

URGENT ACTION

HEALTH FEARS FOR RELOCATED JAILED ACTIVIST

Nguyễn Ngọc Như Quỳnh, known as blogger Mẹ Nấm (Mother Mushroom) was secretly moved over 900km away to a prison with deplorable conditions, that is far away from her family. Currently serving a 10-year prison sentence and denied access to her medication, there are serious concerns for her deteriorating health.

Human rights defender **Nguyễn Ngọc Như Quỳnh** (known as “Mẹ Nấm” or “Mother Mushroom”) was secretly moved on 12 February 2018 from Khánh Hòa Prison in her home province in the South Central Coast, to ‘Camp No. 5’ in Northern Thanh Hóa, over 915 km from her hometown, a prison with deplorable conditions of detention. The authorities failed to inform her mother of the transfer a week prior when she had visited her daughter in prison.

Nguyễn Ngọc Như Quỳnh’s mother has raised serious concerns about the deterioration of her health and fragile state – including a swollen face which is a reaction to wrong medication and painful curling up of fingers and toes – with prison authorities not allowing her mother to pass on her medication since she was first detained on 10 October 2016. The transfer has made it extremely difficult for Nguyễn Ngọc Như Quỳnh’s family to regularly visit her in prison. Several family members remain under daily surveillance by authorities and have, together with other activists, been severely beaten by police during protests calling for her release.

On 17 November 2017, the Superior People's Court of Danang upheld the conviction of “conducting propaganda” (Article 88 of the Penal Code) and a 10-year prison sentence for Nguyễn Ngọc Như Quỳnh who had only peacefully exercised her rights to freedom of expression and assembly. According to a translation of the indictment, she was charged for sharing content online and having participated in public protests on a variety of issues, including police brutality.

It is common practice of Vietnamese authorities to secretly transfer prisoners – often to prisons with poorer conditions and hundreds of kilometers away from their families – as a punitive measure. Prisoners are also regularly withheld medical treatment as a way to pressure them into “confessions” or simply as punishment for their peaceful activism and expression of criticism of Viet Nam’s government.

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

- Release Nguyễn Ngọc Như Quỳnh immediately and unconditionally as she is a prisoner of conscience held solely for her peaceful activities defending and promoting human rights;
- End prison transfers as a punitive measure and ensure that Nguyễn Ngọc Như Quỳnh has access to her lawyer and family members, as well as to adequate medical care at Camp No. 5;
- Ensure that until she is released, Camp No. 5 treats her in full accordance with the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), and specifically does not subject her to torture or other ill-treatment, including to poor conditions of detention.

PLEASE SEND APPEALS BEFORE 11 APRIL 2018 TO:

Prime Minister
 Nguyễn Xuân Phúc
 Prime Minister’s Office
 Hà Nội, Việt Nam
 Email:
nguoiphatngonchinhphu@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 Dám 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@vietnambassay.org.uk, www.vietnambassay.org.uk

Please check with your section office if sending appeals after the above date. This is the second update of UA 233/16. Further information:
<https://www.amnesty.org/en/documents/asa41/6706/2017/en/>

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ADDITIONAL INFORMATION

Nguyễn Ngọc Như Quỳnh co-founded the independent Vietnamese Bloggers Network in December 2013 and has often taken part in events promoting human rights through her blogging, posting and sharing articles and videos. Issues that she is known to have campaigned on include government transparency, state accountability for human rights violations, environmental protection, and promotion of the rights set out in the Universal Declaration of Human Rights. She has on numerous occasions faced harassment, arrest and interrogation for her peaceful activities, and has been prevented from travelling overseas. She is a single mother of two young children and cares for her 90-year old grandmother. In 2015, Civil Rights Defenders named Nguyễn Ngọc Như Quỳnh their Civil Rights Defender of the Year. In 2017, she was honoured in absentia by the US State Department, receiving one of 13 International Women of Courage Awards.

On 10 October 2016, she was arrested in her hometown in Khánh Hòa province while she was accompanying the mother of an activist trying to visit him in a local prison. One and a half hours after the arrest, the security police drove her home and conducted a search, confiscating her computer and other electronic equipment as well as demonstration placards. She was held in pre-trial detention until 20 June 2017, without access to a lawyer until nine days before her trial.

On 29 June 2017, the People's Court of Khánh Hòa convicted her of "conducting propaganda against the State of the Socialist Republic of Vietnam" (Article 88 of the Penal Code) and sentenced her to 10 years in prison. Nguyễn Ngọc Như Quỳnh and her lawyer were prevented from presenting a full defence against the charges. Her charges concerned her activities on Facebook and other social media, including writing, uploading and sharing articles and video content critical of the ruling Communist Party of Viet Nam and the state government; producing, editing, and sharing a report titled "Stop Police Killing Civilians" that claimed 31 persons had died in police custody; having given interviews with foreign media that "distorted" the situation in Viet Nam; and her possession of poetry collections and compact disc recordings deemed critical of the Communist Party and the State.

Prison conditions in Viet Nam are harsh, with inadequate food and medical care, falling short of minimum standards set out in the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) and other international prison standards. Prisoners of conscience have been held in solitary confinement for prolonged periods of time as a punishment, which constitute torture or other ill-treatment under the Nelson Mandela Rules. 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. One form of ill-treatment that Nguyễn Ngọc Như Quỳnh reportedly told her lawyer she had been subjected to was being denied underwear and sanitary pads during pre-trial detention.

Prisoners of conscience have repeatedly been secretly transferred to far away prisons, without information being provided to either them or their families.

Several prisoners of conscience, including Nguyễn Ngọc Như Quỳnh, have undertaken hunger strikes in protest of abusive treatment and poor conditions of detention.

Further information on UA: 233/16 Index: ASA 41/7963/2018 Issue Date: 28 February 2018