

VIETNAM

## **Blogger and Human Rights Defender Nguyễn Ngọc Như Quỳnh**



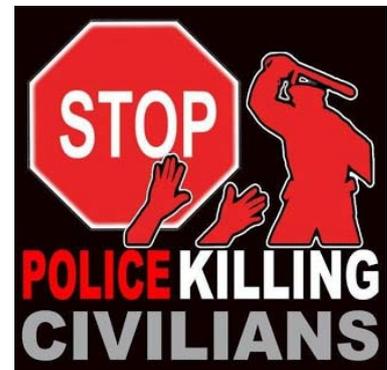
NGUYEN Ngoc Nhu Quynh, a human rights defender known as *Blogger Mother Mushroom*, was arrested on October 10, 2016 in Nha Trang City, under the charge of "spreading propaganda against the State".<sup>1</sup> Subsequently the police searched her home and confiscated her computer, I-pad, mobile phone, hard disks, USB sticks, photo camera, film camera, sound recorder and several documents. According to the authority she is being held in the Detention Camp of the Public Security of Khánh Hòa Province. She is held incommunicado, i.e. has no access to a lawyer and family visits. A Catholic she is not allowed to receive a Bible. If convicted, she can face up to twelve years imprisonment.

Eyewitnesses reported that the blogger was arrested at the Sông Lô prison in Nha Trang City on October 10, 2016, while accompanying the mother of a political prisoner. The latter has not been allowed to visit her son since his arrest in August 2015 and even after his sentencing in August 2016, and has not been allowed to send him any food while prisoners do not receive adequate food in prison. State media reported that Mrs. Nhu Quynh had used Livestream to broadcast the interview with the mother in front of the prison on her Facebook.<sup>2</sup> She was then escorted home by public security for house search.

Mrs. Nhu Quynh, born in 1979, is a founding member of the Vietnamese Blogger Network. She belongs to a politically mature post-war generation who, despite state censorship and reprisals, raises its voice against human rights violations, environmental pollution, government misconduct and social injustice via blogs and social media on the Internet. Seventeen times between 2009 and 2016, the mother of two children was arrested, interrogated or even beaten up. She is considered a fearless and respectable human rights defender whose work was honored by many international human rights organizations. After her arrest, the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, urged her immediate release.<sup>3</sup>

### **Charge of "Spreading propaganda against the State"**

State media in Vietnam quoted public security's sources for the arrest of Mrs. Nhu Quynh. Thereafter the investigating authorities had evaluated some 400 articles on Nhu Quynh's Facebook and classified them as "*abusing democratic freedoms, inciting people against the government and the regime, endangering national security, social security and public order*". The articles of Nhu Quynh had "*presented a one-sided and pessimistic view that provokes confusion and worries, and affected the faith of the people (into the government)*." The report *Stop police killing civilians*, whose authorship was assigned to Mrs. Nhu Quynh, was cited as an example.<sup>4</sup>



The report, which appeared in 2014 with a synopsis of the UN Convention against Torture, compiled 31 cases of deaths in police custody. Information about the cases was taken exclusively from state media and sourced with internet links. By that time, even the so-called Standing Committee of the Vietnamese National Assembly recorded 226 deaths in police custody between 2012 and 2014.<sup>5</sup> Notwithstanding this, according to the public security, the above mentioned report had led "*the readers to misunderstand the cause of the problems and the good nature of the People's Police, and thus affected the relationship between the people and the police.*"<sup>6</sup> Such and similar arguments were used by state media to justify the criminal liability of the blogger.

### **Her focus on human rights**

Blogger Mother Mushroom is known for effective actions for human rights in public. For example, she distributed the Universal Declaration of Human Rights and released green balloons with the inscription

Our Human Rights have to be protected in her hometown in May 2013. In July 2013, she launched a campaign against article 258 of the Vietnam's Penal Code on "abusing democratic freedoms" which is used to silence dissidents in Vietnam. In December 2013, she drew the public attention to the UN Convention against Torture after Vietnam had signed it. In early 2014 she initiated meetings under the name *Human Rights Cafés*, in which young people discussed the right to free movement, to leave the country and freedom from torture.

In 2015, she launched the campaign *We are One* to demonstrate unity in the struggle for human rights. In December 2015 she participated in the "Human Rights Challenge" campaign of the German embassy in Hanoi. She showed up with the banner *"I support Human Rights because: Without Human Rights there will be no Freedom and no Democracy"* in front of the market square of Nha Trang City. Being fluent in English, she provided valuable reports to the United Nations, foreign embassies and human rights organizations.

For her human rights work she was awarded the "Hellman Hammett Award" by Human Rights Watch in 2010 <sup>7</sup> and the "Civil Rights Defender of the Year Award" by Civil Rights Defenders in 2015 <sup>8</sup>. But she was not allowed to leave Vietnam to receive the prizes.

## Her focus on environmental protection

Very early on, the mother of two children in primary-school ages (see picture taken at a demonstration against fish dying in 2016) engaged with the movement against environmental pollution which had been until then neglected in Vietnam. In July 2009 she had T-shirts printed and distributed with the inscription "No Bauxite" to object the government's licence for a Chinese company that mined bauxite on the central highlands despite the protests of the population. She was then imprisoned for ten days because of "abusing democratic freedoms" and later had to quit her work at a state tourist company under pressure of the security authorities. In 2016 and until her arrest, she was one of the leaders of the nationwide campaign against an environmental disaster caused by industrial waste that led to huge mass fish deaths in coastal waters. Many fishermen have lost their livelihood. She criticized the government's lack of transparency and speedy agreement with Formosa, a Taiwanese-Chinese company, without really investigating the causes of fish dying.



### VETO! urges the Vietnamese government to:

- **Immediately and unconditionally release the human rights defender and blogger Nguyen Ngoc Nhu Quynh;**
- **Stop the incommunicado detention against Nguyen Ngoc Nhu Quynh;**
- **Remove Art. 88 Vietnam's Penal Code on „spreading propaganda against the Socialist State Vietnam“;**
- **Comply with obligations under Art. 19 on the right to freedom of expression of the International Covenant on Civil and Political Rights of which Vietnam is a state party;**
- **Protect human rights defenders against threats to health and life.**

<sup>1</sup> Blogger Nguyen Ngoc Nhu Quynh accused and arrested, Khánh Hòa Newspaper, Oct. 10, 2016, <http://m.baokhanhhoa.com.vn/phap-luat/201610/co-quan-an-ninh-dieu-tra-cong-an-tinh-khanh-hoa-khoi-to-bat-tam-giam-blogger-nguyen-ngoc-nhu-quynh-2454671/index.htm>

<sup>2</sup> Blogger Nguyen Ngoc Nhu Quynh arrested for propaganda against the state, Tien Phong Newspaper, Oct. 10, 2016, <http://www.tienphong.vn/phap-luat/tuyen-truyen-chong-nha-nuoc-blogger-nguyen-ngoc-nhu-quynh-bi-bat-1060602.tpo>

<sup>3</sup> UN Human Rights Chief urges Viet Nam to halt crackdown on bloggers and rights defenders, OHCHR, 14.10.2016: <http://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20679&LangID=E>

<sup>4</sup> Report „Stop Police Killing Civilians“, Vietnamese Bloggers Network, 21.4.2016, <http://mangluoblogger.blogspot.de/2014/04/tap-tai-lieu-ve-tinh-trang-cong-dan.html>

<sup>5</sup> 226 deaths in police custody in three years, Thanh Niên Newspaper, 19.3.2015: <http://www.thanhnien.com.vn/chinh-tri-xa-hoi/ba-nam-co-toi-226-nguoi-chet-trong-trai-tam-giam-tam-giu-542959.html>

<sup>6</sup> Vietnamese blogger arrested for anti-state propaganda , Tuoi Tre News, 11.10.2016: <http://news.com.vn/life-and-laws/criminal/279796-vietnamese-blogger-arrested-for-anti-state-propaganda.html>

<sup>7</sup> Banned, Censored, Harassed, and Jailed - Hellman/Hammett Grants Honor 42 Writers for Courage Facing Political Persecution, Human Rights Watch, 4.8.2010: <https://www.hrw.org/news/2010/08/04/banned-censored-harassed-and-jailed>

<sup>8</sup> Civil Rights Defender of the Year 2015 – Nguyễn Ngọc Như Quỳnh, Civil Rights Defenders, 10.4.2015: <https://www.civilrightsdefenders.org/uncategorized/civil-rights-defender-of-the-year-award-goes-to-ms-nguyen-ngoc-nhu-quynh/>