained him when he was on his way to withdraw money from the bank in preparation for a trip to Europe.

- November 12-13, 2017: security agents blocked him from leaving his house.
- November 16, 2017: security agents detained him after leaving a meeting with EU diplomats to discuss human rights before the EU-Vietnam human rights dialogue.
- April 4, 2018: security agents blocked his house and prevented him from leaving during the trial of Nguyen Van Dai and fellow activists.
- May 23, 2018: security agents blocked his house to stop Nguyen Dinh Ha from helping video an interview with Nguyen Quang A for Radio Free Asia. Police detained and interrogated Nguyen Dinh Ha after leaving Nguyen Quang A's house.
- June 16, 2018: security agents blocked his house to prevent him from participating in a protest.
- July 8, 2018: security agents detained him at Noi Bai Airport upon return from Thailand and interrogated him for hours.
- September 18, 2018: security agents detained him and stopped him from going to Australia.
- March 19-20, 2019: security agents prevented him from leaving his house.
- April 14-15, 2019: security agents blocked his house and prevented him from leaving. Nguyen Quang A guessed the reason was that it was the second anniversary of the Dong Tam hostage incident, when Dong Tam villagers held 38 policemen and government employees for seven days in a land dispute between residents and local authorities.

Literary Group Van Viet, 2016-2020

In March 2014, 62 Vietnamese writers, artists, critics, and intellectuals formed a group called the Campaigning Committee for an Independent Literary Union, commonly referred to as Van Viet (literally “Vietnamese literature”). The well-known writer Nguyen Ngoc said that the group’s goal is to campaign for freedom of creativity and publication.¹³⁰ Van Viet publishes literary work, social commentary, translation, editorials, and petitions online that members of the committee select or participate in.

¹³⁰ Mac Lam, “The Birth of the Independent Literary Union of Vietnam (Su ra doi cua Van doan Doc lap Viet Nam),” *Radio Free Asia Vietnamese*, March 8, 2014, <https://www.rfa.org/vietnamese/news/programs/LiteratureAndArts/league-independent-vn-writers-ml-03082014073731.html> (accessed on May 22, 2020).

During the last six years, group members have been subjected to harassment and intimidation,¹³¹ beginning shortly after the committee was formed and the authorities pressured several members to publicly announce their withdrawal.¹³²

On June 27, 2020, a group of writers, poets, journalists, and others held an informal gathering to congratulate the 2019 recipients of Van Viet's annual literary awards. The Van Viet award ceremonies were usually held at a café or a private house, but because of Covid-19 they were announced online in March 2020 and the in-person gathering was held in June instead.

Hoang Hung, a poet, said that security agents prevented Y Nhi (real name Hoang Thi Y Nhi), Ngo Thi Kim Cuc, Nguyen Vien (real name Nguyen Van Vien), Mac Van Trang, and Nguyen Thi Kim Chi from attending the event.¹³³ Nguyen Vien was among the 2019 recipients. The security agent stationed outside Ngo Thi Kim Cuc's house told her that he had been there since 6 a.m. but did not want to knock on her door because he did not want to disturb her sleep.¹³⁴ Ngo Thi Kim Cuc called Y Nhi and learned that four security agents had been stationed outside Y Nhi's house since early morning.

Although security agents prevented several people from attending the event, others managed to meet at a café, including Nguyen Ngoc, Pham Xuan Nguyen, Nguyen Thi Hau, Tiet Hung Thai, Pham Tuong Van, Nguyen Thanh Binh, Nguyen Duy, Hoang Hung, Hoang Dung, Nguyen Quang Lap.¹³⁵ Men in civilian clothes sat at a nearby table, listening.¹³⁶ When the Van Viet group dispersed, these men also left. When Hoang Hung came home, he learned that security agents had come to his house right after he left for the

¹³¹ Ibid.

¹³² Phung Nguyen, "Withdraw from the Literary Independent Union? (Xin rut ten ra khoi Van doan Doc lap?)," *VOA Vietnamese*, September 24, 2015, <https://www.voatiengviet.com/a/xin-rut-ten-ra-khoi-van-doan-doc-lap/2975512.html> (accessed on May 22, 2020).

¹³³ Hoang Hung's Facebook status, June 27, 2020, <https://www.facebook.com/nhavandoclapposts/906510569861817> (accessed on June 27, 2020).

¹³⁴ Ngo Thi Kim Cuc's Facebook status, June 27, 2020, <https://www.facebook.com/kim.ngo.7739/posts/3353808107964324> (accessed on June 27, 2020).

¹³⁵ Pham Xuan Nguyen's Facebook status, June 27, 2020, https://www.facebook.com/permalink.php?story_fbid=3220774317979281&id=100001402346694 (accessed on June 27, 2020).

¹³⁶ Pham Tuong Van's Facebook status, June 27, 2020, <https://www.facebook.com/van.phamtuong/posts/10158556512149074> (accessed on June 27, 2020).

gathering.¹³⁷

The previous year, on March 4, 2019, a group of writers, poets, journalists, and others held an informal gathering to congratulate the 2018 recipients. An official ceremony was canceled under police pressure.¹³⁸ Although it was only an informal gathering at a café, security agents blocked the houses of at least 10 people including Y Nhi, Bui Chat (real name Bui Quang Vien), Nguyen Vien, Ngo Thi Kim Cuc, Mai Son, Hoang Dung, Phan Dac Lu, Le Phu Khai, Ngo Kim Hoa (also known as Suong Quynh), and the famous musician-poet Do Trung Quan to prevent them from attending the meeting.¹³⁹

In March 2018, Van Viet organized its third literary award ceremony. As one of the award recipients, 78-year-old writer Khuat Dau (real name Truong Dau; also known as Truong Thanh Son) and his wife were about to board a train in Khanh Hoa province for Ho Chi Minh City to attend the gathering when security agents stopped the couple, confiscated their mobile phones, and forced them to promise not to go.¹⁴⁰ Security agents also put four other people—Dang Van Sinh, Ngo Thi Kim Cuc, Bui Chat, and Y Nhi—under house arrest so they could not attend the event.¹⁴¹ The same thing happened a year earlier at the gathering on March 3, 2017, but this time security agents subjected only two people, Pham Dinh Trong and Le Phu Khai, to house arrest.¹⁴²

On March 3, 2016, Van Viet carried out its first independent award ceremony at the house of Y Nhi, a poet. Before the ceremony, security agents put Le Phu Khai, Pham Dinh Trong,

¹³⁷ Hoang Hung's Facebook status, June 27, 2020, <https://www.facebook.com/nhavandoclapp/posts/906510569861817> (accessed on June 27, 2020).

¹³⁸ Hoang Hung, "The Gang Who Blocked a Meeting of Friends of Vietnamese Literature Is the Same Gang That 'Used a Crane to Take Away the Insensory'?" (Bon ngan chan buoi gap mat than huu Van Viet o Sai Gon chinh la bon 'cau lu huong'?)," *Vietnamese Literature* (Van Viet), March 6, 2019, <http://vanviet.info/van/bon-ngan-chan-buoi-gap-mat-thn-huu-van-viet-o-si-gn-chnh-l-bon-cau-lu-huong> (accessed on May 20, 2020).

¹³⁹ Ibid. See also Do Trung Quan's Facebook status, March 4, 2019, https://www.facebook.com/permalink.php?story_fbid=194927948133279&id=100028482253682 (accessed on April 8, 2019).

¹⁴⁰ "Announcement of the Committee Campaigning for the Independent Literary Union of Vietnam Regarding the Vietnamese Literature's 3rd Award (2017) (Tuyen bo cua Ban Van dong Van doan Doc Lap Viet Nam ve giai Van Viet lan thu Ba (2017))," *Vietnamese Literature* (Van Viet), March 26, 2018, <http://vanviet.info/so-dac-biet/tuyn-bo-cua-ban-van-dong-van-don-doc-lap-viet-nam-ve-giai-van-viet-lan-thu-ba-2017/> (accessed on May 22, 2020).

¹⁴¹ Ibid.

¹⁴² Ngo Thi Kim Cuc, "The Vietnamese Literature's Second Award Ceremony – March 3, 2017 (Trao giai Van Viet lan thu hai – ngay 3 thang 3/2017)," *Vietnamese Literature* (Van Viet), March 7, 2017, <http://vanviet.info/so-dac-biet/trao-giai-van-viet-lan-thu-hai-ngy-3-thng-32017/> (accessed on May 22, 2020).

Tuan Khanh, and Nguyen Dang Hung under house arrest so they could not attend.¹⁴³ Nguyen Dang Hung called a participant at the ceremony, explaining that four security agents had stopped his vehicle and forced him to return home. Another person reported that her motorbike's wheels were slashed. The authorities also cut the electricity to Y Nhi's house, but the ceremony went on.¹⁴⁴

Hoa Hao Buddhist Anniversary, March 18, 2020

On March 18, 2020, the Pure Hoa Hao Buddhist Church reported that “security agents stationed outside the houses of all board members” were put in place to prevent them from attending a gathering to commemorate the day the Hoa Hao Buddhist religion founder, Huynh Phu So, disappeared.¹⁴⁵ The authorities also blocked the paths to the unofficial headquarters of the sect in Cho Moi district, An Giang province, so followers could not gather and pray at their chosen altar. Instead, independent Hoa Hao Buddhist followers had to hold individual commemorations in their own houses.¹⁴⁶

Every year, local police have used various means to prevent independent Hoa Hao Buddhist followers from gathering for important events, such as the founding day of the religion and the birth and death anniversaries of founder Huynh Phu So.¹⁴⁷

Authorities have repeatedly set up barriers to block the Quang Minh pagoda in Cho Moi district, An Giang province, often used by independent Hoa Hao followers for worship. Human Rights Watch has documented reports of various means that the authorities have

¹⁴³ Chinh Vi, “The Drama of Vietnamese Literature’s Award the 1st Time (Kich tinh giai Van Viet lan thu nhat),” *BBC Vietnamese*, March 3, 2016, https://www.bbc.com/vietnamese/vietnam/2016/03/160303_giai_van_viet (accessed on May 20, 2020). See also Suong Quynh, “The Outside Story of the Vietnamese Literature’s Award Ceremony (Chuyen vong ngoai cua buoi le trao giai Van Viet),” *Bauxite Vietnam*, March 3, 2016, <https://boxitvn.blogspot.com/2016/03/kich-tinh-giai-van-viet-lan-thu-nhat.html?m=o> (accessed on May 22, 2020).

¹⁴⁴ Ibid.

¹⁴⁵ The Pure Hoa Hao Buddhist Association’s (Giao hoi Phat giao Hoa Hao thuan tuy) Facebook status, March 18, 2020, https://www.facebook.com/permalink.php?story_fbid=882112432219553&id=100492827048188&__tn__=R (accessed on June 5, 2020).

¹⁴⁶ Ibid.

¹⁴⁷ Note that Hoa Hao Buddhist followers use the lunar calendar for all celebrations and commemorations. Hoa Hao Buddhist founder Huynh Phu So’s date of birth was January 15, 1920 (November 25 on the lunar calendar). The day he founded Hoa Hao Buddhism was July 4, 1939 (May 18 on the lunar calendar). The day he went to a meeting with Communist representatives and disappeared was April 16, 1947 (February 25 on the lunar calendar).

employed to prevent independent Hoa Hao Buddhist followers from gathering on these occasions from 2006-2021.¹⁴⁸

¹⁴⁸Nguyen Vu, “During the past 46 years, Hoa Hao Buddhist followers had not been allowed even one complete ceremony for Founder Huynh Phu So (46 nam qua, nguoi Hoa Hao chua mot lan duoc lam le tron ven cho Giao chu Huynh Phu So),” *Luat Khoa*, April 6, 2021, <https://www.luatkhoa.org/2021/04/46-nam-cam-tin-do-hoa-hao-ky-niem-ngay-duc-thay-vang-mat-chinh-quyen-chua-nguoi-han/> (accessed July 13, 2021). Also see Do Hieu, “The government caused difficulties for the 59th anniversary of the day the Founder of Hoa Hao was persecuted (Chanh quyen gay kho khan cho dai le ky niem 59 nam ngay Duc Thay bi am hai),” *Radio Free Asia Vietnamese*, March 28, 2006, https://www.rfa.org/vietnamese/in_depth/HHBuddhistChurchProhibitedToCelebrate59_DHieu-20060328.html (accessed May 6, 2020). Do Hieu, “The birthday of Huynh, the Founder of Hoa Hao (Le Dan sanh Duc Huynh Giao chu),” *Radio Free Asia Vietnamese*, December 23, 2008, https://www.rfa.org/vietnamese/in_depth/HoaHao-Buddhist-believers-faced-hard-time-on-the-occasion-of-the-founder-Huynh-prophet-birthday--12232008150804.html (accessed May 6, 2020). Thanh Quang, “Prohibit to join the big celebration of 70th anniversary of Hoa Hao Buddhism? (Ngan cam tham du Dai le ky niem 70 nam PGHH?),” *Radio Free Asia Vietnamese*, June 11, 2009, https://www.rfa.org/vietnamese/in_depth/70-anniversary-of-hoa-hao-buddhist-church-celebrated-with-police-disruption--06112009125030.html (accessed May 6, 2020). Gia Minh, “Hoa Hao Buddhist followers were prevented from entering the temple in An Giang? (Tin do PGHH An Giang bi ngan chan vao chua?),” *Radio Free Asia Vietnamese*, February 3, 2010, https://www.rfa.org/vietnamese/in_depth/Hoa-hao-buddhist-followers-harrassed-again-GMinh-03022010172007.html (accessed May 6, 2020). Tuong An, “The big 64th anniversary to commemorate the day Venerable Huynh suffered persecution (Dai le ky niem 64 nam Duc Huynh Giao Chu tho nan),” *Radio Free Asia Vietnamese*, March 29, 2011, https://www.rfa.org/vietnamese/in_depth/hh-buddhist-celebrate-huynh-64-tan-03292011184950.html (accessed May 6, 2020). “Hundreds of policemen prevented Hoa Hao Buddhist followers to join the Big Celebration (Hang tram cong an ngan chan tin do PGHH ve du ngay Dai Le),” *Radio Free Asia Vietnamese*, March 16, 2012, <https://www.rfa.org/vietnamese/news/vietnamnews/vn-polic-crackdown-hh-buddist-03162012113330.html> (accessed May 6, 2020). Gia Minh, “Hoa Hao Buddhist followers were prevented from carrying out the ceremony to celebrate the birthday of Venerable Huynh the Founder (Tin do PGHH bi ngan chan khong cho lam le Dan Sanh DHGC),” *Radio Free Asia Vietnamese*, January 9, 2013, https://www.rfa.org/vietnamese/in_depth/follow-becm-adam-ami-01092013063618.html (accessed May 6, 2020). Huynh Trong Hieu, “The repression targets at Hoa Hao Buddhist followers (Cuoc dan ap nham vao cac tin do PGHH),” *Giao hoi Phat giao Viet Nam Thong nhât*, March 21, 2014, <https://www.ghepgvntn.net/cuoc-dan-ap-nham-vao-cac-tin-do-phat-giao-hoa-hao/> (accessed May 6, 2020).

“A follower of the Pure Hoa Hao Buddhism ‘was prevented from going anywhere (Mot tin do Phat giao Hoa Hao Thuan tuy ‘bi ngan chan di lai),” Quyen Ton Giao’s Facebook, February 5, 2015, <https://www.facebook.com/quyentongiao/posts/339747302881438/> (accessed on May 6, 2020). Thanh Truc, “Hoa Hao Buddhist followers are beaten and threatened again (Tin do PGHH lai bi danh dap, ham doa),” *Radio Free Asia Vietnamese*, April 2, 2016, https://www.rfa.org/vietnamese/in_depth/hoa-hao-followers-harassed-beaten-anniversary-gm-04022016072817.html (accessed on May 6, 2020). Gia Minh, “The authorities prevented Hoa Hao Buddhist followers to organize a ceremony again (Tin do Phat giao Hoa Hao lai bi chinh quyen ngan chan to chuc le),” *Radio Free Asia Vietnamese*, June 22, 2016, https://www.rfa.org/vietnamese/in_depth/non-state-hoa-hao-buddhists-beaten-on-anniversary-gm-06222016082134.html (accessed on May 6, 2020). Thien Ha, “An Giang government brutally represses Hoa Hao Buddhist followers (Chinh quyen An Giang dan ap khoc liet Tin do Phat giao Hoa Hao),” *Cali Today News*, April 5, 2016, <https://www.baocalitoday.com/viet-nam/chinh-quyen-an-giang-dan-ap-khoc-liet-tin-do-phat-giao-hoa-hao.html> (accessed on May 6, 2020). G.D., “Hoa Hao Buddhist followers were not allowed to celebrate the religion’s founding day because they ‘did not support the [communist] party (Phat giao Hoa Hao khong duoc mung ngay khai dao vi ‘khong ung ho dang),” *Nguoi Viet*, June 13, 2017, <https://www.nguoi-viet.com/tin-chinh/phat-giao-hoa-hao-khong-duoc-mung-ngay-khai-dao-vi-khong-ung-ho-dang/> (accessed on May 6, 2020). Phan Bach, “The Association of Pure Hoa Hao Buddhism was prohibited to carry out the great birth anniversary of Venerable Huynh the founder (Giao hoi Phat giao Hoa Hao Thuan tuy bi cam cu hanh dai le dan sinh cua Duc Huynh Giao chu),” *SBS Vietnamese*, April 16, 2018, <https://www.sbs.com.au/language/vietnamese/audio/vie-t-nam-tua-n-qua-6-1-2018> (accessed on May 6, 2020). Diem Thi, “Hoa Hao Buddhist followers who do not follow the State-sanctioned group continue to be prevented (Tin do Phat Giao Hoa Hao khong theo phai Nha nuoc tiep tuc bi ngan can),” *Radio Free Asia Vietnamese*, June 20, 2019, https://www.rfa.org/vietnamese/in_depth/non-state-followers-of-hoa-hao-buddhists-continue-to-be-abused-06202019142134.html (accessed on May 6, 2020). Giao hoi Phat giao Hoa Hao Thuan tuy’s Facebook post, December 18, 2019, https://www.facebook.com/permalink.php?story_fbid=815343632229767&id=100492827048188&__tn__=R

Founded in 1939 by Huynh Phu So, Hoa Hao is a Buddhist sect based in the western Mekong Delta. Communist antipathy toward the Hoa Hao dates from the first Indochina war (1946-1954), when many Hoa Hao community members opposed the Communist-led Viet Minh after Huynh Phu So never returned from a meeting with communist representatives in 1947. During the second Indochina war (1954-1975), Hoa Hao zones in the western Mekong Delta continued to resist the Viet Cong insurgency.¹⁴⁹

Hostility between the Hoa Hao community and the Communist Party continued after the end of the war in 1975. In 1999, the Vietnamese government recognized Hoa Hao Buddhism as a religion. The authorities allow the state-sanctioned Hoa Hao Buddhist sect to commemorate the religion's founding day and the birthday of its founder, but not his death. Many followers who refused to join the state-sanctioned Hoa Hao Buddhist Church have been subjected to intrusive surveillance and systemic repression. Several independent Hoa Hao Buddhist followers have self-immolated to protest state repression. Many others have been arrested and sentenced to long prison terms.¹⁵⁰

Dong Tam Incident, January 2020

A land dispute in Dong Tam commune, My Duc district, near Hanoi between local farmers and the government became even more contentious in 2014 when the authorities decided to confiscate land for the army.¹⁵¹ Farmers claimed that part of the land was not in the original lot slated for the army. In April 2017, the police arrested four members of Dong Tam commune, including the then 81-year-old Le Dinh Kinh, the commune's former

(accessed on June 5, 2020). Giao hoi Phat giao Hoa Hao Thuan tuy's Facebook post, March 17, 2020, https://www.facebook.com/permalink.php?story_fbid=882112432219553&id=100492827048188&__tn__=R (accessed on June 5, 2020). "Vietnam: End Repression Against Religious Activists," Human Rights Watch news release, February 8, 2018, <https://www.hrw.org/news/2018/02/09/vietnam-end-repression-against-religious-activists>. Human Rights Watch, Submission on the Right to Freedom of Religion or Belief, February 9, 2017, <https://www.hrw.org/news/2017/02/09/submission-right-freedom-religion-or-belief>. "Vietnam: Release Hoa Hao Buddhist Activist," Human Rights Watch news release, December 12, 2011, <https://www.hrw.org/news/2011/12/12/vietnam-release-hoa-hao-buddhist-activist>.

¹⁴⁹ "Vietnam: End Repression Against Religious Activists," Human Rights Watch news release, February 8, 2018, <https://www.hrw.org/news/2018/02/08/vietnam-end-repression-against-religious-activists>.

¹⁵⁰ "Vietnam: Religious Freedom Denied," Human Rights Watch news release, May 8, 2008, <https://www.hrw.org/news/2008/05/08/vietnam-religious-freedom-denied>. See also "Vietnam: Release Hoa Hao Buddhist Activist," Human Rights Watch news release, December 12, 2011, <https://www.hrw.org/news/2011/12/12/vietnam-release-hoa-hao-buddhist-activist>.

¹⁵¹ Dong Tam Taskforce, *Fighting Over Senh Field*, the Liberal Publishing House (Nha Xuat ban Tu do), February 10, 2020, <https://nhaxuatbantudo.com/product/fighting-over-senh-field/> (accessed on March 10, 2020).

Communist Party secretary whom many viewed as the spiritual leader of the land rights movement in the area.¹⁵² During the arrest, police reportedly broke his hip bone.¹⁵³ In an unprecedented move, Dong Tam farmers detained and held hostage 38 people, including police officers and government officials, for one week.¹⁵⁴ After intensive negotiations and promises from the then-Chairman of Hanoi, Nguyen Duc Chung, that the government would carry out a comprehensive review of the land claims, all hostages were released unharmed. The government carried out a review but did not return the land.¹⁵⁵

On January 9, 2020, the dispute turned deadly.¹⁵⁶ In Hoanh hamlet, Dong Tam commune, three police officers and Le Dinh Kinh were killed. According to the police, when their forces approached Dong Tam commune, they were attacked by the farmers stationed at Le Dinh Kinh's house.¹⁵⁷ The police counter-attacked, storming the house, and the farmers fought back. The police reported that three officers fell into a gap between the window of Le Dinh Hoi's house and the roof of Le Dinh Chuc's house, and that farmers poured gas into the area and burned the officers to death.¹⁵⁸ The police said that Le Dinh Kinh was holding a grenade in his hand when they fatally shot him.¹⁵⁹

Le Dinh Kinh's wife, Du Thi Thanh, dismissed this account; she later wrote that the police broke into their house at about 3 a.m. on January 9, shooting teargas and firing guns. She said they dragged her and her children out and arrested them. She alleged that she saw

¹⁵² Mike Ives, "Villagers Hold Officials Hostage in Vietnam Land Dispute," *New York Times*, April 21, 2017, <https://www.nytimes.com/2017/04/21/world/asia/vietnam-hostages-protest-land-dispute-eviction.html> (accessed on March 10, 2020).

¹⁵³ "Mr. Le Dinh Kinh Told the Story of Being Assaulted 'Because of Agricultural Land' (Ong Le Dinh Kinh ke lai vu bi hanh hung 'vi dat nong nghiep')," *BBC Vietnamese*, June 19, 2017, <https://www.bbc.com/vietnamese/vietnam-40320819> (accessed on March 10, 2020).

¹⁵⁴ Toan Le, "Lessons Learned From Vietnam's Dong Tam Standoff," *The Diplomat*, April 24, 2017, <https://thediplomat.com/2017/04/lessons-learned-from-vietnams-dong-tam-standoff/> (accessed on October 28, 2021).

¹⁵⁵ Ryan Kilpatrick, "Vietnamese Villagers Have Freed Police Hostages Held Over Land Seizures," *Time* magazine, April 24, 2017, <https://time.com/4752000/vietnam-myduc-dongtam-hostages-land-dispute/> (accessed on July 25, 2020).

¹⁵⁶ "Dong Tam Village: Anger in Vietnam over Deadly 'Land Grab' Raid," *BBC*, January 16, 2020, <https://www.bbc.com/news/world-asia-51105808> (accessed on May 22, 2020).

¹⁵⁷ "Dong Tam: the Ministry of Public Security of Vietnam Said 'There Was No Arrest Warrant' When 'the Force entered Hoanh Hamlet (Dong Tam: Bo Cong an Viet Nam noi 'khong co lenh bat giu' khi 'luc luong vao thon Hoanh),' *BBC Vietnamese*, January 14, 2020: <https://www.bbc.com/vietnamese/51102036> (accessed on October 28, 2021).

¹⁵⁸ "Investigation Conclusion (Ban ket luan dieu tra)," Nguyen Xuan Dien blog, June 14, 2020, <http://xuandienhannom.blogspot.com/2020/06/tin-moi-toan-van-47-trang-ban-ket-luan.html> (accessed June 14, 2020).

¹⁵⁹ Ibid.

the police violently beating her children during the arrests, and that, at the time of her arrest, her husband was still alive.¹⁶⁰

On January 9, the morning after the incident, security agents blocked non-residents from entering the village. A lawyer, Ngo Anh Tuan, tried to enter the village to talk to his clients, but men in civilian clothes and police in uniforms blocked him without showing him any written order.¹⁶¹

Police arrested 29 villagers, charging 25 with murder and four others with “resisting on-duty persons.”¹⁶²

After the incident, security agents prevented outsiders from going to Dong Tam commune or contacting families of those arrested. Security agents also blocked the houses of many activists in Hanoi, including Truong Minh Huong, Truong Van Dung, Nguyen Thi Tam, and Le Hoang. Two men were stationed outside the apartment of blogger Nguyen Tuong Thuy.¹⁶³ A small crowd guarded the house of land rights petitioner Trinh Ba Tu. A small group also guarded the house of Trinh Ba Tu’s older brother, Trinh Ba Phuong. Trinh Ba Phuong was one of the authors of the “Dong Tam Report,” which shed light on the violent land clash.¹⁶⁴ When Trinh Ba Phuong showed the faces of the men while livestreaming the situation, one assaulted him.¹⁶⁵ A police officer in uniform stood nearby and did nothing.¹⁶⁶ The men detained Trinh Ba Phuong and took him to a police station, where he was interrogated. He was released a few hours later.¹⁶⁷

¹⁶⁰ “Le Dinh Kinh’s Wife – Du Thi Thanh’s Testimony of the Police Attack in Dong Tam on January 9, 2020,” *The 88 Project*, February 5, 2020, <https://the88project.org/le-dinh-kinhs-wife-du-thi-thanh-testimony-of-the-police-attack-in-dong-tam-on-january-9-2020/> (accessed on June 14, 2020).

¹⁶¹ Ngo Anh Tuan’s Facebook status, January 9, 2020, https://www.facebook.com/permalink.php?story_fbid=10215604087926497&id=1569759542 (accessed on June 1, 2020).

¹⁶² “Hanoi: 19 Involved in Dong Tam Disturbance Prosecuted,” *Vietnam Net*, June 26, 2020, <https://vietnamnet.vn/en/society/hanoi-29-involved-in-dong-tam-disturbance-prosecuted-651936.html> (accessed on June 28, 2020).

¹⁶³ Dang Bich Phuong’s Facebook status, January 10, 2020, <https://www.facebook.com/phuong.dangbich/posts/2236084893159968> (accessed on June 1, 2020).

¹⁶⁴ Tran Ha Linh, “Dong Tam Report: Disclose and Store (“Bao cao Dong Tam: Bach hoa va luu tru),” *Luat Khoa*, September 25, 2020, <https://www.luatkhoea.org/2020/09/bao-cao-dong-tam-bach-hoa-va-luu-tru/> (accessed on October 7, 2020).

¹⁶⁵ Trinh Ba Phuong’s Livestream on Facebook, January 9, 2020, <https://www.facebook.com/trinhbaphuong.trinhba/videos/2437700193158336/> (accessed on January 9, 2020).

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

On January 12, blogger Huynh Ngoc Chanh reported that eight people blocked the entrance of his apartment and prevented him and his wife, rights activist Nguyen Thuy Hanh, from going anywhere, including going to buy food and for a medical appointment.¹⁶⁸ Their house arrest lasted from January 9 to January 16.¹⁶⁹

Security agents also carried out similar operations to prevent activists from leaving their houses on the spiritually significant 49th and 100th day anniversaries of Le Dinh Kinh's death to attend related events.¹⁷⁰

On September 7, 2020, a court in Hanoi opened a trial against all 29 Dong Tam residents charged.¹⁷¹ Two days into the trial, the People's Procuracy suddenly dropped the murder charges against 19 of the accused and amended the charges against them to "resisting on-duty persons."¹⁷² On September 14, the court sentenced two farmers to death and one to a life sentence.¹⁷³ Twelve people received between 3 to 16 years in prison. Fourteen people received suspended sentences and were released. In an unprecedented move, during the trial, a defense lawyer asked all 29 accused to raise their hands if they were *not* tortured during detention. Only 10 of the 29 defendants raised their hands.¹⁷⁴

¹⁶⁸ Huynh Ngoc Chanh's Facebook status, January 12, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207051657527530> (accessed on March 10, 2020).

¹⁶⁹ Huynh Ngoc Chanh's Facebook status, January 21, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207088876497981> (accessed on March 10, 2020).

¹⁷⁰ Mac Van Trang's Facebook status, February 26, 2020, <https://www.facebook.com/photo.php?fbid=911883255938942&set=a.359645271162746&type=3&theater> (accessed on March 10, 2020). See also "On the Occasion of the 100th Day of Le Dinh Kinh Being Killed, Security Agents Again Guarded the Houses of Those Who Publicly Voiced Dissent (Dip 100 ngay cu Le Dinh Kinh bi giet, an ninh lai canh nha nhung nguoi cong khai phan bien)," *Radio Free Asia Vietnamese*, April 16, 2020, https://www.rfa.org/vietnamese/in_depth/on-le-dinh-kinhs-100th-day-death-anniversary-security-guards-monitor-people-who-publicly-criticized-authorities-04162020172106.html (accessed on June 10, 2020).

¹⁷¹ "The People's Court of Hanoi Opens Trial of Dong Tam (Toa an nhan dan thanh pho Ha Noi bat dau xet xu vu Dong Tam)," *Bao Chinh Phu*, September 7, 2020, <http://baochinhphu.vn/Phap-luat/Toa-an-nhan-dan-thanh-pho-Ha-Noi-bat-dau-xet-xu-vu-Dong-Tam/406991.vgp> (accessed on Oct 27, 2021).

¹⁷² "The Dong Tam Case: Proposing 2 Death Sentences; Change the Charges Against 19 Defendants (Vu Dong Tam: De nghi tuyen phat 2 an tu hinh; Thay doi toi danh truy to 19 bi cao)," *Bao Chinh Phu*, September 9, 2020, <http://baochinhphu.vn/Phap-luat/Vu-Dong-Tam-De-nghi-tuyen-phat-2-an-tu-hinh-thay-doi-toi-danh-truy-to-19-bi-cau/407188.vgp> (accessed on October 27, 2021).

¹⁷³ Pham Du, "The Sentencing of 29 Defendants (Muc an 29 bi cao)," *VnExpress*, September 14, 2020, <https://vnexpress.net/hai-nguoi-bi-tuyen-tu-hinh-trong-vu-dong-tam-4161685-p2.html> (accessed on October 27, 2021).

¹⁷⁴ "Lawyers: 19 of 29 Defendants of Dong Tam Said They Were Tortured During Investigation Period (Luat su: 19 trong 29 bi cao Dong Tam noi bi tra tan trong giai doan dieu tra)," *Radio Free Asia*, September 9, 2020, <https://www.rfa.org/vietnamese/news/vietnamnews/dong-tam-trial-19-out-of-29-defendants-admits-to-be-tortured-during-investigation-09092020081012.html> (accessed on October 27, 2021).

The authorities did not limit their prosecutions to residents of Dong Tam. In February 2020, the police newspaper labeled land rights activist Nguyen Thi Tam, Trinh Ba Phuong, his brother Trinh Ba Tu, and his mother Can Thi Theu as “opposing reactionary” persons who “collected and disseminated” news about the deadly Dong Tam commune clash.¹⁷⁵ Police arrested all four in June 2020 and charged them with conducting propaganda against the state under article 117 of the penal code.¹⁷⁶ In October 2020, the police arrested another author of the “Dong Tam Report,” the prominent dissident Pham Doan Trang. In May 2021, a court in Hoa Binh province convicted Can Thi Theu and Trinh Ba Tu and sentenced them each to eight years in prison.¹⁷⁷ In December 2021, a court in Hanoi sentenced Trinh Ba Phuong to 10 years and Nguyen Thi Tam to six years in prison.¹⁷⁸ Also in December 2021, another court in Hanoi convicted Pham Doan Trang and sentenced her to nine years in prison.¹⁷⁹

Protests against Draft Laws on Economic Zones and Cybersecurity, June 2018

On the weekend of June 9-10, 2018, thousands of people took to the streets in Hanoi, Ho Chi Minh City, Da Nang, Nha Trang, Vung Tau, Dong Nai, Binh Thuan, Nghe An, and Binh Duong to protest against draft laws on special economic zones and the cybersecurity law. The police beat and arrested many protesters.¹⁸⁰

Believing that people would take to the streets the following weekend, on June 16, security agents were stationed outside activists’ houses in Hanoi, Nha Trang, and Ho Chi Minh City. The agents prevented occupants from leaving their houses for any reason on June 16 and 17. Among those held under house arrest were Nguyen Quang A, Nguyen Thuy Hanh and Huynh Ngoc Chanh, Nguyen Xuan Dien, Nguyen Tuong Thuy, Truong Minh Huong, Nguyen

¹⁷⁵ Xuan Mai, “The Dong Tam Incident: Be Vigilant Against Distorted Information on Cyberspace (Vu Dong Tam: Canh giac voi nhung thong tin sai lech tren khong gian mang),” *Cong an Nhan dan*, February 11, 2020, <https://cand.com.vn/Chong-dien-bien-hoa-binh/Vu-Dong-Tam-Canh-giac-voi-nhung-thong-tin-sai-lech-tren-khong-gian-mang-i553686/> (accessed on October 27, 2021).

¹⁷⁶ “Vietnamese Activist Who Spread Land Dispute Info on Facebook is Staying Silent,” *Radio Free Asia*, June 29, 2020, <https://www.rfa.org/english/news/vietnam/trinh-06292020190037.html> (accessed on July 25, 2020).

¹⁷⁷ “Vietnam: Free Democratic Activist Mother, Sons,” Human Rights Watch news release, May 4, 2011, <https://www.hrw.org/news/2021/05/04/vietnam-free-democracy-activist-mother-sons>.

¹⁷⁸ “Vietnam: Free Land Rights Activists,” Human Rights Watch news release, December 14, 2021, <https://www.hrw.org/news/2021/12/14/vietnam-free-land-rights-activists>.

¹⁷⁹ “Vietnam: Free Prominent Blogger,” Human Rights Watch news release, December 13, 2021, <https://www.hrw.org/news/2021/12/13/vietnam-free-prominent-blogger>.

¹⁸⁰ “Vietnam: Investigate Police Response to Mass Protests,” Human Rights Watch news release, June 15, 2018, <https://www.hrw.org/news/2018/06/15/vietnam-investigate-police-response-mass-protests>.

Thi Tam, Le Thuy Bao Nhi and Nguyen Thanh Phong, Ngo Duy Quyen and Le Thi Cong Nhan, Pham Le Vuong Cac and Nguyen Hoang Vi, Phan Van Bach, Nguyen Thi Thai Lai, and Ngo Kim Hoa (also known as Suong Quynh).¹⁸¹ Security agents put two big locks outside the gate of the Hanoi apartment of Ngo Duy Quyen and Le Thi Cong Nhan, preventing the couple and other family members from leaving.¹⁸²

On June 15, legal advocate Pham Le Vuong Cac flew from Ho Chi Minh City to Hanoi to take a legal exam. As soon as he landed at Noi Bai Airport, security agents detained him, believing that he went to Hanoi to participate in a protest.¹⁸³ After several hours of interrogation, police forced him onto a flight back to Ho Chi Minh City. On June 16, more than 20 security agents were stationed outside the alley next to his house and prevented him from leaving to take his two children to school.¹⁸⁴

On June 17, Nguyen Thanh Phong, who reportedly had never participated in a protest, managed to sneak out of his home and went to the area near the Notre-Dame Cathedral Basilica of Saigon to take photos of the protests. As soon as he raised his camera, security agents in civilian clothes and uniformed police arrested and took him to a police station, where he was interrogated and beaten.¹⁸⁵ He was released the next day. While Nguyen Thanh Phong was in custody, his wife, Le Thuy Bao Nhi, was still under house arrest and could not make inquiries about her husband.¹⁸⁶

Vietnam-United States Human Rights Dialogue, 2013-2019

¹⁸¹ Nguyen Thuy Hanh's Facebook status, June 16, 2018, <https://www.facebook.com/Melinh.liberty/posts/824625784403892> (accessed on June 10, 2020). See also Truong Minh Huong's Facebook status, June 14, 2018, https://www.facebook.com/permalink.php?story_fbid=2105502609691114&id=100006941862550 (accessed on June 10, 2020); Nguyen Thi Thai Lai's Facebook status, June 15, 2018, https://www.facebook.com/permalink.php?story_fbid=2107156319571847&id=100008324985598 (accessed on June 10, 2020).

¹⁸² Ngo Duy Quyen's Facebook status, June 16, 2018, <https://www.facebook.com/alfonsongoduyquyen/posts/1869322989755461> (accessed on June 10, 2020).

¹⁸³ Pham Le Vuong Cac's Facebook status, June 16, 2018, <https://www.facebook.com/cui.cac/posts/10209052193422370> (accessed on June 10, 2020).

¹⁸⁴ Ibid.

¹⁸⁵ Le Thuy Bao Nhi's Facebook status, June 21, 2018, <https://www.facebook.com/baonhi.le.7/posts/10211624750004525> (accessed on June 10, 2020).

¹⁸⁶ Le Thuy Bao Nhi's Facebook status, June 17, 2018, <https://www.facebook.com/baonhi.le.7/posts/10211599490813061> (accessed on June 10, 2020).

The Vietnamese authorities have a long practice of placing critics of the government and activists under house arrest or using other tactics to keep them from meeting US officials during human rights dialogues between the two countries.

The 23rd dialogue was held in Vietnam on May 15, 2019, in Hanoi. On May 13, security agents blocked the house of Cao Dai activist Hua Phi in Lam Dong province to prevent him from going to Ho Chi Minh City to meet with the US delegation. Hua Phi told a reporter at Radio Free Asia that “the police used a folding bed, table and chairs to block my door.”¹⁸⁷

In Ho Chi Minh City, security agents placed former political prisoners Pham Ba Hai and Le Cong Dinh under house arrest so they could not attend a meeting with US diplomats at the house of prominent activist and former political prisoner Nguyen Dan Que.¹⁸⁸ According to Pham Chi Dung, the meeting was to be held at Nguyen Dan Que’s house because, in 2017, during the 21st US-Vietnam Human Rights Dialogue, about 20 security agents blocked Nguyen Dan Que’s house to prevent him from attending a meeting with US diplomats.¹⁸⁹

In May 2017, security agents placed many activists and even family members of activists under house arrest so they could not meet with US diplomats. Nguyen Thi Tuyet Lan, the mother of then-political prisoner Nguyen Ngoc Nhu Quynh (also known as Mother Mushroom), said that, on May 19 and 20, barriers were set up outside her house in Nha Trang:

[T]hey followed me wherever I went. On the evening of the 20th, about 100 people surrounded my family. They told me that I could not leave the house. They use provincial police, city police, ward police and paramilitary personnel to block my house. They stopped and checked all cars that came

¹⁸⁷ “Vietnamese Police Prevented Activists, Religious Dignitaries From Meeting with the United States Department’s Delegation (Cong an Viet Nam chan mot so nha hoat dong, chuc sac gap Phai doan Bo Ngoai giao Hoa Ky),” *Radio Free Asia Vietnamese*, May 13, 2019, <https://www.rfa.org/vietnamese/news/vietnamnews/vietnamese-police-bar-pro-democracy-activist-from-meeting-the-us-state-department-mission-05132019084747.html> (accessed on May 13, 2019).

¹⁸⁸ Pham Chi Dung, “Vietnamese Police Stationed Outside the Houses of Dissidents: What Was the Message From American Reaction?” (Cong an VN chan cua bat dong: Thong diep nao tu phan ung cua My?), *VOA Vietnamese*, May 18, 2019, <https://www.voatiengviet.com/a/cong-an-chan-cua-bat-dong-thong-diep-cua-my/4921768.html> (accessed on September 17, 2019). See also Le Cong Dinh’s Facebook status, May 12, 2019, <https://www.facebook.com/le.cogito.7/posts/1050358895162562> (accessed on May 13, 2019).

¹⁸⁹ Ibid.

into my alley, probably to check and see if it was Madame Consul General [to the United States, who was in Nha Trang at the time].¹⁹⁰

In Hanoi, prominent activist Pham Doan Trang reported:

Outside my door there are always at least three persons at each shift, and they get rotated. That was outside my door. I am not sure how many more there are outside the gate and on the first floor, but I think probably more than 10 people. They sat there all day, and all night. They probably worry that I would sneak out and flee at night. Yesterday morning was Sunday [and] I wanted to escort my mother to a funeral of a relative, but they did not allow us to go. When my young friends came over to see me, these people instigated trouble [for my friends]. Upon being asked why they did not allow me to go anywhere, they instigated trouble and slapped a friend of mine. A scuffle broke out. Several dozens of people including thugs rushed there, surrounded my house and intimidated my friends and thus [my friends] had to leave.¹⁹¹

Security agents also placed blogger Pham Chi Thanh and rights activist Nguyen Quang A under house arrest.¹⁹²

In May 2015, prior to and during the 19th human rights dialogue between Vietnam and the United States, security agents detained or put under house arrest or detention Pham Hong Son, Pham Van Troi, Nguyen Bac Truyen, Nguyen Dan Que, Pham Ba Hai, Thich Thien Minh, Nguyen Xuan Nghia, Nguyen Van De, Le Hong Phong, and Mai Phuong Thao.¹⁹³

Pham Hong Son wrote in English on Facebook:

¹⁹⁰ Lan Huong, "The 'Tradition' of Blocking the Paths of Activists Prior to Human Rights Dialogue ('Truyen thong' ngan chan nha hoat dong truoc doi thoai nhan quyen)," *Radio Free Asia Vietnamese*, May 22, 2017, https://www.rfa.org/vietnamese/in_depth/vn-tradition-of-prevent-activists-fr-join-human-rights-events-lh-05222017140543.html (accessed on October 1, 2019).

¹⁹¹ Ibid.

¹⁹² "Commenting on Vietnam-US Human Rights Dialogue (Binh luan ve doi thoai nhan quyen Viet – My)," *BBC Vietnamese*, May 23, 2017, <https://www.bbc.com/vietnamese/vietnam-40010206> (accessed on October 1, 2019). See also, "Vietnam 'Stepped Up House Arrest' Prior to Human Rights Dialogue (Viet Nam 'tang viec quan thuc' truoc doi thoai nhan quyen)," *BBC Vietnamese*, May 22, 2017, <https://www.bbc.com/vietnamese/vietnam-40000379> (accessed on October 1, 2019).

¹⁹³ TN, "The United States – Vietnam's 19th Human Rights Dialogue (Hoa Ky – Viet Nam doi thoai nhan quyen lan thu 19)," *Nguoi Viet*, May 6, 2015, <https://www.nguoi-viet.com/viet-nam/Hoa-Ky-Viet-Nam-doi-thoai-nhan-quyen-lan-thu-19-4146/> (accessed on October 19, 2019).

Only about 4 hours later [after the 19th session was announced] the authorities of Vietnam sent a squad to my neighborhood to snoop my own house and mainly to control my own movement, preventing myself from having any contacts the authorities deem “unfavorable.” Two sign boards, warning “no picture” and “restricted area” in red and bold letters, have been erected right at the beginning of the only path leading to my house.

One of the security policemen in duty said to me “You are not allowed to leave these days because the human rights dialogue is imminent.” I replied in protest simply that “What you have been assigned to do is illegal and immoral.”

This in-house-imprisoning is neither legal nor unusual for myself and for any Vietnamese who are promoting human rights in Vietnam. And this is the second illegal prevention this year against me. The first one was in last late March-April, lasting for 3 days and 3 nights whilst the IPU was holding its solemnly 132nd meeting in Hanoi. Several other activists were treated alike.¹⁹⁴

In April 2013, during the 17th human rights dialogue between Vietnam and the United States, security agents set up a barrier blocking the alley that led to Pham Hong Son’s house.¹⁹⁵ When he tried to attend a meeting with the US delegation, men in civilian clothes pushed him into a car and drove him to a nearby police station. Authorities detained him for five hours and only released him when the US diplomats were leaving Hanoi.¹⁹⁶ Security agents also detained anti-corruption campaigner Vu Manh Hung to make sure he could not meet anybody during the dialogue.¹⁹⁷

¹⁹⁴ Pham Hong Son, “A Drunken and A Human Rights Dialogue (Ga say va doi thoai nhan quyen),” Pham Hong Son Blog, May 5, 2015, <https://www.facebook.com/nhucaytrevn/posts/875257025865080> (accessed on October 19, 2019).

¹⁹⁵ “Being Prevented From Meeting With American Delegation of Human Rights (Bi chan gap phai doan nhan quyen My),” *BBC Vietnamese*, April 14, 2013, https://www.bbc.com/vietnamese/multimedia/2013/04/130414_vn_activist_phamhongson.shtml?bw=bb& (accessed on October 19, 2019).

¹⁹⁶ Ibid.

¹⁹⁷ Mac Lam, “A Teacher Kidnapped By Security Agents (Mot nha giao bi an ninh bat coc),” *Radio Free Asia Vietnamese*, April 12, 2013, https://www.rfa.org/vietnamese/in_depth/a-nou-memb-arrest-04122013110438.html (accessed on October 19, 2019).

II. Relevant Legal Standards

Domestic Law

The 2013 Constitution of the Socialist Republic of Vietnam guarantees the right to freedom of movement.¹⁹⁸ Article 23 states: “Citizens have the rights to freedom of movement and residence inside the country, the rights to go abroad and to return [to Vietnam] from abroad. The realization of these rights is stipulated in law.”¹⁹⁹

These rights are undercut by article 14(2) and article 15(4), which provide the government broad authority to severely restrict basic rights. Article 14(2) states: “Human rights and citizens’ rights shall only be restricted when prescribed by law in imperative circumstances for the reasons of national defense, national security, social order and security, social morality and community well-being.” Article 15(4) states: “The practice of human rights and citizens’ rights cannot infringe national interests and others’ legal and legitimate rights.”

Until July 2020, immigration police often cited the 2007 Decree 136 when they prohibited rights activists and bloggers from leaving or entering Vietnam.²⁰⁰ Decree 136, article 21, section 6 specifies that Vietnamese citizens are not allowed to leave the country “for the reason of protecting national security, social order and safety.”²⁰¹ Article 22 stipulates that the minister of public security could decide who would be banned from traveling abroad for national security reasons. Article 22 also required authorities to inform people if they were placed on the travel ban list, except for security reasons.²⁰² Decree 136 thus allowed

¹⁹⁸ The 1992 Constitution contains similar language: “Citizens have the rights to freedom of movement and residence inside the country, the rights to go abroad and to return [to Vietnam] from abroad in accordance with the law” (Công dân có quyền tự do đi lại và cư trú ở trong nước, có quyền ra nước ngoài và từ nước ngoài về nước theo quy định của pháp luật). See Constitution of the Socialist Republic of Vietnam, 1992, article 68, https://moj.gov.vn/vbpq/lists/vn%20bn%20php%20lut/view_detail.aspx?itemid=22335

¹⁹⁹ Constitution of the Socialist Republic of Vietnam, 2013, article 23, <https://thuvienphapluat.vn/van-ban/bo-may-hanh-chinh/Hien-phap-nam-2013-215627.aspx>.

²⁰⁰ Decree No. 136/2007/ND-CP Regulating the Leaving and Entering the Country for Vietnamese Citizens (Nghị định về Xuất cảnh, Nhập cảnh của Công dân Việt Nam), issued August 17, 2007.

²⁰¹ Decree No. 136, article 21, clause 6.

²⁰² Decree No. 136, article 22, clause 1.d and clause 3.

the police to arbitrarily prohibit any citizen from going abroad without a court order, with no notice of the travel ban in advance and no specific explanation for the ban.

In November 2019, the National Assembly passed a new immigration law, which came into effect in July 2020. Instead of abolishing the rights-violating clauses in Decree 136, the new law recycles “national security” as a reason to prohibit people from leaving or entering Vietnam. Article 4 of the 2019 Law on Immigration lists reasons for prohibition, including clause 5 on prohibiting travel. Clause 5 vaguely cites the interest of the state and national security as reasons for prohibiting people from leaving or entering the country.²⁰³ Articles 21 and 22 stipulate that a person will not be granted a travel document, such as a passport, if the ministers of defense or public security decide that the person affects national defense or security; the person can obtain a travel document only if the authorities decide that they can no longer affect national defense or security.²⁰⁴ Article 36 lists the kind of people temporarily not allowed to leave Vietnam; article 36(9) includes “people who authoritative offices have reasons to believe that their leaving the country will affect national defense and security.”²⁰⁵

Article 37 stipulates who can impose and lift travel bans against people to enter or leave the country; article 37(9) empowers the ministers of public security or defense to impose or lift travel bans against those in the national security category.²⁰⁶ Article 38 stipulates the duration of temporary bans on leaving or entering the country and gives the ministers of public security or defense the power to decide the duration.²⁰⁷

203 Vietnam Law on Immigration (Luật Xuất Nhập Cảnh), effective July 1, 2020. Article 4, clause 5: Taking advantage of entering or leaving the country in order to violate national security, and social order and safety of Vietnam, the rights and legitimate interests of offices, organization, or the life, health, rights and legitimate of individuals (Lợi dụng xuất cảnh, nhập cảnh để xâm phạm an ninh quốc gia, trật tự, an toàn xã hội của Việt Nam, quyền và lợi ích hợp pháp của cơ quan, tổ chức hoặc tính mạng, sức khỏe, quyền và lợi ích hợp pháp của cá nhân).

204 Điều 21. Trường hợp chưa cấp giấy tờ xuất nhập cảnh; 3. Trường hợp vì lý do quốc phòng, an ninh theo quyết định của Bộ trưởng Bộ Quốc phòng, Bộ trưởng Bộ Công an.

Điều 22. Thời hạn chưa cấp giấy tờ xuất nhập cảnh; 3. Trường hợp quy định tại khoản 3 Điều 21 của Luật này, thời hạn chưa cấp giấy tờ xuất nhập cảnh được tính đến khi không còn ảnh hưởng đến quốc phòng, an ninh theo quyết định của Bộ trưởng Bộ Quốc phòng, Bộ trưởng Bộ Công an.

205 Điều 36. Các trường hợp bị tạm hoãn xuất cảnh; 9. Người mà cơ quan chức năng có căn cứ cho rằng việc xuất cảnh của họ ảnh hưởng đến quốc phòng, an ninh.

206 Điều 37. Thẩm quyền quyết định tạm hoãn xuất cảnh, gia hạn, hủy bỏ tạm hoãn xuất cảnh; 9. Bộ trưởng Bộ Quốc phòng, Bộ trưởng Bộ Công an có thẩm quyền quyết định tạm hoãn xuất cảnh đối với trường hợp quy định tại khoản 9 Điều 36 của Luật này.

207 Điều 38. Thời hạn tạm hoãn xuất cảnh, gia hạn tạm hoãn xuất cảnh; đ) Trường hợp quy định tại khoản 9 Điều 36 của Luật này, thời hạn tạm hoãn xuất cảnh được tính đến khi không còn ảnh hưởng đến quốc phòng, an ninh theo quyết định của Bộ trưởng Bộ Quốc phòng, Bộ trưởng Bộ Công an.

Article 39 stipulates the procedure to impose a temporary ban on leaving or entering the country. Article 39(1) requires the authorities to provide a written notice to the person on the ban list, except for cases related to national security or defense—the category used against dissidents.²⁰⁸

As with Decree 136, the 2019 Law on Immigration allows the authorities to arbitrarily prohibit anyone from leaving or entering Vietnam without a court order, without providing any concrete explanation why a travel ban is imposed, or, in supposed national security cases, without providing notice to the person on the travel ban list.

International Legal Standards

International human rights law protects the rights to freedom of movement and to liberty. The International Covenant on Civil and Political Rights (ICCPR), which Vietnam ratified in 1982, provides that everyone has “the right to liberty of movement.”²⁰⁹ Everyone is free to leave their own country and may not be arbitrarily deprived of the right to return to their country.²¹⁰ Restrictions on these rights can only be imposed when lawful, for a legitimate purpose, and when the restrictions are proportionate, including in considering their impact.²¹¹

The United Nations Human Rights Committee, the international expert body that monitors compliance with the ICCPR, states in its general comment on the right to freedom of movement that restrictions on the right “must not nullify the principle of liberty of movement, and are governed by the requirement of necessity ... and by the need for consistency with the other rights recognized in the Covenant.”²¹²

²⁰⁸ Điều 39. Trình tự, thủ tục thực hiện tạm hoãn xuất cảnh, gia hạn, hủy bỏ tạm hoãn xuất cảnh; 1. Người có thẩm quyền quyết định tạm hoãn xuất cảnh có trách nhiệm gửi văn bản theo mẫu đến Cơ quan Quản lý xuất nhập cảnh Bộ Công an, đồng thời thông báo ngay bằng văn bản theo mẫu cho người bị tạm hoãn xuất cảnh, trừ trường hợp quy định tại khoản 9 Điều 36 của Luật này.

²⁰⁹ International Covenant on Civil and Political Rights (ICCPR), adopted and opened for signature, ratification, and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force March 23, 1976, in accordance with article 49, article 12(1).

²¹⁰ Ibid., article 12(2) – (4).

²¹¹ UN Human Rights Committee, General Comment 27: Article 12 (Freedom of Movement) Adopted at the Sixty-seventh session of the Human Rights Committee, on 2 November 1999 CCPR/C/21/Rev.1/Add.9, General Comment No. 27. (General Comments) (Contained in document CCPR/C/21/Rev.1/Add.9), paras. 11-18.

²¹² Ibid., para. 2.

The Human Rights Committee, in its 2011 general comment on the right to freedom of expression, stated that restricting the movement of journalists and others within or outside their country, especially to attend human-rights-related meetings, undermines the freedom of expression that is essential to protect human rights.²¹³

ICCPR, article 9(1) states: “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.” Vietnamese government actions against activists and other critics of the government violate prohibitions against arbitrary deprivation of liberty protected under article 9 of the ICCPR.²¹⁴ This includes placing individuals under house arrest, the involuntary transport of people in custody, and unlawful detention by police.

As the UN Human Rights Committee stated in its general comment on arbitrary arrest and detention, “arrest within the meaning of article 9 need not involve a formal arrest as defined under domestic law.”²¹⁵ The committee considers the implementation of so-called security detention, that is, holding someone in custody without any contemplation of prosecution on a recognizable criminal charge, to present severe risks of arbitrary deprivation of liberty; “if, under the most exceptional circumstances, a present, direct and imperative threat is invoked to justify the detention of persons,” the burden of proof lies with the authorities to show that the individual “poses such a threat and that it cannot be addressed by alternative measures, and that burden increases with the length of the detention.”²¹⁶

The Human Rights Committee also said that the arrest or detention of someone “as punishment for the legitimate exercise” of their fundamental rights is in principle arbitrary.²¹⁷ In addition, holding a family member of a person targeted by the police—such as the relative of a rights activist placed under house arrest—are “[e]gregious examples” of arbitrary detention.²¹⁸

²¹³ UN Human Rights Committee, General Comment 34: Article 19 (Freedoms of opinion and expression) CCPR/C/GC/34 (2011), para. 45.

²¹⁴ ICCPR, art. 9(1).

²¹⁵ UN Human Rights Committee, General Comment 35, Article 9: Liberty and Security of Person, CCPR/C/GC/35, December 16, 2014, para. 13.

²¹⁶ *Ibid.*, para. 15.

²¹⁷ *Ibid.*, para. 17.

²¹⁸ *Ibid.*, para. 16.

Recommendations

To the Government of Vietnam

- End human rights abuses directed against activists and other critics of the government.
- End arbitrary restrictions on the right to freedom of movement, including house arrests, detention, harassment, surveillance, and domestic and international travel bans, against activists and other critics of the government.
- Make clear through public statements that arbitrary restrictions on freedom of movement and related forms of harassment against activists and other critics of the government are violations of fundamental human rights, and that officials responsible for ordering or engaging in such actions will be subject to appropriate disciplinary action, including dismissal and prosecution.
- End the practice of placing citizens on travel ban lists, except for exceptional circumstances when the government may lawfully restrict the right to freedom of movement: when such restrictions are provided by law, necessary to achieve a lawful purpose, and consistent with all other rights, including freedom of expression, association, and peaceful assembly. Anyone lawfully placed on a travel ban list should be properly notified and be able to appeal the decision to an independent and impartial court.
- Hold provincial and local officials accountable for human rights violations against activists and critics of the government in areas under their authority.

To the National Assembly

- Repeal article 14(2) and article 15(4) of the Constitution, which allow for restrictions on human rights for reasons of national security that go beyond what is permissible under international human rights law.
- Repeal article 4 of the Constitution, which mandates that the Communist Party of Vietnam is “the force leading the State and society.”
- Repeal or amend the Law on Immigration, specifically the articles that allow the authorities to arbitrarily ban Vietnamese citizens from traveling abroad or returning

- to Vietnam on the basis of vaguely defined national security grounds: article 21(3); article 22(3); article 36(9); article 37(9); article 38(1(d)), and article 39(1).
- Repeal or amend vaguely worded “national security” provisions and other provisions in the Vietnamese penal code that are used to bring criminal charges for peaceful dissent, including:
 - “carrying out activities aimed at overthrowing the people’s government” (article 109);
 - “sabotaging the unity policy” (article 116);
 - “making, storing, disseminating or propagandizing information, materials and products that aim to oppose the State of the Socialist Republic of Vietnam” (article 117);
 - “disrupting security” (article 118);
 - “abusing democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations, individuals” (article 331).
 - Amend articles 74 and 173 of the Criminal Procedure Code to ensure that anyone detained or arrested for an alleged criminal offense, including national security crimes, has immediate access to legal counsel of their choosing.
 - Ensure that anyone arbitrarily denied of their freedom of movement or arbitrarily arrested or detained has access to effective remedies.

To the Ministry of Public Security

- Until travel bans are prohibited, immediately inform all citizens on the travel ban list in writing, including lawful reasons for the ban and the duration.
- Direct the police to immediately cease all forms of harassment, arbitrary arrest, and detention, including house arrest and surveillance of activists and critics of the government.
- Hold the police leadership accountable for enforcing the law in accordance with international human rights standards independent of the ruling Communist Party of Vietnam.
- Provide appropriate training for the police so that officers act in accordance with international human rights law and standards, and hold those who do not do so to account.

To Donor Agencies and Concerned Countries, including the US, EU, UK, Japan, Australia, UN, World Bank, and Asian Development Bank

- Publicly and privately call on the Vietnamese government to end arbitrary restrictions on freedom of movement, including house arrest, detention, harassment, surveillance, and domestic and international travel bans.
- Raise these concerns at the United Nations Human Rights Council, through UN Special Procedures, at bilateral human rights dialogues, at multilateral meetings, at the embassy level, and with the UN Country Team.

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Appendix 1: Additional Examples of House Arrest

- August 23-27, 2021: blogger Huynh Ngoc Chanh reported that plainclothes agents prevented him from leaving his house prior to and during the visit of the US Vice President Kamala Harris to Hanoi.
- March 6, 2021: activist Nguyen Thuy Hanh reported that plainclothes agents prevented her and her husband, Huynh Ngoc Chanh, from leaving their house in anticipation of the appeal court trial of defendants regarding the clash at Dong Tam commune in January 2020 that resulted in the death of one elderly villager and three police officers.²¹⁹ Land rights activist Truong Van Dung reported that seven men in civilian clothes guarded his house on the same day.²²⁰ Legal activist Truong Thi Ha was also placed under house arrest on this occasion.²²¹
- January 25, 2021: dissidents and activists including Dinh Duc Long,²²² Truong Thi Ha,²²³ Tran Bang,²²⁴ Mac Van Trang and his wife Nguyen Thi Kim Chi,²²⁵ Nguyen Thuy Hanh and her husband Huynh Ngoc Chanh,²²⁶ former political prisoner Nguyen Xuan Nghia,²²⁷ and land rights activist Truong Van Dung²²⁸ reported that

²¹⁹ Nguyen Thuy Hanh's Facebook status, March 6, 2021,

<https://www.facebook.com/Melinh.liberty/posts/1582723668594096> (accessed Mar 15, 2021).

²²⁰ Truong Van Dung's Facebook status, March 6, 2021,

<https://www.facebook.com/truong.v.dung.73/posts/2053795621427144> (accessed on March 15, 2021).

²²¹ Truong Thi Ha's Facebook status, March 8, 2021,

<https://www.facebook.com/htruongtoiyeulaut/posts/2177352822404322> (accessed March 15, 2021).

²²² Diem Thi, "Security agents guarded outside citizens' house prior to the 13th Party Congress: Illegal and unlawful" (An ninh canh cua nha dan tu tuoc Dai hoi 13: Phi phap va vo phap!), *Radio Free Asia Vietnamese*, January 25, 2021, https://www.rfa.org/vietnamese/in_depth/security-to-guard-people-s-homes-illegal-and-illegal-dt-01252021144649.html (accessed on January 25, 2021).

²²³ Truong Thi Ha's Facebook status, January 25, 2021,

<https://www.facebook.com/htruongtoiyeulaut/posts/2141637359309202> (accessed Mar 15, 2021).

²²⁴ "Activists are put under house arrest and subject to surveillance even though they do not care about the party congress" (Khong quan tam den dai hoi dang, gioi hoat dong van bi canh gac, theo doi), *VOA Vietnamese*, January 26, 2021, <https://www.voatiengviet.com/a/khong-quan-tam-den-dai-hoi-dang-gioi-hoat-dong-van-bi-can-h-gac-theo-doi/5751921.html> (accessed on January 27, 2021).

²²⁵ Ibid.

²²⁶ Nguyen Thuy Hanh's Facebook status, January 24, 2021,

<https://www.facebook.com/Melinh.liberty/posts/1553046484895148> (accessed Mar 15, 2021). See also Huynh Ngoc Chanh's Facebook status, January 25, 2021, <https://www.facebook.com/ho.lytien.1/posts/10208592433085956> (accessed Mar 15, 2021).

²²⁷ Nguyen Xuan Nghia's Facebook status, January 25, 2021,

<https://www.facebook.com/nghiahp.nguyen.3/posts/436684910978038> (accessed Mar 15, 2021).

²²⁸ Truong Van Dung's Facebook status, March 9, 2021,

<https://www.facebook.com/truong.v.dung.73/posts/2056543427819030> (accessed on Mar 15, 2021).

plainclothes agents were stationed outside their houses and prevented them from leaving. January 25 marked the first day of the 13th Communist Party Congress to decide the top Vietnamese leaders for the next five years. Hoang Hung, a poet, reported that security agents in Ho Chi Minh City called him on January 23, 2021, because they wanted to make sure that he did not plan to go to Ha Noi during the party congress.²²⁹

- November 28, 2020: former political prisoner Pham Thanh Nghien reported that plainclothes agents began guarding her house where she lives with her husband, former political prisoner Huynh Anh Tu, in Ho Chi Minh City.²³⁰ Pham Thanh Nghien was not sure of the reason, but she guessed it was because there was a meeting between the local government and land rights petitioners regarding the sensitive Thu Thiem land confiscation project.²³¹
- October 15, 2020: poet Hoang Hung reported that, when he was on his way to a café to attend a birthday gathering for his friend, the dissident poet Bui Minh Quoc from Da Lat, two plainclothes agents stopped him and forced him to go home. He called other friends who planned to attend the same gathering and learned that at least four other people, including Hoang Dung, Y Nhi, Kha Luong Ngai, and Nguyen Vien, were also prevented from leaving their houses.²³² The Communist Party cell of Ho Chi Minh City's Congress convened that morning.²³³ Mac Van Trang, another dissident in Ho Chi Minh City, also reported that plainclothes agents put him and his wife Nguyen Thi Kim Chi under house arrest, explaining to them that “on the

²²⁹ Hoang Hung's Facebook status, January 23, 2021, <https://www.facebook.com/nhavandoclapposts/1068668503646022> (accessed Jan 25, 2021).

²³⁰ Pham Thanh Nghien's Facebook status, November 28, 2020, <https://www.facebook.com/thanh.nghien.1/posts/1700606793434110> (accessed on November 30, 2020).

²³¹ Tien Long & Duong Ngoc Ha, “Dialogue about Thu Thiem: Inspectors and people still have different views about the planning boundary” (Doi thoai Thu Thiem: Thanh tra va nguoi dan van khac quan diem ve ranh quy hoach), *Tuoi Tre*, November 27, 2020, <https://tuoitre.vn/khieu-nai-thu-thiem-thanh-tra-noi-du-co-so-nha-dan-nam-trong-quy-hoach-dan-khong-dong-20201127155747953.htm> (accessed on November 28, 2020).

²³² Hoang Hung's Facebook status, October 15, 2020, <https://www.facebook.com/nhavandoclapposts/993168087862731> (accessed on October 15, 2020; the link is no longer accessible). On October 19, 2020, Hoang Hung reported that his status regarding being put under house arrest on October 15 has been blocked by Facebook for “violating the local law.” See Hoang Hung's Facebook status, October 19, 2020, <https://www.facebook.com/nhavandoclapposts/997083600804513> (accessed on October 20, 2020).

²³³ Hoang Dung's Facebook status, October 15, 2020, <https://www.facebook.com/dzung.hoang.501/posts/3459307787460322> (accessed October 15, 2020).

occasion of the [Ho Chi Minh City] Party Congress, things are very sensitive in the city.”²³⁴

- July 7, 2020: security agents stationed outside the house of pro-democracy campaigner Nguyen Quoc Duc Vuong in Lam Dong province prevented his family members from going to the court during his trial. The police arrested Nguyen Quoc Duc Vuong in September 2019 for posts and livestreams on Facebook critical of the Communist Party of Vietnam. In July 2020, a court convicted and sentenced him to eight years in prison.²³⁵
- June 29-30, 2020: unidentified men locked the house of Nguyen Thi Lanh from outside during the visit of US Ambassador to Vietnam Daniel J. Kritenbrink. According to Nguyen Thi Lanh, security agents had warned her family not to leave the house for several days between June 26 and June 30. She used pliers to break the lock so she could sell food at a local market to earn money. An unknown man came, accused her of selling bad food, and tried to provoke a dispute. Police took her to the local police headquarters. Her son Nguyen Trung Trong Nghia went there to inquire about his mother. Unidentified men wearing surgical masks repeatedly beat him with clubs and broke his teeth.²³⁶ Nguyen Thi Lanh and Nguyen Trung Trong Nghia are not activists. Their husband and father, Nguyen Trung Ton, is a long-time rights activist who is serving a 12-year prison sentence for affiliation with the Brotherhood for Democracy.²³⁷
- March 19, 2020: security agents stationed outside the house of land petitioner Truong Minh Huong followed him everywhere.²³⁸
- March 12, 2020: security agents stationed outside the house of Ha Si Phu in Da Lat prevented his friend, the poet Phan Dac Lu, from visiting. Authorities also cut the

²³⁴ Mac Van Trang’s Facebook status, October 15, 2020, https://www.facebook.com/permalink.php?story_fbid=1094911404302792&id=100013518285955 (accessed on October 15, 2020).

²³⁵ Nguyen Van Mieng’s Facebook status, July 7, 2020, <https://www.facebook.com/nguyenvan.mieng/posts/2961207080645095> (accessed on July 7, 2020).

²³⁶ “Family Members of Prisoner of Conscience Nguyen Trung Ton Put Under House Arrest and Harassed (Nguoi nha TNLT Nguyen Trung Ton bi giam long, sach nhieu),” *Radio Free Asia Vietnamese*, July 1, 2020, <https://www.rfa.org/vietnamese/news/vietnamnews/political-prisoner-pastor-nguyen-trung-ton-s-relatives-detained-and-beaten-07012020080516.html> (accessed on July 7, 2020).

²³⁷ “Vietnam: Drop Charges Against Human Rights Defenders,” Human Rights Watch news release, April 4, 2018, <https://www.hrw.org/news/2018/04/04/vietnam-drop-charges-against-human-rights-defenders>.

²³⁸ Truong Minh Huong’s Facebook status, March 19, 2020, https://www.facebook.com/permalink.php?story_fbid=2589869744587729&id=100006941862550 (accessed on May 19, 2020).

internet at Ha Si Phu's house for several days.²³⁹ Similarly, on August 9, 2018, security agents stationed outside the house of Ha Si Phu in Da Lat prevented a group of out-of-town guests from visiting.²⁴⁰

- February 2020: security agents stationed outside the apartment of Nguyen Thuy Hanh in Hanoi prevented her from going anywhere for several days. On February 27, they allowed her to go out briefly and carry out some private business under surveillance.
- January 19, 2020: security agents were stationed outside the house of rights activist Nguyen Thuy Hanh and blogger Huynh Ngoc Chanh during the commemoration of the battle against China over the Paracel Islands.²⁴¹
- January 18, 2020: security agents were stationed outside the apartment of Nguyen Kim Chi in Hanoi to prevent her from visiting the widow of Nguy Van Tha, who died on January 19, 1974, during a battle against China over the Paracel Islands.
- October 1, 2019: security agents were stationed outside the houses of people during the celebration of China Independence Day, including Dao Thu Hue (Facebooker Dao Thu), Tran Thi Thao, Phan Khang, and Nguyen Nguyen Binh.
- September 30, 2019: security agents were stationed outside the house of lawyer Dang Dinh Manh in Ho Chi Minh City to prevent him attending a lunch with a German delegation.
- May 5, 2019: security agents were stationed outside the house of blogger Nguyen Huu Vinh (also known as Anh Ba Sam), who on the same day completed a five-year prison sentence, and prevented friends from welcoming him home.²⁴²
- April 22, 2019: security agents were stationed outside the houses of many activists who were not sure for what particular occasion, including Le Hoang, Nguyen Dinh Am, Nguyen Tuong Thuy, and Dang Bich Phuong in Hanoi.
- April 8, 2019: security agents were stationed outside the house of Tran Thi Thao. When she went to a supermarket near her house, they followed her, waited until she completed her shopping, and followed her home.

²³⁹ Hoang Dung's Facebook status, March 12, 2020, <https://www.facebook.com/dzung.hoang.501/posts/2881471261910647> (accessed on April 17, 2020).

²⁴⁰ Pham Nguyen Truong's Facebook status, August 9, 2018, <https://www.facebook.com/pham.nguyentruong/posts/2091098340924101> (accessed on August 9, 2018).

²⁴¹ Huynh Ngoc Chanh's Facebook status, January 21, 2020, <https://www.facebook.com/ho.lytien.1/posts/10207088876497981> (accessed on May 19, 2020).

²⁴² "Friends were 'prevented' from visiting Anh Ba Sam (Ban huu 'bi chan' khi toi tham Anh Ba Sam)," *VOA Vietnamese*, May 6, 2019, <https://www.voatiengviet.com/a/ban-huu-bi-chan-khi-toi-tham-anh-ba-sam/4905687.html> (accessed on September 17, 2019).

- March 14, 2019: security agents stationed outside the house of blogger Huynh Ngoc Chanh and rights activists Nguyen Thuy Hanh and Dao Thu Hue prevented them from attending a gathering to commemorate the Johnson South Reef Skirmish.²⁴³
- March 13, 2019: Ngo Thi Thu filed a denunciation to the district police, denouncing the periodical house arrest to which she was subject from June 9, 2018, until March 2019. The police never responded.
- March 11, 2019: Nguyen Manh Hung filed a denunciation to the district police, denouncing the periodical house arrest to which he was subject to during the last several years. The police never responded.
- September 26, 2018: security agents stationed outside the house of former political prisoner Le Thi Cong Nhan and her husband Ngo Duy Quyen in Hanoi prevented them from leaving their house.
- September 2, 2018: security agents were stationed outside the houses of many people because there was an earlier call for a protest. Among those who were put under house arrest are Truong Van Dung, Ngo Duy Quyen and Le Thi Cong Nhan, Tran Thi Thao, Nguyen Dinh Am, Pham Chi Thanh, Duong Thi Tan, Le My Hanh, Nguyen Thanh Ha, Nguyen Binh Nguyen, Nguyen Tuong Thuy, Hoang Cong Cuong, Le Hoang, Dinh Quang Tuyen, Nguyen Xuan Dien, Nguyen Hong Duc, Phan Van Phong, Le Trong Hung, Vi Duc Hoi, La Viet Dung, Nguyen Duc Giang, Duong Dai Trieu Lam, and Nguyen Thi Thai Lai.²⁴⁴
- June 26, 2018: security agents put Pham Ba Hai and Le Cong Dinh under house arrest so they could not attend a gathering to commemorate victims of torture on International Day in Support of Victims of Torture.
- March 14, 2018: police detained rights activist Nguyen Thuy Hanh so she could not participate in a gathering to commemorate the Johnson South Reef Skirmish. When fellow activists gathered outside the police station to demand her release, men in civilian clothes assaulted and injured Truong Van Dung.²⁴⁵

²⁴³ Dao Thu's Facebook status, March 13, 2019, <https://www.facebook.com/dao.thu.395/posts/2174789025876898> (accessed on May 19, 2020).

²⁴⁴ Nguyen Tuong Thuy, "Commemoration of the 73th National Day Was As Tense As a Lute String (Ky niem Quoc khanh lan thu 73 cang nhu day dan)," *RFA Blog*, September 2, 2018, <https://www.rfa.org/vietnamese/news/blog/national-day-tense-09022018221050.html> (accessed on May 19, 2020).

²⁴⁵ "Female Activist Nguyen Thuy Hanh Was Arrested (Nha hoat dong nu Nguyen Thuy Hanh bi bat)," *Radio Free Asia Vietnamese*, March 14, 2018, <https://www.rfa.org/vietnamese/news/vietnamnews/female-activist-thuy-hanh-detained->

- February 27, 2018: security agents put blogger Nguyen Tuong Thuy under house arrest and prevented other fellow activists from visiting him and attending an informal gathering that he planned to host.²⁴⁶
- February 22, 2018: security agents blocked the houses of Nguyen Dan Que, Pham Ba Hai, and Le Cong Dinh so they could not attend an informal gathering of former political prisoners in Ho Chi Minh City.
- February 16, 2018: three security agents blocked the house of Ha Dinh Nguyen so he could not leave to join others to commemorate those who died during the border war between Vietnam and China, which began on February 17, 1979. Determined to go, he climbed over the garden fence and arrived at the meeting, only to be detained by a group of men in civilian clothes who drove him home and forced him to go inside his house. Security agents withdrew from his house on February 18.
- November 16, 2017: security agents detained and interrogated Nguyen Quang A, Pham Doan Trang, and Bui Thi Minh Hang as soon as they left a meeting with an EU delegation ahead of the 7th EU-Vietnam Human Rights Dialogue.
- November 9-11, 2017: security agents put many activists under house arrest during the Asia-Pacific Economic Cooperation (APEC) meeting in Da Nang. Among them are Nguyen Quang A, Nguyen Xuan Dien, Nguyen Tuong Thuy, and Pham Chi Thanh (also known as Ba Dam Xoe) in Hanoi; Hua Phi in Lam Dong; and monk Thich Khong Tanh in Ho Chi Minh City.
- March 14, 2017: security agents put people including Do Thi Minh Hanh, Dinh Duc Long, Le Cong Dinh, Nguyen Dan Que, Hoang Dung, and Nguyen Nu Phuong Dung under house arrest so they could not attend a gathering to commemorate those who died during the Gac Ma battle (the Johnson South Reef Skirmish). Those who managed to arrive at the meeting location were detained and interrogated for several hours, including Nguyen Quang A, Huynh Ngoc Chanh, Nguyen Thuy Hanh, Truong Van Dung, Tran Thi Thao, Dang Bich Phuong, Trinh Ba Phuong, Do Thanh

03142018083959.html (accessed on May 19, 2020). See also “A Civil Society Activist Assaulted During the Anniversary of Gac Ma (Mot nha hoat dong xa hoi bi danh trong ngay ky niem Gac Ma),” *Radio Free Asia Vietnamese*, March 15, 2018, <https://www.rfa.org/vietnamese/news/vietnamnews/activist-beaten-police-hanoi-03152018111427.html> (accessed on May 19, 2020).

²⁴⁶ Phan Bach, “The House of Mr. Nguyen Tuong Thuy Was Surrounded by the Police (Nha cua ong Nguyen Tuong Thuy bi cong an vay chat),” *SBS Vietnamese*, March 1, 2018, <https://www.sbs.com.au/language/vietnamese/audio/nha-cu-a-ong-nguye-n-tuo-ng-thu-y-bi-cong-an-vay-cha-t> (accessed on May 19, 2020).

- Van, Nguyen Viet Dung (also known as Dung Phi Ho), Ngo Kim Hoa (also known as Suong Quynh), Le Cong Vinh, and Tran Thien Ke (also known as Tam Ke).
- February 2, 2017: security agents put Father Phan Van Loi under house arrest in Hue to prevent him from attending a mass at Tay Linh parish. According to Phan Van Loi, when he tried to leave the house, two men in civilian clothes pushed him back inside. He reported that security agents put him under house arrest from 2001-2005, and then on and off on many other occasions.
 - January 13, 2017: security agents put Le Cong Dinh under house arrest in Ho Chi Minh City so he could not attend a meeting with then-US Secretary of State John Kerry. Writer Nguyen Vien reported that he was also put under intrusive surveillance.
 - July 3, 2016: poet Bui Minh Quoc planned to take a night bus from Da Lat to Ho Chi Minh City to attend the 2nd anniversary of the Independent Journalists Association of Vietnam. In the afternoon, security agents went to his house and advised him not to go. As he was about to leave at 11 p.m., Bui Minh Quoc discovered that someone had poured superglue on the lock of his front gate, making it impossible for him to open it. He tried the back door, only to discover that someone had locked it from the outside with a new padlock. Bui Minh Quoc filed a complaint with Minister To Lam of Public Security and also sent his complaints to top leaders, including Party Secretary Nguyen Phu Trong, Prime Minister Nguyen Xuan Phuc, and the late Chairman Tran Dai Quang. Twenty days later, he received a response from the Ministry of Public Security, stating that they had forwarded his complaint to the police of Lam Dong province, where he lives. Bui Minh Quoc never received a response from the police.²⁴⁷
 - May 15, 2016: security agents put many people under house arrest in Hanoi and Ho Chi Minh City to prevent them from forming and joining an anti-Formosa protest. Among those who reported they could not leave their houses are Huynh Thanh Phat, Tran Bang, Le Cong Dinh, Nguyen Kim Chi, Nguyen Quang A, Nguyen Thuy Hanh, and Nguyen Xuan Dien.
 - April 16-17, 2016: security agents put under house arrest or detained people to prevent them from attending a gathering to discuss President Barack Obama's

²⁴⁷ "Letter Responding to A Complaint, From the Ministry of Public Security to Vice Chairman Bui Minh Quoc of the Independent Journalists Association of Vietnam (Thu tra loi khieu nai cua Bo Cong an gui Pho chu tich Hoi Nha bao doc lap VN Bui Minh Quoc)," *Vietnam Times* (Viet Nam Thoi Bao), August 15, 2016, <https://vietnamthoibao.org/vntb-thu-tra-loi-khieu-nai-cua-bo-cong-an-gui-pho-chu-tich-hoi-nha-bao-doc-lap-vn-bui-minh-quoc/> (accessed on May 19, 2020).

upcoming visit in May 2016, including Pham Chi Dung, Nguyen Tuong Thuy, Bui Minh Quoc, Vu Quoc Ngu, and Pham Doan Trang.²⁴⁸

- March 30, 2016: security agents blocked the way and prevented political prisoner Nguyen Cong Chinh's wife Tran Thi Hong from attending a meeting with then-US Ambassador-at-Large for International Religious Freedom David Saperstein.²⁴⁹
- March 14, 2016: security agents put people, including Pham Dinh Trong, Ha Dinh Nguyen, Nguyen Vien, Do Thi Minh Hanh, Do Duc Hop, and Huynh Ngoc Chanh, under house arrest in Ho Chi Minh City so they could not attend a gathering to commemorate those who died during the Gac Ma battle (the Johnson South Reef Skirmish).
- December 16, 2015: security agents arrested Nguyen Van Dai when he was on his way to meet with an EU delegation ahead of the 5th Human Rights Dialogue. Nguyen Van Dai is now living in exile.
- August 29, 2015: security agents forced Duong Van Tuyen, the son of land rights petitioner Vu Thi Hai, to leave Hanoi and return to his home in Ninh Binh. His mother was serving a prison sentence for participating in a land rights protest in Hanoi.
- August 23, 2015: security agents prevented Le Cong Cau from leaving Hue for Ho Chi Minh City to attend a meeting with a German politician.
- August 8, 2015: security agents placed many people under house arrest so they could not attend a meeting with the then-US Assistant Secretary of State for Democracy, Human Rights, and Labor Tom Malinowski, including Duong Thi Tan, Nguyen Dan Que, Pham Minh Hoang, Pham Chi Dung, Nguyen Bac Truyen, and Le Cong Cau.²⁵⁰
- June 8-9, 2015: security agents stopped Le Cong Cau from leaving Hue for Ho Chi Minh City to attend a meeting with a German politician via the invitation of the

²⁴⁸ Nguyen Tuong Thuy, "Dr. Pham Chi Dung As I Know (Tien si Pham Chi Dung, nhu toi biet)," *RFA Blog*, December 4, 2019, <https://www.rfa.org/vietnamese/news/blog/pham-chi-dung-the-one-i-know-12042019105254.html> (accessed on March 20, 2020).

²⁴⁹ Human Rights Watch, *No Country for Human Rights Activists: Assaults on Bloggers and Democracy Campaigners in Vietnam* (New York: Human Rights Watch, 2017), <https://www.hrw.org/report/2017/06/19/no-country-human-rights-activists/assaults-bloggers-and-democracy-campaigners>.

²⁵⁰ "Vietnam: Restriction on the Rights to Freedom of Movement that Violated International and National Laws (Vietnam: Nhung han che ve quyen tu do di lai vi pham luat quoc te va luat quoc gia)," *Citizen Journalism* (Dan Lam Bao), September 14, 2015, <https://danlambaovn.blogspot.com/2015/09/viet-nam-nhung-han-che-ve-quyen-tu-do-i.html?hl=en> (accessed on May 19, 2020).

German consulate in Ho Chi Minh City. Security agents also put Pham Ba Hai under house arrest in Ho Chi Minh City to prevent him from attending the meeting.

- July 25, 2014: security agents put Nguyen Dan Que, Duong Thi Tan, Pham Ba Hai, Pham Chi Dung, and pastors Nguyen Hoang Hoa and Nguyen Manh Hung under house arrest during the visit of then-United Nations Special Rapporteur on Freedom of Religion or Belief Heiner Bielefeldt.²⁵¹
- June 8, 2014: security agents put Hoang Van Dung under house arrest so that he could not attend the 2nd anniversary of the Path of Vietnam movement founded by former political prisoner Le Thang Long.
- November 29, 2013: Pham Chi Dung went to visit the now late dissident Nguyen Thanh Giang in Hanoi. Upon arrival at the alley where Nguyen Thanh Giang lived, Pham Chi Dung was stopped by security agents and taken to a nearby police station where they interrogated him for six hours and prohibited him from visiting Nguyen Thanh Giang.²⁵²
- April 11-13, 2013: security agents detained anti-corruption campaigner Vu Manh Hung for two days. He later filed a complaint, to no avail.²⁵³
- March 27-April 5, 2013: security agents put Pham Thanh Nghien under house arrest during the trial of Doan Van Vuon in Hai Phong. Those who tried to visit her, including Ngo Nhat Dang, Nguyen Lan Thang, Nguyen Viet Hung, Do Viet Ket, and Nguyen Hoang Vi, were detained and interrogated.
- December 8-9, 2012: security agents put Pham Thanh Nghien and Huynh Cong Thuan under house arrest so they could not participate in an anti-China protest.
- July 6-16, 2008: security agents put people under house arrest so they could not carry out an anti-China protest on July 16, 2008, including Vi Duc Hoi, Vu Hung,

²⁵¹ Gia Minh, "Why Campaigners in Saigon Were Prohibited From Leaving Their Houses on July 25? (Vi sao cac nha tranh dau o SG bi cam ra khoi nha hom 25/7?)," *Radio Free Asia Vietnamese*, July 25, 2014, https://www.rfa.org/vietnamese/in_depth/activists-closely-watched-or-kept-at-home-gm-07252014084001.html (accessed on May 19, 2020).

²⁵² Nguyen Tuong Thuy, "Dr. Pham Chi Dung As I Know (Tien si Pham Chi Dung, nhu toi biet)," *Radio Free Asia Blog*, December 4, 2019, <https://www.rfa.org/vietnamese/news/blog/pham-chi-dung-the-one-i-know-12042019105254.html> (accessed on March 20, 2020).

²⁵³ Thanh Truc, "Teacher Vu Manh Hung Sent an Open Letter to the Minister of Public Security (Nha giao Vu Manh Hung gui thu ngo len BT Bo Cong an)," *Radio Free Asia Vietnamese*, April 28, 2013, https://www.rfa.org/vietnamese/in_depth/kidnapped-lodgedcomplaint-to-higher-auth-04282013131341.html (accessed on May 19, 2020).

Nguyen Phuong Anh, Nguyen Xuan Nghia, Pham Thanh Nghien, and Vu Cao Quan.²⁵⁴

- May 20, 2008: security agents put Do Nam Hai under house arrest so he could not meet an US diplomat prior to the Vietnam-US bilateral annual human rights dialogue.²⁵⁵
- April 29-30, 2008: security agents put Nguyen Khac Toan under house arrest and summoned Nguyen Thuong Long to the police station for questioning so they could not join an anti-China protest during the Beijing Olympic Torch procession in Vietnam.
- April 23, 2007: security agents staged a traffic accident involving dissident Pham Hong Son's wife Vu Thuy Ha to prevent her from going to a meeting with the US Ambassador to Vietnam Michael Marine.
- April 5, 2007: security agents surrounded and prevented Le Thi Cong Nhan's mother Tran Thi Le, Nguyen Vu Binh's wife Bui Thi Kim Ngan, Le Quoc Quan's wife Nguyen Thi Thu Hien, Nguyen Van Dai's wife Vu Minh Khanh, and Pham Hong Son's wife Vu Thuy Ha from attending a meeting with then-US Ambassador to Vietnam Michael Marine and then-US Congress member Loretta Sanchez.
- November 2000: security agents were stationed outside the houses of many independent Hoa Hao Buddhist followers in different towns in the Mekong Delta before and during the visit of then-US President Bill Clinton to Vietnam.

²⁵⁴ Viet Hung, "Many Democracy Activists Put Under House Arrest (Nhiều nhà dân chủ bị quản thúc)," *Radio Free Asia Vietnamese*, July 14, 2008, https://www.rfa.org/vietnamese/in_depth/DissidentsControlledByLocalAuthorities_VHung-07142008110009.html (accessed on June 14, 2020). See also Hien Vy, "Writer Nguyen Xuan Nghia Under House Arrest (Nhà văn Nguyễn Xuân Nghĩa bị quản thúc tại gia)," *Radio Free Asia Vietnamese*, July 7, 2008, https://www.rfa.org/vietnamese/in_depth/dissident_writer_Nguyen_Xuan_Nghia_under_house_arrest_order_by_local_authority_HVy-07072008181745.html (accessed on June 14, 2020); and Tra Mi, "Police's Explanation Re 'Verbal Order' to Put Democracy Activists Under House Arrest (Giải thích của Công an về 'lệnh miêng' quản chế các nhà dân chủ)," *Radio Free Asia Vietnamese*, July 16, 2008, <https://www.rfa.org/vietnamese/vietnam/chinh-tri/protest-petitioners-under-severe-harassment-TMi-07162008143327.html> (accessed on June 14, 2020).

²⁵⁵ Tra Mi, "Police Prevented A Democracy Activist From Meeting With American Consulate Staff (Công an ngăn chặn nhà dân chủ gặp nhân viên lãnh sự Mỹ)," *Radio Free Asia Vietnamese*, May 29, 2018, https://www.rfa.org/vietnamese/in_depth/dissident_Do_Nam_Hai_prevented_to_meet_US_consulate_TMi-05292008134859.html (accessed on June 14, 2020).

Appendix 2: Partial List of People on Travel Ban List

2004-2021

People are on the travel ban list ranging from several days to several years. Many managed to leave or enter Vietnam after the travel ban against them was lifted under domestic or international pressure, or expired.

1. Bạch Ngọc Dương, 2006 and January 2010;
2. Bùi Minh Quốc, March 2018;
3. Bùi Quang Minh (Anthony Minh Bùi; Bùi Tuấn Lâm's younger brother), July 2015;
4. Bùi Quang Tín, December 2015;
5. Bùi Quang Viễn (Bùi Chát), April 2011;
6. Bùi Thanh Hiếu (Người Buôn Gió), May 2012 and February 2012;
7. Bùi Thị Kim Phượng (wife of political prisoner Nguyễn Bắc Truyển), March 2019;
8. Bùi Tuấn Lâm (Peter Lâm Bùi), February 2014;
9. Bùi Văn Tân
10. Cao Hoàng Phương, 2009;
11. Cao Vĩnh Thịnh, June 2019;
12. Châu Văn Thi, December 2013;
13. Chu Văn Tuấn (younger brother of former political prisoner Chu Mạnh Sơn), August 2016;
14. Đặng Hữu Hoàng Gia, September 2012;
15. Đặng Phú Phong (Dang Kevin Q), June 2014;
16. Đào Chí Hiếu (Đào Hiếu), August 2011;
17. Đào Trang Loan (Hư Vô), December 2013;
18. Đinh Hữu Thoại, May 2018 and July 2011;
19. Đinh Nhật Uy, April 2013;
20. Đinh Thị Phương Thảo, November 2019;
21. Đinh Túy, March 2014;
22. Đinh Xuân Thi, May 2014;
23. Đỗ Anh Tuấn, June 2013;
24. Đỗ Ngọc Xuân Trầm (sister of former political prisoner Đỗ Thị Minh Hạnh), June 2017;

25. Đỗ Thị Minh Hạnh, May 2018, June 2017, and September 2014;
26. Đỗ Văn Thường, July 2014;
27. Dư Mạnh Tuấn;
28. Dương Đại Triều Lâm, November 2014;
29. Hà Thị Vân, May 2014;
30. Hồ Hiếu Hạ, February 2004;
31. Hồ Sỹ Quyết (Quyết Hồ), February 2017;
32. Hoàng Đức Bình (Hoàng Bình), January 2016;
33. Hoàng Ngọc Diêu, January 2012;
34. Hoàng Văn Dũng (Hoàng Dũng), May 2013; November 2014, and February 2014;
35. Hứa Phi, September 2015;
36. Huỳnh Công Thuận, May 2012 and June 2013;
37. Huỳnh Ngọc Chên, May 2013, May 2018, September 2018, and November 2018;
38. Huỳnh Ngọc Tuấn
39. Huỳnh Thục Vy, July 2015;
40. Huỳnh Trọng Hiếu (son of former political prisoner Huỳnh Ngọc Tuấn's son and brother of Huỳnh Thục Vy), December 2012;
41. Huỳnh Văn Đông, September 2011;
42. Lê Anh Hùng, May 2015;
43. Lê Bá Huy Hào, May 2015;
44. Lê Công Định, December 2019 and August 2018;
45. Lê Đức Triết, November 2014;
46. Lê Hồ Ngọc Điệp (Trăng Đêm), May 2010;
47. Lê Hồng Phong, November 2014;
48. Lê Mỹ Hằng, October 2016;
49. Lê Ngọc Thanh, March 2015;
50. Lê Phúc Hiệp, May 2014;
51. Lê Quốc Quân, September 2008, 2009, and 2010;
52. Lê Quốc Quyết, 2010;
53. Lê Quý Hữu;
54. Lê Sỹ Bình, December 2015;
55. Lê Thị Công Nhân, October 2006;
56. Lê Thị Kim Thu, 2009;
57. Lê Thị Thùy Dung
58. Lê Thị Yến

59. Lê Thu Hà, November 2018 and April 2015;
60. Lê Trần Luật, 2009;
61. Løvstrøm, MiVan, October 2011;
62. Lương Duy Phương, August 2006;
63. Lưu Ngọc Quỳnh, December 2017;
64. Lưu Trang Vũ, December 2014;
65. Lưu Văn Minh (Dustin Bý), November 2014;
66. Mai Thái Linh, July 2009;
67. Mai Thị Thanh, December 2017;
68. Mai Văn Tám, April 2016;
69. Ngô Hoài Nở, 2006;
70. Ngô Nhật Đăng, May 2014;
71. Ngô Thanh Tú (Thần Sầu), April 2011;
72. Ngô Văn Diễm, October 2016;
73. Nguyễn Anh Tuấn, January 2016;
74. Nguyễn Chí Tuyển (Anh Chì), May 2014;
75. Nguyễn Chính Kết, 2006;
76. Nguyễn Công Thủ, November 2014;
77. Nguyễn Đình Hà, May 2014;
78. Nguyễn Đình Thực, November 2019 and December 2017;
79. Nguyễn Duy Tân, June 2018;
80. Nguyễn Hồ Nhật Thành (Paulo Thành Nguyễn), January 2014;
81. Nguyễn Hoàng Đức, July 2013;
82. Nguyễn Hoàng Hoa, December 2015;
83. Nguyễn Hoàng Vi (An Đỗ Nguyễn), December 2013;
84. Nguyễn Hồng Quang
85. Nguyễn Huệ Chi, May 2015;
86. Nguyễn Hữu Vinh (JB), August 2012;
87. Nguyễn Khắc Toàn, 2007 and 2008;
88. Nguyễn Lâm Thắng, February 2014;
89. Nguyễn Lê Thành, November 2015;
90. Nguyễn Mạnh Cường, July 2018;
91. Nguyễn Ngọc Hiền
92. Nguyễn Ngọc Nam Phong, June 2017;
93. Nguyễn Ngọc Như Quỳnh (Mother Mushroom), December 2013;

94. Nguyễn Ngọc Tuấn (Nguyễn Hưng Quốc), April 2009 and May 2005;
95. Nguyễn Nữ Phương Dung, November 2014 and February 2014;
96. Nguyễn Quang A, September 2018;
97. Nguyễn Quốc Huy (Đồng Chuông Tử), April 2021;
98. Nguyễn Thanh Anh (Wife of blogger Bùi Quang Viễn), June 2013;
99. Nguyễn Thanh Hà, 2016;
100. Nguyễn Thanh Mai, December 2015;
101. Nguyễn Thành Tâm
102. Nguyễn Thành Thông
103. Nguyễn Thanh Thủy (son of former political prisoner Nguyễn Xuân Nghĩa), April 2014;
104. Nguyễn Thảo Chi, December 2013;
105. Nguyễn Thị Bích Hạnh, December 2013;
106. Nguyễn Thị Hoàng, July 2015;
107. Nguyễn Thị Huyền Trang (Anna Huyền Trang), February 2014;
108. Nguyễn Thị Kim Liên (mother of former political prisoners Đinh Nguyên Kha and Đinh Nhật Uy), June 2014;
109. Nguyễn Thị Kim Thanh (wife of political prisoner Trương Minh Đức), February 2019;
110. Nguyễn Thị Nhung (mother of former political prisoner Nguyễn Phương Uyên), May 2015;
111. Nguyễn Thị Thúy (Maria Thúy Nguyễn), May 2015;
112. Nguyễn Thúy Hạnh, 2021;
113. Nguyễn Trang Nhung, November 2015;
114. Nguyễn Trung Lĩnh, June 2017;
115. Nguyễn Tường Thụy, December 2015;
116. Nguyễn Tường Trọng (son of political prisoner Nguyễn Tường Thụy), May 2015;
117. Nguyễn Văn Đài, October 2006;
118. Nguyễn Văn Đền, 2016;
119. Nguyễn Văn Phượng, June 2010;
120. Nguyễn Văn Toàn, May 2020;
121. Nguyễn Văn Thạnh, January 2014;
122. Nguyễn Văn Tráng, July 2014;
123. Nguyễn Việt Hưng, August 2016;
124. Nguyễn Vũ Bình, 2008 and 2009;
125. Nguyễn Xuân Tụ (Hà Sĩ Phu)

126. Phạm Dominic, October 2017;
127. Phạm Bá Hải, July 2006;
128. Phạm Chí Dũng, February 2014;
129. Phạm Chí Thành (Phạm Thành – Bà Đàm Xòe), December 2015;
130. Phạm Đắc Đạt, July 2014;
131. Phạm Đình Nhẫn
132. Phạm Đoan Trang, January 2015;
133. Phạm Hà Nam, September 2015;
134. Phạm Hồng Sơn, 2007;
135. Phạm Lê Vương Các, 2013;
136. Phạm Minh Vũ, July 2014;
137. Phạm Ngọc Thạch, July 2016;
138. Phạm Thanh Nghiên, January 2017;
139. Phạm Trần Quân, August 2015;
140. Phạm Trung Thành, July 2011 and December 2010;
141. Phạm Văn Điệp, June 2016, April 2013, December 2013, and April 2019;
142. Phan Cẩm Hường, September 2016;
143. Phan Châu Thành, May 2017;
144. Phan Văn Huy, January 2016;
145. Tạ Minh Tú (younger sister of former political prisoner Tạ Phong Tần), July 2015;
146. Thân Văn Trường, October 2017;
147. Trần Bùi Trung (son of former political prisoner Bùi Thị Minh Hằng), July 2015;
148. Trần Công Nghi, November 2005;
149. Trần Đình Ái, December 2005 and January 2004;
150. Trần Đức Ái Linh;
151. Trần Hoàng Phúc, December 2015;
152. Trần Khải Thanh Thủy, 2008;
153. Trần Khuê, 2006;
154. Trần Mai
155. Trần Quảng Nam
156. Trần Thị Nga, June 2015;
157. Trần Thị Tô, July 2015;
158. Trần Trọng Linh, February 2013;
159. Trần Văn Hòa, September 2006;
160. Trương Quỳnh Như (Alex Truong), July 2015;

- 161. Trương Thị Hà, March 2020
- 162. Trương Thị Liễu;
- 163. Trương Văn Dũng, December 2015;
- 164. Văn Cung, December 2015;
- 165. Võ Quốc Anh, 2015;
- 166. Võ Văn Tạo, August 2015;
- 167. Võ Văn Trung, January 2016;
- 168. Vũ Minh Khánh (wife of former political prisoner Nguyễn Văn Đài), February 2020
and April 2017;
- 169. Vũ Quốc Ngử, July 2015 and September 2016;
- 170. Vũ Quốc Tú (Uyên Vũ), May 2010;
- 171. Vũ Sỹ Hoàng (Hành Nhân), December 2017;
- 172. Vũ Thị Quỳnh Giao;
- 173. Vương Trí Tín, August 2012.

“Locked Inside Our Home”

Movement Restrictions on Rights Activists in Vietnam

The Vietnamese government is notorious for its harsh and systemic repression of basic civil and political rights, including freedom of expression, association, and peaceful assembly. Rights violations by the authorities against activists, dissidents, and human rights defenders include harassment, assaults by government-linked thugs, arbitrary arrests and detention, torture, and summary trials before politically controlled courts resulting in long prison sentences. Less well known is the Vietnamese government’s systematic use of restrictions on the right to freedom of movement of activists as a form of control.

The most common restriction is the temporary blocking of movement to prevent activists from attending protests, criminal trials, meetings with foreign officials including a US president, and other events. Restrictions to remain in a specific local area and house arrest are also regularly used. The authorities have also blocked critics of the government from domestic and international travel, including by stopping them at airports and denying passports or other documents that allow them to leave or enter the country.

“*Locked Inside Our Home*” documents numerous freedom of movement violations and identifies more than 170 activists and their family members who have been banned from leaving Vietnam between 2004 and 2021. The actual number of such cases is certainly much higher: public reporting on cases is limited by Vietnam’s strict censorship regime, and many victims keep quiet, fearing retaliatory action by authorities if their cases were to become public.

The Vietnamese government should urgently end arbitrary restrictions on activists’ right to freedom of movement, including house arrest, baseless detention, harassment, surveillance, and restrictions on domestic and international travel. Vietnam’s National Assembly should repeal or amend articles in the Constitution and Law on Immigration that allow restrictions on human rights based on vaguely defined national security rationales.



Photo Illustration of Vietnamese activists locked away. From top left, going clockwise: (1) Pham Chi Thanh, (2) Pham Doan Trang, (3) Pham Chi Dung, (4) Nguyen Thuy Hanh, (5) Pham Van Diep, and (6) Nguyen Tuong Thuy.

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