



**Oral statement**  
**UN Human Rights Council – 46<sup>th</sup> Session**  
**ID with the Special Rapporteur on the right to privacy**  
**March 2021**

Madame President,

We welcome the report of the Special Rapporteur on the right to privacy and share his concerns that while the right to privacy has never been more important, it has also never been so much under siege. In addition to poorly regulated Artificial Intelligence systems, the right to privacy is under attack through vague and overbroad laws. These laws, purportedly to protect people online, are too often used instead to censor, discriminate and exert control.

Mr. Special Rapporteur,

To provide an example, in Vietnam, a range of problematic laws and regulations undermine the right to privacy online, including the 2018 Cybersecurity law and related regulations. Vietnam's national laws lack meaningful protections for privacy and the cyber security law makes it easier for the government to identify and prosecute people for their peaceful online activities.

The law gave the government powers to force technology companies such as Facebook, Google and other global platforms that operate in Vietnam to open offices there, hand over vast amounts of data, including personal information, and censor users' posts.

Many of the most alarming provisions concerning privacy are yet to be fully implemented. However, if the proposed Cybersecurity Decree is passed, there will be no safe place left in Viet Nam for people to speak freely.

Furthermore, Amnesty International's research, has revealed a sustained campaign of spyware attacks on the country's human rights activists. For instance, blogger and pro-democracy activist Bui Thanh Hieu was targeted with spyware at least four times between February 2018 and December 2019. Another blogger and a non-profit human rights organization from Viet Nam were also targeted in the same spyware campaign. Given Vietnam's track record of judicial persecution of activists, these privacy invasions have far-reaching human rights implications. There's an urgent need to implement a human rights regulatory framework that governs surveillance. Until such a framework is implemented, a moratorium on the purchase, sale, transfer, and use of surveillance equipment should be enforced.

Mr. Special Rapporteur,

What more can the Council do to ensure human rights safeguards online are in implemented, and what more can the Council do to protect those subject to online violations?

We thank you.