**Members of Independent Journalists Association of Vietnam (IJAVN)**

Dr. Pham Chi Dung: Arrested on November 21, 2019; sentenced to 15 years in prison and three years on probation.

Nguyen Tuong Thuy: Arrested on May 23, 2020; sentenced to 15 years in prison and three years on probation.

Le Huu Minh Tuan: Arrested on June 12, 2020; sentenced to 15 years in prison and three years on probation.

All three were charged with violating Article 117 of the 2015 Vietnamese Penal Code (previously Article 88 (c) of the 1999 Vietnamese Penal Code) which punishes the “making, storing, or spreading information, materials or items for the purpose of opposing the State of the Socialist Republic of Vietnam.”

On January 8, 2021, the Spokesperson for the UN High Commissioner for Human Rights issued the following statement2 regarding the cases of Pham Chi Dung, Nguyen Tuong Thuy and Le Huu Minh Tuan who were sentenced to lengthy prison sentences in Vietnam for exercising their rights to freedom of expression, opinion and association:

“On Tuesday, 5 January, three independent journalists in Viet Nam received severe sentences of between 11 and 15 years’ imprisonment after being found guilty of national security offences – a disturbing development that appears to be part of an increasing clampdown on the freedom of expression in the country.

“Pham Chi Dung, Nguyen Tuong Thuy and Le Huu Minh Tuan, respectively chairperson, the vice chairperson and a young member of the Independent Journalists Association of Viet Nam, were convicted by the People’s Court in Ho Chi Minh City of “making, storing, spreading information, materials, items for the purpose of opposing the State” under Article 117 of the Criminal Code. Pham Chi Dung was sentenced to 15 years in prison and three years on probation. Nguyen Tuong Thuy and Le Huu Minh Tuan were each sentenced to 11 years in prison and three years on probation. All three individuals were held in lengthy pre-trial detention, and despite assurances given by the Government that due process was followed, there are serious concerns about whether their rights to a fair trial were fully respected.”

In his 2014 Intimidation and Reprisal Report (A/HRC/27/38), the UN Secretary-General raised concern about Pham Chi Dung’s being subjected to travel ban:

“Pham Chi Dung, a journalist, writer and independent analyst, was reportedly prevented from travelling to Geneva to participate in a side event convened on 4 February 2014 in connection with the universal periodic review of Viet Nam. On 30 January 2014, Mr. Dung was visited at his home by three officers of the People’s Security Forces, who expressed concern about his scheduled trip to Geneva. Mr. Dung was invited to appear at the Ho Chi Minh Police Department on 1 February 2014, which he declined to do. As he checked in for his flight to Geneva at Ho Chi Minh International Airport on 1 February 2014, Mr. Dung was stopped by two security officers, who confiscated his mobile phone and passport, and informed him that he was barred from leaving the country. Approximately one hour later, Mr. Dung was allowed to return home, but his passport was not returned.55 A reply to a joint communication sent on 31 March 2014 by three special procedures mandate holders was received on 11 July 2014 from the Government, in which it stated that the allegations were inaccurate and that preventing Mr. Dung from boarding the flight to Geneva did not relate to his legal human rights activities.”

In his 2020 Intimidation and Reprisal Report (A/HRC/45/36), the UN Secretary-General raised concern about the arrest of Pham Chi Dung:

“On 22 January 2020, special procedures mandate holders addressed the reported detention of Mr. Pham Chi Dung (VNM 5/2019) after he publicly expressed human rights concerns, following the visit of a November 2019 European Parliament Committee on Trade (INTA) delegation to Viet Nam. On 21 November 2019, Mr. Pham Chi Dung was reportedly arrested and brought to his house, where a search was conducted. Police reportedly forced him to log onto his computer and print documents that could be related to his advocacy. Mr. Pham Chi Dung was reportedly held under Article 117 of the Vietnamese Penal Code related to “making, storing or disseminating information, documents, materials and items against the Socialist Republic of Viet Nam,” a crime carrying between 10–20 years imprisonment.

“On 18 March 2020, the Government stated that the allegations were inaccurate, mostly drawn from unsubstantiated information and did not reflect the nature of the case. The Government provided information regarding Mr. Pham Chi Dung’s detention, including the legal basis for his arrest, his right to legal counsel and family visits, as well as his conditions of detention.”

IJAVN has submitted multiple reports to UN mandate holders, including:

* 2019 UPR review of Vietnam: <https://dvov.org/wp-content/uploads/2018/07/Vietnam-UPR-2019-joint-submission-on-freedoms-of-thought-and-expression-1.pdf>
* 2022 CRC review of Vietnam: <https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/VNM/INT_CRC_NGO_VNM_42741_E.pdf>