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Vietnam: Land rights defenders Can Thi Theu and Trinh Ba Tu sentenced

On 5 May 2021, the Hoa Binh Provincial Court sentenced woman human rights defender **Can Thi Theu** and her son, human rights defender **Trinh Ba Tu** to eight years' imprisonment and three years' probation. Both human rights defenders were convicted under Article 117 of the Criminal Code, which relates to conducting anti-state propaganda. Can Thi Theu and Trinh Ba Tu are both currently detained in Hoa Binh province prison camp.

[Can Thi Theu](#) is a land rights defender who has been campaigning against and documenting land seizures in Hanoi and surrounding provinces since her family farm was confiscated in 2007. She has previously been beaten and imprisoned as a result of her activities calling for adequate compensation for the confiscation of land in Vietnam. Since 2007, Can Thi Theu has also assisted others to defend their land and highlight the government's expropriation of land at disproportionate prices. All land in Vietnam is technically owned by the state and citizens only have the right to use the land, which has led to thousands of people having land they have farmed for years being taken from them and being compensated with meagre sums. [Trinh Ba Tu](#) is a land rights defender who actively advocates against the confiscation of lands in the country. He first began his human rights activism at a young age, calling for the release of his parents, both land rights defenders, from prison. The human rights defender has also been vocal on the issue of democracy in Vietnam.

On 5 May 2021, the Hoa Binh Provincial Court sentenced Can Thi Theu and Trinh Ba Tu to eight years' imprisonment, in addition to three years' probation. The human rights defenders were both convicted under Article 117 of Vietnam's Penal Code, which criminalises the 'making, storing, distributing or disseminating of information, documents and items against the Socialist Republic of Vietnam'. Can Thi Theu and Trinh Ba Tu were arrested on 24 June 2020, along with human rights defenders Nguyen Thi Tam and Trinh Ba Phuong – brother of Trinh Ba Tu and son of Can Thi Thieu -, in relation to their online advocacy in response to a land grabbing issue in the village of Dong Tam in January 2020, which resulted in the killing of a village leader. When Can Thi Theu and Trinh Ba Tu were arrested, their homes were also searched and several items were seized. Neither of the human rights defenders were granted access to their lawyers until March 2021, whilst Trinh Ba Phuong and Nguyen Thi Tam have not yet been given access to legal counsel since their arrest. All four human rights defenders have a strong social media presence and are vocal on human rights violations in the region, specifically on land rights.

The case in which the human rights defenders have been convicted relates to eight videos posted on social media, allegedly defaming the Vietnamese Communist Party and spreading false information about the incident in Dong Tam. The case also mentions that the human rights defenders were in possession of several banned books. Can Thi Theu, Trinh Ba Tu, Trinh Ba Phuong and Nguyen Thi Tam have been the [target](#) of judicial harassment for several years, having been arrested and detained several times.

In November 2020, UN experts expressed [serious concern](#) in response to the arrest of human rights defenders Can Thi Theu, Trinh Ba Tu, Trinh Ba Phuong and Nguyen Thi Tam in a letter to the Vietnamese authorities. The conviction of Can Thi Theu and Trinh Ba Tu follows the recent [arrest](#) of woman human rights defender Nguyễn Thúy Hạnh, and [sentencing](#) of four other human rights defenders, Nguyen Tuong Thuy, Le Huu Minh Tuan, Pham Chi Dung and woman human rights defender [Đinh Thị Thu Thủy](#), under the same charges of Article 117 of the Penal Code. On 14 January 2021, UN experts also publicly [condemned](#) the arrests of these human rights defenders and journalists, and the dangerous and blatant usage of Article 117 of the Penal Code to silence critical voices and further restrict the right to freedom of expression in the country.

Front Line Defenders condemns the conviction and sentencing of of land rights defenders Can Thi Theu and Trinh Ba Tu in reprisal for their advocacy in response to the Dong Tam incident and land rights more broadly. It is concerned about the shrinking space for exercising the right to freedom of expression in the country and the ongoing judicial harassment of land rights defenders. Front Line Defenders believes that both Can Thi Theu and Trinh Ba Tu, like many other human rights defenders who have been arrested, are being targeted solely for their peaceful work in defence of human rights in Vietnam.

Front Line Defenders urges the authorities in Vietnam to:

1. Immediately and unconditionally release Can Thi Theu, Trinh Ba Tu, Trinh Ba Phuong and Nguyen Thi Tam, and drop the charges against them, as Front Line Defenders believes that they are being targeted solely as a result of her legitimate and peaceful work in the defence of human rights;
2. Grant Trinh Ba Phuong and Nguyen Thi Tam immediate and unfettered access to their family and lawyers;
3. Guarantee in all circumstances that all human rights defenders in Vietnam are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions including police and judicial harassment.

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