



Phan Kim Khanh Vietnam

Phan Kim Khanh is a blogger whose writings advocated for democracy and press freedom, among other things. He has been detained since March 2017 and is serving a six year prison sentence under the notorious Article 88.

Prior to his arrest, Phan was a student and employee at a software company. In his free time, he managed websites and social media accounts which featured stories on corruption, politics, the economy, the environment, and other issues. His writings advocated for plural democracy, military de-politicization, free elections, and press freedom.

On March 21, 2017, the Police Investigation Security Agency of the Thai Nguyen arrested Phan at his workplace. He was never presented with a warrant or informed of the charges against him. The next day he was formally charged with violating Article 88 of the 1999 Penal Code, which prohibits propagating or defaming the Government as well as making, storing or circulating documents with contents against the Socialist Republic of Vietnam.

After being held for seven months in pre-trial (six months of which were spent incommunicado), Phan's trial began on October 25, 2017 and lasted only four hours. Strict security prohibited many individuals from attending the trial, of Phan's family, only his father was allowed in the courtroom. Phan admitted in court to have run the blogs, but said that his main purpose was to fight corruption, and he did not know that reporting on corruption constituted a crime. He was sentenced to six years in prison followed by four years of house arrest.

Phan sought to appeal his conviction a few days after he was convicted, but prison officials refused to submit his request. In February 2019, Phan submitted a complaint regarding the failure of prison officials to forward his mail. Since the complaint, the prison authorities have badly mistreated him and threatened him with solitary confinement or withholding supplies if he does not stop seeking to challenge his conviction. Phan's health has badly deteriorated since his conviction, and due to the mistreatment he is facing in prison.

His case was [included in a report](#) Freedom Now submitted to the UN Human Rights Committee prior to its periodic review of Vietnam in January 2019.

Freedom Now and Dechert LLP [filed a petition](#) with the UN Working Group on Arbitrary Detention on behalf of Phan in September 2019. The Working Group [issued an opinion](#) in May 2020 finding his detention to be a violation of international law.