

# Human Rights Watch

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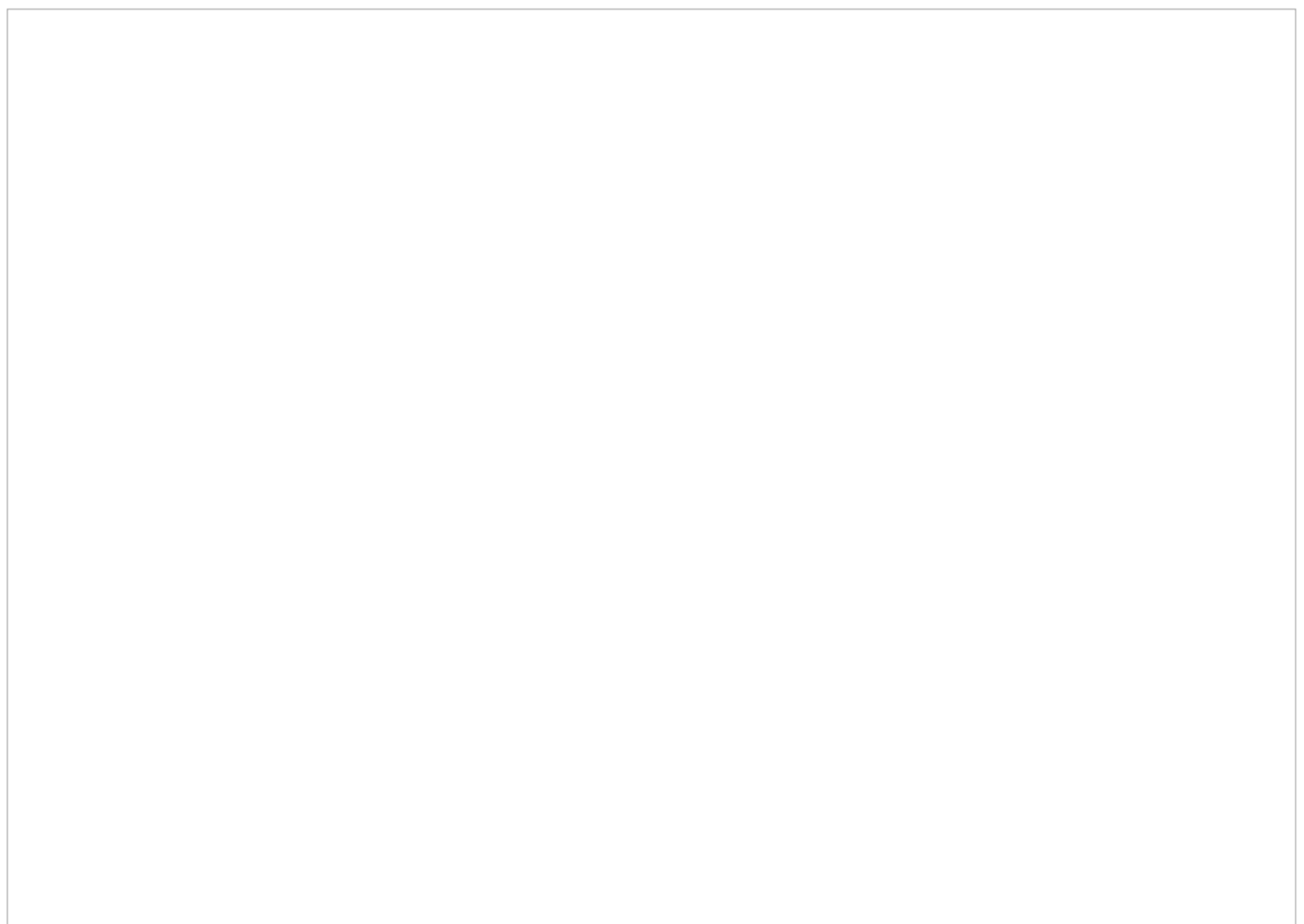
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Nguyen Nang Tinh supporting the then political prisoner Dang Xuan Dieu holding a sign that reads, "Fx Dang Xuan Dieu I accompany you." Private

(Bangkok) The [Vietnamese](#) authorities should drop all charges against human rights activist Nguyen Nang Tinh and immediately release him, Human Rights Watch said today. A court in Nghe An is scheduled to hear his case on November 15, 2019.

Police in Nghe An province arrested Nguyen Nang Tinh on May 29, and charged him with making, storing, disseminating or propagandizing information, materials and products that aim to oppose the State of the Socialist Republic of Vietnam, under article 117

of the countrys penal code. State-owned media announced the charges related to Facebook posts, many of which are critical of the government and Communist Party of Vietnam.

Nguyen Nang Tinh is the latest in a long line of dissidents targeted for posting information and criticism on Facebook, said [John Sifton](#), Asia advocacy director. The government is abusing its penal code to lock up citizens for doing nothing more than exercising their basic right to freedom of expression.

Trials of activists and critics for Facebook comments have become a regular feature in Vietnam. In June, an environmental activist, Nguyen Ngoc Anh, was [put on trial](#) for Facebook posts criticizing the government. A court upheld [his verdict](#) in November. In late September, another dissident, [Nguyen Quoc Duc Vuong](#), was arrested for Facebook posts criticizing the government and Communist Party.

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[Translated Excerpts from May 2019 Statement from Communist Party newspaper Nghe An](#)

Nguyen Nang Tinh, 43, was a music lecturer at Nghe An provinces College of Culture and Art. On Facebook, he previously voiced support for political prisoners including [Le Dinh Luong](#), [Tran Huynh Duy Thuc](#), [Nguyen Van Hoa](#), [Ho Duc Hoa](#), [Nguyen Huu Vinh](#) (also known as Anh Ba Sam; who completed his prison term in May 2019), and now-in-exile activists [Nguyen Van Dai](#) and [Dang Xuan Dieu](#).

He also posted an image of a protest against a new draft law on a special economic zone, and protests against Formosa Ha Tinh Steel, a Taiwanese company that dumped toxic waste into the ocean, which caused an environmental disaster off Vietnams central coast in April 2016. Videos on YouTube show him teaching children a song about human rights written by a former political prisoner, [Vo Minh Tri](#) (also known as Viet Khang). He has also supported the Vinh Human Development Fund, a Catholic charity, and raised money to help the poor.

After the police arrested Nguyen Nang Tinh in May, the newspaper *Nghe An*, a mouthpiece of the communist partys branch in Nghe An province, issued a statement about the case that made clear that the governments purpose was to frighten other casual critics into silence. The paper wrote that his posts, Tak[e] advantage of the so-called freedom of speech, distort the guidelines and policies of the Party and the State distort history; smear the leaders; and infringe [upon] the peoples administration and the socialist regime, with the aim to oppose the State of the Socialist Republic of Vietnam and infringe upon the interests of the State and the legitimate rights and interests of individuals and organizations.

The article also said the arrest was a wake-up call to other subjects who are plotting activities against the State and activities that go contrary to national interests and traditions, and a lesson for netizens, including civil servants, to show more vigilance about what material they share and take care not to press the like/love reactions indiscriminately.

Nguyen Nang Tinh has previously been the victim of [violence by thugs](#) in May 2014 and November 2015 most likely carried out by police in civilian clothes. At the first beating, uniformed police were present and did nothing to intervene.

Article 117 gives authorities wide latitude to decide what speech is intended to oppose the state and is often used against simple criticism of the state or communist party, in contravention to freedom of expression guarantees in Vietnams constitution and international treaty obligations.

Nguyen Nang Tinh's trial was originally scheduled for October 17. His defense lawyer, [Nguyen Van Mieng](#), said his team only received a 10-day advanced notice of the trial, through an October 7 phone call. The lawyers tried to visit the court and access Nguyen Nang Tinh's case file on October 11, but were kept waiting and then only allowed to view his enormous file reportedly containing more than 1,000 pages for one hour, with no opportunity to copy pages and could only take notes. Nguyen Nang Tinh's defense team filed a complaint with the court, asking for a postponement, which was granted. On October 13, the court [rejected the lawyers requests](#) to copy the file, citing that the documents are state top secret and utmost secret.

The best proof that Vietnam is prosecuting Nguyen Nang Tinh for exercising his freedom of speech is that they're preventing him from making a defense, said Sifton. It seems that for the Vietnamese government, Nguyen Nang Tinh's statements are so incendiary they must be hidden not just from the Vietnamese people, but from his own legal team.

Concerned governments and donors, as well as Facebook and other internet companies operating in Vietnam, should speak out publicly against cases in which dissidents are imprisoned for posting material on social media, Human Rights Watch said.

Facebook's users in Vietnam are being jailed simply for using the platform as it was intended: to communicate information and opinions to other users, Sifton said. Concerned countries and social media companies should speak out.

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