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# JOINT SOLIDARITY STATEMENT

SILENCING VOICES, SACRIFICING  
PRIVACY: THE MENACE OF VIETNAM'S  
DRAFT DECREE ON SOCIAL MEDIA  
VERIFICATION







## Joint Solidarity Statement

### Silencing Voices, Sacrificing Privacy: The Menace of Vietnam's Draft Decree on Social Media Verification

August, 11 2023

We, Manushya Foundation, ALTSEAN-Burma, Cambodian Center for Human Rights, ELSAM, Foundation for Media Alternatives, Free Expression Myanmar, ILGA Asia, SAFEnet, The 88 Project, and Women’s Peace Network, as the [ASEAN Regional Coalition to #StopDigitalDictatorship](#), stands in solidarity with the Vietnamese population whose right to privacy and to freedom of expression are gravely endangered by the drafted [Decree Number 72/2013/ND-CP](#), proposed by the Ministry of Information and Communications. This decree is a tool that will turn the online space into an intrusive realm of surveillance and control by requiring social media accounts to be verified with real names and contact information.[1] In the name of combating human trafficking and fraud, the Vietnamese government is more than willing to blatantly infringe a fundamental right: the right to privacy represents the essence of human dignity, intricately connected to safeguarding human autonomy and individual identity.[2]

By the end of 2023, the awaited amendment to Decree 72, which addresses the management, provision, and usage of internet services and online information, is planned to be officially promulgated. This new amendment is yet another step of the Vietnamese government to control the digital sphere as it closely follows the implementation of Decree 53, known as the Guiding Cybersecurity Law, which came into effect in October 2022. More precisely, as part of Decree 53, international platforms are required to store data within Vietnam's borders and establish local offices if requested by the Vietnamese government.[3]

Vietnam has been actively implementing various social media regulations to tighten its control over online content and social media platforms.[4] The United Nations Human Rights Committee, which oversees the International Covenant on Civil and Political Rights (ICCPR), has expressed serious concerns regarding the human rights situation in Vietnam. Of particular concern is the arbitrary arrest, detention, and incommunicado detention without charges faced by human rights defenders, activists, and religious leaders in the country. Online activists from



civil society have also been subjected to detainment and prosecution merely for expressing criticism of State authorities or policies.

We **advocate for solutions that balance security concerns with the preservation of individual rights and freedoms**. We firmly believe that access to the internet should not come at the cost of sacrificing personal privacy and anonymity, nor should it be used as a tool to silence dissenting voices and suppress political, social, or religious discussions. This intrusive proposal, that will attach the personal information of all Vietnamese citizens to their social media accounts, is a severe and shocking legislation that, if adopted, would violate their right to privacy.

**Beyond infringing on the right to privacy**, the amendment will also pose a direct threat to the full exercise of the right to freedom of expression. Anonymity is a shield, protecting human rights defenders and activists from arbitrary and unjustified repression. By implementing mandatory identity-verified social media accounts, they will no longer be able to rely on this protection.

In the context of collection of personal information, certain facets of privacy hold paramount significance including informational privacy.[5] The information collected by the social media platforms will be additional data available to the Vietnamese government to implement further online surveillance, and silence dissenting voices.

The introduction of real-identity verification requirements adds to the fear that Vietnamese authorities may increase their surveillance of telecommunications and online activities, leading to further restrictions on freedom of expression. This situation raises significant concerns about the protection of fundamental human rights in Vietnam. The restriction of Vietnamese ability to speak up anonymously in the online sphere would lead to democracy setbacks and at the same time the higher risk of disinformation spreadings when Vietnam's Force 47 for the Army's Online Information Warfare continues to engage the campaign.

We urge the Vietnamese government to fulfill its obligation to international human rights norms safeguarding the right to privacy as enshrined in Article 12 of the [Universal Declaration of Human Rights](#) (UDHR) and Article 17 of the [International Covenant on Civil and Political Rights](#) (ICCPR). Furthermore, let's keep in mind that the new Decree 17 will also infringe on the right



to freedom of expression, as demonstrated previously. This right is enshrined in both Article 19 of the [UDHR](#) and Article 19 the [ICCPR](#). This mandated real-identity verification is neither necessary nor proportionate to the stated aim of the amendment. As a matter of fact, the proposed amendment will not be limited to accounts suspected of human trafficking but all social media accounts, without any discrimination. This is why, this amendment will infringe, unlawfully on the right to freedom of expression.

In light of these concerns, the **ASEAN Regional Coalition to #StopDigitalDictatorship** calls on the Vietnamese government to:

- Refrain from adopting the drafted decree proposed by the Ministry of Information and Communications;
- Put an end to the endeavors to repress freedom of expression and information, association, hold assembly, the right to privacy and the non-discrimination principle;
- Uphold the legal international standards as state party by complying and fulfilling the international human rights obligations incumbent on Vietnam;
- Repeal or amend laws and regulations that restrict freedom of expression and endanger the right to privacy which are key to foster a safe digital space and an effective democracy and to bring them in line with Articles 19 of the UN Declaration on Human Rights (UDHR) and of the International Covenant on Civil and Political Rights (ICCPR) and Article 12 of the UDHR and 17 of the ICCPR.

Finally, in line with the United Nations Guiding Principles on Business and Human Rights (UNGPs)[6], **we call on tech companies and social media platforms** to put in place measures that will ensure compliance with international human rights standards that place a responsibility on companies to respect human rights by avoiding actions that adversely impact human rights.

***For more information about joining our regional campaign to #StopDigitalDictatorship in Southeast Asia, and to support our work to restore digital democracy in the region, access our online campaign at:***

***<https://www.manushyafoundation.org/stop-digital-dictatorship-campaign>***



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**Endnotes:**

[1] The Vietnamese, “Safeguarding Security or Infringing on Privacy? Vietnam’s Social Media Account ID Proposal”, (26 July 2023), available at : <https://www.thevietnamese.org/2023/07/safeguarding-security-or-infringing-on-privacy-vietnams-social-media-account-id-proposal/> ;

ID Central, “What does Vietnam’s mandatory ID law mean for social media? | Insights on privacy, censorship & user impact”, available at: <https://www.idcentral.io/blog/vietnam-mandatory-identity-verification-law-2023/>

[2] Committee on the Rights of the Child, general comment No. 25 (2021), para. 67

[3] OpenNet Korea, “[Joint Statement] Viet Nam’s Identity Verification Mandate will Violate International Human Rights”, (3 August 2023), available at: <https://www.opennetkorea.org/en/wp/4873>

[4] DW, “Vietnam introduces national social media guidelines”, (19 June 2021), available at: <https://www.dw.com/en/vietnam-introduces-national-social-media-guidelines/a-57947644>

[5] OHCHR, Report on the right to privacy in the digital age, Report of the United Nations High Commissioner for Human Rights, (13 September 2021), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/249/21/PDF/G2124921.pdf?OpenElement>

[6] United Nations Guiding Principles on Business and Human Rights, (2011), available at: [https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinessshr\\_en.pdf](https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinessshr_en.pdf)