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RE: Addressing Human Rights Absuses During Vietnam's To Lam's Visit

Dear President Costa and President von der Leyen,

We are writing to urge you to raise grave concerns over the Vietnamese government's intensifying repression during the upcoming visit to Brussels of To Lam, Vietnam's President and Communist Party General Secretary. Specifically, we urge you to emphasize how ongoing human rights violations, including labor rights abuses, breach not only Vietnam's international obligations, but also those undertaken in bilateral deals with the EU, and to lay out consequences for persistent non-compliance.

Article 1 of the EU-Vietnam [Partnership and Cooperation Agreement](#) (PCA) identifies respect for human rights as an “[essential element](#)” of the agreement, and the 2020 EU-Vietnam Free Trade Agreement (EVFTA) includes a series of binding and enforceable human rights, labor rights and environmental [obligations](#). In 2019, before the European Parliament's vote on consent to the EVFTA, Vietnam pledged to ratify International Labour Organisation (ILO) Convention No. 87 on Freedom of Association and Protection of the Right to Organise by 2023, but has yet to do so. Vietnam also claimed to have undertaken several key reforms to its labor laws, most notably, amending its Labor Law and Trade Union Law ostensibly to allow the existence of independent worker representative organizations—nascent factory-unions. But the government then took no further actions to implement these reforms or issue regulations to allow these entities to form. No independent worker organizations have since formed, and seven years after the finalization of the EVFTA, no independent trade unions exist.

The EU has taken no action in response to Vietnam's repeated breaches of its EVFTA-related obligations and pledges; instead, in January it [upgraded](#) bilateral relations.

The Vietnamese government has sharply intensified its repression of basic freedoms over the past 10 years. This is a period during which To Lam served first as [Minister](#) of Public Security (2016-2024), and since then both as President and General Secretary of the Communist Party, in an unprecedented consolidation of power that further reduced the government's limited checks and balances. On To Lam's watch, the Vietnamese police launched a far-reaching crackdown that decimated the country's civil society, stepped up [transnational repression](#), and [expand the scope and use of draconian laws](#) that criminalize the exercise of freedom of expression in contravention of Vietnam's international human rights obligations.

There are now [more than 160 political prisoners](#) in Vietnam, jailed in squalid conditions for exercising their right to freedom of expression or for peaceful human rights, democracy and/or climate activism. Sentences follow grossly unfair trials, often marred by public “confessions” extorted through torture or other ill-treatment. Human Rights Watch [has documented](#) how the Vietnamese authorities are increasingly using a vague, overbroad, and abusive provision of the Penal Code (article 331) on prohibiting the “abuse of democratic freedoms,” both to silence prominent activists and to retaliate against ordinary people who complain about poor services, corruption, or police abuse.

The 2016 Press Law commands that the press must serve as the voice of the Communist Party, its organizations and state agencies. Vaguely defined laws prohibiting acts such as “disseminating anti-state propaganda” or the “abuse” of democratic freedoms are used to arbitrarily detain independent journalists, bloggers, online commentators, and human rights defenders, who are regularly held incommunicado during pre-trial stages over prolonged periods of time.

[Vietnam’s Cybersecurity Law](#) (2018), [Decree 147/2024](#), and [Personal Data Protection Law](#) require foreign platforms to localise data, and fulfil takedown and disclosure demands within 24–48 hours or risk fines and bandwidth throttling. Compliance rates are alarming, nearing 100% for [Meta](#), [YouTube](#) and [TikTok](#) indicating systematic platform co-operation with censorship and surveillance, which creates serious human rights compliance risk for the tech sector, including EU companies.

We urge you to publicly and privately voice concerns about Vietnam’s worsening record during To Lam’s visit and press the Vietnamese government to:

- **Unconditionally release all persons detained for exercising rights to freedom of expression, association, religion and assembly**, including rights activists such as [Pham Doan Trang](#) and [Pham Chi Dung](#); and others named in the appendix below, many of whom have serious health problems.”
- **Repeal vaguely worded and overbroad “national security” provisions and other provisions in the Vietnamese Penal Code** that have been used to prosecute individuals for peaceful dissent, including: “abusing democratic freedom” (article 331); “sabotaging the unity policy” (article 116); and “propaganda against the state” (article 117).
- **Take meaningful steps to implement labor reforms to allow independent labor unions to be formed**, both in law and in practice, and end intimidation and retaliation against workers who attempt to organize for labor rights protections outside of government-controlled mechanisms.
- **Promptly ratify International Labour Organization (ILO) Convention No. 87 and genuinely engage with the ILO to reform laws and policies** as necessary to ensure the proper implementation of ILO Convention No. 98, which Vietnam has ratified, on the right to organize and engage in collective bargaining.
- **Amend the Criminal Procedure Code to ensure the due process and fair trial rights of all criminal suspects**, including prompt and unhindered access to legal counsel throughout the investigation period, which exposes detainees to an increased

risk of torture and other ill-treatment and undermines the principles of due process of law and right to a fair trial.

- **Align Decree 147/2024 and the Personal Data Protection Law** with international privacy and expression standards.
- **Cease all acts of transnational repression** against Vietnamese nationals and members of the diaspora both in the region and in Europe.

We thank you in advance for your attention to our requests and stand ready to discuss these issues with you or your teams in preparation for the visit.

Sincerely,

Article19 APA

Asian Forum for Human Rights and Development (FORUM-ASIA)

Christian Solidarity Worldwide (CSW)

Freedom Press Unlimited (FPU)

Human Rights Foundation (HRF)

Human Rights Watch (HRW)

International Commission of Jurists (ICJ)

International Federation for Human Rights (FIDH)

People in Need (PIN)

PEN America

Quê Me: Vietnam Committee on Human Rights (VCHR)

Vietnamese Advocates for Change (VAC)

World Organisation Against Torture (OMCT)

Appendix: Vietnam's Entrenched Authoritarianism and Worsening Abuses

Political Prisoners

The Vietnamese government frequently uses vaguely worded and loosely interpreted provisions in Vietnam's penal code and other laws to prosecute and imprison journalists and peaceful political and religious activists. These include "undermining the unity policy" (article 116), "making, storing, disseminating or propagandizing information, materials and products that aim to oppose the State of the Socialist Republic of Vietnam" (article 117), and "abusing the rights to democracy and freedoms to infringe upon the interests of the State, the legitimate rights and interests of organizations, individuals" (article 331).

During the first nine months of 2026, courts convicted and sentenced at least 28 activists to many years in prison including prominent bloggers [Hoang Thi Hong Thai](#) and [Huynh Ngoc Tuan](#). Police arrested at least 39 other people for criticizing the government.

We urge you to raise the following cases of prisoners held for exercising their basic rights. Several are suffering from severe health issues. All those arbitrarily detained should be immediately and unconditionally released.

- [Can Thi Theu](#), land rights activist
- [Hoang Duc Binh](#), labor activist
- [Le Dinh Luong](#), democracy campaigner
- [Le Huu Minh Tuan](#), independent journalist
- [Nguyen Trung Ton](#), democracy campaigner
- [Nguyen Tuong Thuy](#), independent journalist
- [Nguyen Van Tuc](#), democracy campaigner
- [Pham Chi Dung](#), independent journalist
- [Pham Doan Trang](#), writer and human rights advocate
- [Tran Duc Thach](#), democracy campaigner
- [Tran Van Bang](#), democracy campaigner
- [Trinh Ba Phuong](#), land rights activist
- [Trinh Ba Tu](#), land rights activist

Repression of Labor Rights

Vietnam has not ratified ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organise, despite pledging to do so by the end of 2023. It has also made little progress in fulfilling obligations under ratified conventions, including ILO Convention No. 98 on collective bargaining, or in guaranteeing workers' rights to form and operate independent trade unions.

Although the authorities claim to support worker representation, independent unions are not allowed in practice. The Vietnam General Confederation of Labor (VGCL), described by the government as a labor confederation, is not independent. Its leadership is appointed by the government or the Communist Party of Vietnam, while unions within its structure are generally led by individuals approved by management.

The government also argues that the 2021 Labor Code permits independent worker organizations at the enterprise level. However, no such organizations are known to exist. Authorities have not issued the regulations or established the legal and administrative processes necessary for their registration and operation.

The absence of implementing regulations, together with provisions of the Trade Union Law, suggests that the government intends to maintain worker representation under the control of the VGCL rather than allow genuinely independent trade unions.

State control is further reflected in Communist Party Directive 24, which calls for increased scrutiny of labor groups, civil society organizations, and foreign actors, particularly in connection with international trade agreements and engagement with the ILO.

Official media have portrayed independent unions as “hostile forces” seeking to undermine the political system. Combined with arrests of labor activists and restrictions on independent labor organizing, these policies raise serious concerns about Vietnam’s commitment to freedom of association and internationally recognized labor rights.

Freedom of Religion or Belief

The Vietnamese government restricts religious practice through legislation, registration requirements, surveillance, and harassment. Religious groups must obtain government approval, register, and operate under state-controlled management boards. While many government-affiliated churches and pagodas are permitted to function, authorities often ban activities they deem contrary to the “national interest,” “public order,” or “national unity.” The government labels groups such as Dega Protestants, Ha Mon Catholics, and Falun Gong as *ta dao* (“evil religion”) and harasses their followers.

Police monitor and sometimes violently suppress religious groups outside state-controlled institutions. Unrecognized groups such as the Unified Buddhist Church of Vietnam (UBCV), Khmer Krom Buddhists, many Protestant house churches, independent Hoa Hao or Cao Dai face persistent surveillance, intimidation, forced renunciations of faith, detention, interrogation, torture, and imprisonment.

A revised Law on Beliefs and Religions, approved in April and effective January 2027, replaces the 2016 law but adds concerns, including greater state surveillance and control of online religious activities.