



United Nations Human Rights Council: 26th Session (10th to 27th June 2014)
Vietnam UPR
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Speaker: BHA Representative, Amelia Cooper
Freedom of Expression: A Climate of Fear in Vietnam

Freedom of expression, recognized within this Council, and its enshrined principles, as an inalienable human right, remains a fantasy for Vietnamese people. States have expressed numerous concerns and criticisms relating to this fundamental violation, to which we would like to add our voice.

Freedom of expression underpins a myriad of human rights, and its denial impinges upon, inter alia, the rights to freedom of religion or belief, to freedom of association, and to seek and impart information, affecting both individuals and wider society. Government-sanctioned violations of all these rights have been documented within Vietnam,¹ and recognized by concerned States.²

The broad legal framework for silencing dissent in Vietnam stands at odds with international human rights law and has been justly criticized. Articles violating freedom of expression are invoked in the arbitrary arrests of journalists and human rights defenders,³ which are increasing year upon year.⁴

However, incarceration is insufficient in the government's quest to silence its citizens: '*police intimidation, harassment...[and] prolonged detention without access to legal counsel*'⁵ deter potential critics from speaking out. State-controlled courts further compound such abuses, as trials are often dictated by government interest to achieve '*a politically pre-determined outcome*'.⁶

During a recent visit to Vietnam, I spoke to a man who was reluctant to discuss the human rights situation within the country, for fear of being overheard by an alleged secret police force. Be that civilian informants or a State-sponsored unit, his fear and self-censorship is testament to the total absence of free expression in Vietnam.

Accordingly, we urge the Vietnamese government to:

- Align their domestic legislation with international human rights standards;
- Accept the IPR recommendations pertaining to these issues, notably 143.139 – 143.17;
- Respect the membership obligations of this Council, and their duty to '*promote and protect all human rights and fundamental freedoms*'.⁷

Thank you.

¹ Freedom of religion or belief is restricted to State-recognised religions; those who practice an unrecognised religion face monitoring, harassment, and sometimes violent crackdowns. Peaceful protests and public assemblies must first be approved by the government, who refuse permission for anything considered to be politically unacceptable. The State control of media (online and offline) prevents criticism and discussion, thereby violating the citizen's right to freedom of information. For more information, see <http://www.hrw.org/world-report-2014-country-chapters/vietnam?page=2>

² Numerous references throughout A/HRC/26/6

³ For example, the detainment of Le Quoc Quan <http://www.article19.org/resources.php/resource/37466/en/viet-nam:-campaigners-condemn-decision-upholding-le-quoc-quan-sentence>

⁴ <http://www.hrw.org/world-report/2014/country-chapters/vietnam?page=1>

⁵ <http://www.hrw.org/world-report/2014/country-chapters/vietnam?page=1>

⁶ <http://www.hrw.org/world-report/2014/country-chapters/vietnam?page=1>

⁷ Human Rights Council founding resolution, A/RES/60/251