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Viet Nam: Convictions of Nguyễn Hữu Vinh and Nguyễn Thị Minh Thúy are an outrageous contravention of freedom of expression

Today's convictions of blogger Nguyễn Hữu Vinh and his assistant Nguyễn Thị Minh Thúy on charges of "abusing democratic freedoms" are a shameful abdication of the country's human rights obligations, Amnesty International has said. The convictions represent an outrageous contravention of the right to freedom of expression which Viet Nam is internationally obligated to uphold as a party to the International Covenant on Civil and Political Rights.

Nguyễn Hữu Vinh, better known as Anh Ba Sàm, is the founder of Ba Sam blog, has been sentenced to five years in prison, while his assistant, Nguyễn Thị Minh Thúy has received a three year prison sentence. The two have already spent almost two years in pre-trial detention, in violation of Vietnamese criminal procedure. In advance of their trial, Amnesty International called for their immediate release on the grounds that they have not committed any crime.

Nguyễn Hữu Vinh and Nguyễn Thị Minh Thúy were charged under Article 258 of the Penal Code, which proscribes "abusing democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations and/or citizens". The pair were arrested in May 2014 in connection with blog postings which, according to state media, were alleged in the indictment against them to "distort the lines and policies" of the Communist Party of Viet Nam and contain "untruthful and groundless content".

Amnesty International considers Nguyễn Hữu Vinh and Nguyễn Thị Minh Thúy to be prisoners of conscience who should be released immediately and unconditionally.

Background

The right of freedom of expression is severely restricted in law and practice in Viet Nam. Vaguely-worded articles in the national security section of Viet Nam's 1999 Penal Code are frequently used to criminalize peaceful dissenting views or activities. Those at risk include people advocating for peaceful political change, criticizing government policies, or calling for respect for human rights.

Article 258 (Abusing democratic freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations and/or citizens), is frequently used to detain, prosecute and imprison dissidents for their peaceful activism, including bloggers, labour rights and land rights activists, political activists, religious followers, human rights defenders and social justice activists, and even song writers.

Public Document

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