

URGENT ACTION

FEMALE ACTIVIST SENTENCED TO NINE YEARS IN PRISON

Labour and land rights activist Trần Thị Nga was sentenced to nine years' imprisonment on 25 July 2017 for "conducting propaganda" against the state under Article 88 of the Penal Code. She is a prisoner of conscience and should be immediately and unconditionally released.

Trần Thị Nga had been held in pre-trial detention since her arrest on 21 January 2017. The conviction and sentence were delivered by the first instance People's Court of Hà Nam province after a one-day hearing. Vietnamese authorities reportedly prevented family members and supporters of Trần Thị Nga, as well as independent journalists and diplomats, from observing the proceedings inside the courtroom. Trần Thị Nga was sentenced to serve an additional five years under house arrest following her release from prison.

According to state-controlled media, Trần Thị Nga was accused of "posting video clips and documents containing anti-state propaganda on the internet". At the trial, the court reportedly relied upon 13 videos - 11 posted on her Facebook accounts and two allegedly found on her computer - as evidence supporting the charge. The videos related to issues such as pollution of the environment and corruption. Article 88 of Viet Nam's 1999 Penal Code falls under Chapter XI of the Code, which sets out, in broad and ill-defined terms, offences that are purported to "infringe upon national security"; provisions from this chapter are frequently used to criminalize peaceful dissent in Viet Nam.

Trần Thị Nga had been subjected to physical violence, harassment and intimidation in response to her human rights work in the past. In May 2014, she was reportedly attacked on the street by five men in plain clothes, resulting in serious injuries. While held in pre-trial detention this year her health deteriorated as a result of a mucosal injury related to the 2014 attack. As of June 2017, she had been prevented by prison authorities from receiving medical treatment for the injury.

Please write immediately in Vietnamese, English, or your own language calling on authorities to:

- Immediately release Trần Thị Nga from prison and quash the conviction and sentence against her;
- Ensure that until she is released, she is treated in full accordance with the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), including promptly providing adequate medical care;
- Ensure an immediate end to arbitrary arrests, prosecutions, and harassment of human rights defenders and activists. Uphold and facilitate the rights to freedom of association, peaceful assembly and expression.

PLEASE SEND APPEALS BEFORE 10 SEPTEMBER 2017 TO:

Prime Minister
 Nguyễn Xuân Phúc
 Prime Minister's Office
 Hà Nội, Việt Nam
 Email:
 nguoiiphatngonchinhphu@chinhphu.vn
Salutation: Your Excellency

Minister of Public Security
 Tô Lâm
 44 Yên Kiêu St. Hoàn Kiếm District
 Hà Nội, Việt Nam
 Fax: + 844 3823 1872
 c/o Ministry of Foreign Affairs
 Email: ttll.mfa@mofa.gov.vn
Salutation: Dear Minister

And copies to:
Minister of Foreign Affairs and Deputy Prime Minister
 Phạm Bình Minh
 Ministry of Foreign Affairs
 1 Tôn Thất Đạm Street, Ba Đình district
 Hà Nội, Việt Nam
 Fax: + 844 3823 1872

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR THAO VAN NGUYEN, Embassy of the Socialist Republic of Vietnam, 12-14 Victoria Road W8 5RD, 020 7937 1912, Fax 020 7565 3853, vanphong@vietnamembassy.org.uk, www.vietnamembassy.org.uk

Please check with your section office if sending appeals after the above date. This is the first update of UA 24/17. Further information: <https://www.amnesty.org/en/documents/asa41/5559/2017/en/>

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ADDITIONAL INFORMATION

Trần Thị Nga was arrested at her home in Phú Lý, Hà Nam province, northern Viet Nam on 21 January 2017 while her husband was out walking their children to school. In February 2017, it was reported that 31 Vietnamese civil society organizations and more than 847 individuals had signed a petition demanding that authorities release her. Since her trial, diplomatic representatives in Viet Nam, including from the EU and USA, have issued statements condemning the conviction and sentencing of Trần Thị Nga and calling for her immediate release.

A mother of young children, she first became interested in human rights work while recovering from a serious traffic accident in Taiwan, where she had been suffering abuse as a migrant worker. She is a member of the independent Vietnamese Women for Human Rights group, and is well-known for her peaceful activism and advocacy on land and labour rights; environmental issues, including the Formosa disaster; and territorial disputes between China and Viet Nam. On International Women's Day this year, Trần Thị Nga was among six distinguished female human rights activists recognized by Amnesty International for their work in Southeast Asia.

The human rights situation in Viet Nam appears to be deteriorating, with increasing numbers of arrests and prosecutions of human rights defenders and political activists exercising their rights to freedom of expression, association, and assembly. Government critics have also faced restrictions on freedom of movement, as well as intimidation and violence. The conviction of Trần Thị Nga comes less than a month after the conviction of another prominent female human rights defender and blogger, Nguyễn Ngọc Như Quỳnh, also known as "Mother Mushroom", on 29 June 2017 under the same provision of the Penal Code.

Both Trần Thị Nga and Nguyễn Ngọc Như Quỳnh had raised concerns about the authorities' response to the 2016 Formosa environmental disaster, which severely affected fish stocks in several Vietnamese provinces. As many as 270,000 people, including those who rely on the fishing industry for their livelihoods as well as their families, have been affected by the deaths of millions of fish. After a two month investigation into the disaster, the government confirmed allegations by the public that a steel plant owned by the Taiwanese Formosa Plastics Group, based in Hà Tĩnh province, was the source of discharges of toxic waste into coastal waters. At the end of June 2016, Formosa publicly apologised and announced that it would provide \$500 million USD in compensation, but those affected have said that this is insufficient reparation for the impact and loss of livelihoods.

A nationwide crackdown is continuing against human rights defenders and activists engaged in calls for transparency and accountability in the Vietnamese government's handling of the environmental disaster that has gripped the country. The arrests, in different parts of Viet Nam, are taking place against a background of threats, harassment, intimidation and surveillance of those engaged in activism relating to the disaster all across the country.

Nguyễn Văn Hóa remains in pre-trial detention as does Nguyễn Văn Oa, a former prisoner of conscience and Catholic social activist, who was also arrested in January within a few days of Trần Thị Nga and Nguyễn Văn Hóa.

On 1 June 2017, Amnesty International called for Vietnamese authorities to drop charges against Hoàng Đức Bình and Bạch Hồng Quyền, two well-known activists who had supported victims of the Formosa environmental disaster. Hoàng Đức Bình is being held in pre-trial detention and an arrest warrant remains outstanding for Bạch Hồng Quyền (see ASA 41/6403/2017).

Prison conditions in Viet Nam are harsh, with inadequate food and health care, falling far short of the minimum requirements set out in the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) and other international standards. Prisoners of conscience have been held in solitary confinement as a punishment for prolonged periods. They have also been subjected to other forms of torture or ill-treatment, including beatings by prison guards and by other prisoners with prison guards failing to intervene. Although Viet Nam has ratified the UN Convention against Torture, which came into effect in the country in February 2015, insufficient steps have been taken to ensure compliance with its obligations under that treaty. For more information see the Amnesty International report, issued in July 2016; Prisons Within Prisons: Torture and Ill-treatment of Prisoners of Conscience in Viet Nam, <https://www.amnesty.org/en/documents/asa41/4187/2016/en/>.

Further information on UA: 24/17 Index: ASA 41/6833/2017 Issue Date: 31 July 2017