

Paris, 25 March 2018

OPEN LETTER

to the President of the French Republic Emmanuel Macron
on the visit of Vietnam Communist Party General Secretary Nguyen Phu Trong

Mr. President,

You have invited the General Secretary of the Vietnamese Communist Party, Mr. Nguyen Phu Trong, to visit France from 25 – 28 March 2018 to mark the 45th Anniversary of Franco-Vietnamese diplomatic relations and the 5th anniversary of the Strategic Partnership between France and Vietnam. With this official visit, you are receiving the head of a political party – the Vietnam Communist Party (VCP) – with the honours due to a head of state.

Needless to say, the VCP is not simply a political party. It is the only legally recognized party in Vietnam, which has recently prohibited its members from discussing democracy, the separation of powers, and pluralism, or face expulsion.

You have centered your mandate on the active participation of civil society in the nation's political affairs. The man you receive today represents a regime whose aim is the very opposite – to stifle civil society voices and destroy its citizens' aspirations to manifest any interest in public affairs, other than by applauding the opaque decisions of their rulers. He is the man who declared that “Communism is better than democracy”. In light of the current crackdown on civil society and freedom of expression in Vietnam – one of the worst since the country's economic opening under the “Doi Moi” policy in 1986 – Mr. Trong is clearly referring to the security and police apparatus that is the last vestige of a totalitarian state.

Repression against civil society in Vietnam is deliberate and well-organized. While claiming to develop the “rule of law”, Vietnam is reinforcing the “rule *by* law” by adopting extensive legislation that criminalizes the exercise of fundamental rights. Vaguely-worded “national security” provisions of the Criminal Code are the backbone of the government's repression against dissidents, bloggers, citizen journalists, human rights defenders, and members of “non-recognized” religious communities. At the United Nations, during Vietnam's Universal Periodic Review in 2014, France called for the repeal or amendment of national security provisions to ensure they did not restrict freedom of opinion and expression. Vietnam took no such action.

Under this cloak of so-called “legality”, the Vietnamese government has arrested, prosecuted, and arbitrarily imprisoned scores of civil society activist – 62 in the past 14 months alone. At least 130 prisoners of conscience languish in Vietnam's jails today. They include blogger and former VCP member Nguyen Huu Vinh (sentenced to five years in prison), human rights defenders Me Nam Nguyen Ngoc Nhu Quynh and Tran Thi Nga (10 and nine years in prison, respectively). Both Me Nam and Nga, who are mothers of young children, were recently transferred to a prison more than 1,000 kilometers from their homes to prevent them from receiving visits. Social rights activist Nguyen Van Oai (sentenced to five years in prison) has also been sent to a prison far from his home. Human rights lawyer Nguyen Van Dai, arrested in December 2016, has spent over a year in pre-trial detention on charges of “attempting to overthrow the people's government”, a crime which carries the death penalty.

Religious freedom is restricted by a draconian, mandatory system of registration. Religious communities not registered with the state, such as the Unified Buddhist Church of Vietnam

(UBCV), are subjected to daily repression and harassments. UBCV leader Thich Quang Do remains under house arrest after more than 35 years of various forms of arbitrary detention. Ethnic minority Christians (Hmong, Montagnards), Cao Dai, Hoa Hao Buddhists (ten of whom were recently sentenced to prison sentences of up to 12 years) are the targets of repression simply for exercise their right to freedom of religion.

Vietnam's suppression of civil society is not only a blatant violation of fundamental rights, but it has dramatic consequences on the daily lives of ordinary people. With no free press, no free trade unions, no independent civil society and no independent judiciary in Vietnam, people have no means to defend themselves or express their grievances. For example, in April 2016, Vietnam's central coast was struck by one of the worst ever industrial pollution disasters. Toxic waste spill from the Formosa steel plant contaminated over 200 kilometers of coastal waters, causing the deaths of hundreds of tons of fish and destroying the livelihood of local people, whose survival depends on fishing. The victims received no compensation, and those who filed complaints or even expressed concern were harshly repressed. Medical doctor Ho Van Hai, who simply wrote on his blog about the serious consequences of pollution on people's health, was arrested and recently sentenced to four years in prison and two years' house arrest on charges of "propaganda against the State".

Protesting poor working conditions in Vietnam is also taboo. A recent report on the working conditions of women in the electronics industry revealed violations of worker rights leading to serious health problems such as miscarriages, fainting, and extreme fatigue. The report's author, Ms. Pham Thi Minh Hang, was subsequently threatened and harassed by the authorities. Female workers were threatened with lawsuits if they talked to people outside their company about working conditions.

Mr. President,

We do not deny the importance of developing relationships between France and Vietnam. But this relationship must not entail the sacrifice of France's principles as the birthplace of human rights, nor the well-being of the Vietnamese people. You cannot receive Nguyen Phu Trong without using all your authority to insist that Vietnam upholds its commitment to the international community to respect and guarantee human rights.

It is essential that France speaks out loud and clear to urge Vietnam to immediately and unconditionally release all prisoners of conscience, cease harassments, beatings and all other forms of intimidation against civil society activists and human rights defenders and end religious persecution. Vietnam should also take steps to progressively dismantle its arsenal of anti-human rights legislation. To remain silent on these crucial issues, we fear, would cast an indelible stain upon your mandate.

Signatures VCHR, FIDH, LDH