

September 14, 2022

UN Human Rights Council
Palais des Nations
CH-1121 Geneva 10, Switzerland

Re: Vietnam's Nomination as a New Member of the Council

Dear Members of the United Nations Human Rights Council:

As you begin your 51st session, we the undersigned 52 Goldman Environmental Prize laureates are writing to share our concerns as you consider whether to admit Vietnam as a new member of the UNHRC.

Today, our fellow Goldman Environmental Prize winner, [Nguy Thi Khanh](#), is serving a two-year prison sentence in Vietnam for the alleged crime of tax evasion. Over the last 10 years, Ms. Khanh has worked cooperatively with the government of Vietnam to pioneer strategies that helped lay the foundation for the country's ambitious climate goals, including Prime Minister Pham Minh Chinh's commitment to [net zero emissions by 2050](#) made last November at the UN Climate Conference (COP 26). Ms. Khanh has worked tirelessly to moderate Vietnam's coal expansion plans, raise public awareness about the impact of coal plant emissions on air quality, and advance the use of renewable energy sources in Vietnam.

In addition to Ms. Khanh, three other environmental leaders are also in prison in Vietnam on tax-related charges, including environmental lawyer Dang Dinh Bach, formerly the Director of the Law and Policy of Sustainable Development Research Center, who is serving [five years](#) in prison. Mr. Bach worked to protect marginalized communities from harmful pesticides and pollution from coal power plants and, like Ms. Khanh, has always respected and worked within the Vietnamese legal system.

The UN Special Rapporteurs on the Rights to Freedom of Peaceful Assembly and Association and on the Promotion and Protection of the Right to Freedom of Opinion and Expression have found that [Vietnam's tax laws are incompatible with human rights norms](#), and are being used to silence leaders of nonprofit organizations, including Ms. Khanh and Mr. Bach, who were working to ensure that the government implements its climate and environmental promises. The same Special Rapporteurs warned that the threat of a long prison sentence and vagueness about what constitutes a tax violation encourages self-censorship and stifles discussion on matters of public interest.

Indeed, these arrests have raised concern that more environmental defenders could face criminal prosecution and imprisonment.

Ms. Khanh, Mr. Bach, and the other environmental defenders currently imprisoned in Vietnam have dedicated their lives to creating a clean, healthy, and sustainable environment, which was [declared a universal human right by the UN General Assembly last year](#). With these experts behind bars and concerns about the possibility of more arrests, how will Vietnam uphold this universal right?

Furthermore, these prisoners are being held in detention with little or no access to lawyers or family, which is not only excessive for individuals charged with tax evasion, but also illegal under international law.

In 2019, the UNHRC conducted a Universal Periodic Review which [provided a substantial list](#) of recommendations on how to improve the human rights situation in Vietnam, including the need to reform domestic laws which unduly restrict freedom of press and association. In announcing its candidacy to this Council, the Vietnamese government voluntarily pledged "to strengthen provisions of international human rights treaties into its national laws."

To demonstrate its sincerity, Vietnam should act immediately by revising its tax code so that it can no longer be used as a tool to silence civil society voices; and by releasing Ms. Khanh, Mr. Bach, and the other environmental defenders prosecuted under these unjust laws. In the meantime, these jailed leaders should have regular access to their lawyers and family members. Until then, we do not believe that Vietnam meets your criteria of upholding "[high human rights standards](#)" and we urge you to vote against the country's membership into your Council when it comes before the General Assembly.

Ms. Khanh's sentencing has been met with international condemnation, including by the governments of the [United States](#), [Canada](#), Germany, the [United Kingdom](#), and the European Union, as well as NGOs and civil society organizations around the world—all of which have called for her release.

Unfortunately, many Goldman Prize winners have been arrested and jailed in the past by governments around the world. We have all faced uphill battles in our efforts to protect our planet and catalyze change. What's happening in Vietnam is just the tip of the iceberg. We urge you to use this as an opportunity to demonstrate not only to Vietnam, but to all countries, that the criteria for obtaining an esteemed membership on the Human Rights Council are taken seriously, and that the international community is watching.

Thank you for your consideration of this urgent matter.

Sincerely,

Rudolf Amenga-Etego (Ghana, 2015)

Ikal Angelei (Kenya, 2012)

Randall Arauz (Costa Rica, 2010)

Marilyn Baptiste (Canada, 2015)

Alfred Lahai Gbabai Brownell (Liberia, 2019)

Giorgos Catsadorakis (Greece, 2001)

Evgenia Chirikova (Russia, 2012)

Yul Choi (South Korea, 1995)

Nalleli Cobo (United States, 2022)

Paul Allen Cox (Western Samoa, 1997)

Desmond D'Sa (South Africa, 2014)

Wadja Egnankou (Ivory Coast, 1992)

Tarcísio Feitosa (Brazil, 2006)

Anna Giordano (Italy, 1998)

Małgorzata Górská (Poland, 2010)

Von Hernandez (Philippines, 2003)

Kimiko Hirata (Japan, 2021)

Christine Jean (France, 1992)

Hilton Kelley (United States, 2011)

Manana Kochladze (Georgia, 2004)

Makoma Lekalakala (South Africa, 2018)

Jesús León (Mexico, 2008)

Jadwiga Lopata (Poland, 2002)

Alex Lucitante (Ecuador, 2022)

Thuli Makama (Swaziland, 2010)

Alexandra Narvaez (Ecuador, 2022)

Ricardo Navarro (El Salvador, 1995)

Alexander Nikitin (Russia, 1997)

Claire Nouvian (France, 2018)

Oscar Olivera (Bolivia, 2001)

Juan Pablo Orrego (Chile, 1997)

Leng Ouch (Cambodia, 2016)

Bobby Peek (South Africa, 1998)

Rudi Putra (Indonesia, 2014)

Nat Quansah (Madagascar, 2000)

Humberto Ríos Labrada (Cuba, 2010)

Prafulla Samantara (India, 2017)

Feliciano dos Santos (Mozambique, 2008)

Heffa Schücking (Germany, 1994)

Albena Simeonova (Bulgaria, 1996)

Andrew Simmons (St. Vincent and the Grenadines, 1994)

Ursula Sladek (Germany, 2011)

Ignace Schops (Belgium, 2008)

Munkhbayar Tsetsegee (Mongolia, 2007)

Julien Vincent (Australia, 2022)

Ka Hsaw Wa (Myanmar, 1999)

Cath Wallace (New Zealand, 1991)

Jean Wiener (Haiti, 2015)

Chima Williams (Nigeria, 2022)

Craig Williams (United States, 2006)

Howard Wood (Scotland, 2015)

Svet Zabelin (Russia, 1993)