

URGENT ACTION

JAILED ACTIVIST DENIED PROPER MEDICAL TREATMENT

Prisoner of conscience Trần Thị Thúy's health has seriously deteriorated since being diagnosed with a tumour in April 2015. Prison authorities continue to deny her proper medical treatment unless she confesses to the crimes for which she was convicted.

Trần Thị Thúy is serving an eight-year sentence after being convicted of "activities aimed at overthrowing" the state, under Article 79 of the Penal Code. She was arrested in August 2010 and is currently detained in An Phước Detention Centre, Bình Dương province. She is not due for release until August 2018.

On 3 September, Trần Thị Thúy was visited by her brother who informed Amnesty International that she was in a confused state to the point that she did not initially recognise who he was. She is being given unknown medication by prison medical staff which she believes is affecting her memory and making her confused. The medication is for three tumours, but it is not having any effect. One near her abdomen is 15 centimetres in circumference and is ulcerating and bleeding through her clothing; she is at risk of contracting an infection in the open wound. She also has one on her uterus and one near her left breast. Medication and food sent to Trần Thị Thúy by her family is being withheld, with prison authorities telling her that she will only receive these materials when she confesses to the crimes she is alleged to have committed.

Trần Thị Thúy has been in severe pain since being diagnosed with a tumour in April 2015. She has told her family on numerous occasions that she is afraid that she will die in prison as a result of her medical situation and the refusal of the prison authorities to provide proper and appropriate medical treatment.

The denial of medical treatment in these circumstances, involving the intentional infliction of severe pain and suffering for the purpose of extracting a confession, constitutes torture and is, therefore, a violation of the Convention against Torture, which came into force in Viet Nam in February 2015.

Please write immediately in Vietnamese, English or your own language:

- Calling on the authorities to release Trần Thị Thúy immediately and unconditionally as she is a prisoner of conscience detained solely for peaceful activities in defending human rights;
- Urging them that while still detained, she should be immediately provided with appropriate medical care, in accordance with her wishes, including treatment in hospital if necessary.

PLEASE SEND APPEALS BEFORE 27 OCTOBER 2016 TO:

Prime Minister

Nguyễn Xuân Phúc

Prime Minister's Office

Hà Nội, Việt Nam

Online contact form:

<http://primeminister.chinhphu.vn/Utilities/>

Contact.aspx

Salutation: Your Excellency

Minister of Public Security

To Lam

44 Yết Kiêu St. Hoàn Kiếm District

Hà Nội, Việt Nam

Online contact:

<http://www.mps.gov.vn/web/guest/contact>

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Salutation: Dear Minister

And copies to:

Head of Prisons Department

Major General Phạm Đức Chấn

Ministry of Public Security

44 Yet Kieu Street, Hoan Kiem district

Hà Nội, Việt Nam

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR VAN THAO 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 second update of UA 284/15. Further information:

<https://www.amnesty.org/en/documents/ASA41/3454/2016/en/>

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ADDITIONAL INFORMATION

Trần Thị Thúy is a trader, Hoa Hao Buddhist and land rights activist. According to the indictment, she and the six other activists with whom she was tried are accused of having joined or been associated with Viet Tan, an overseas-based group which peacefully campaigns for democracy in Viet Nam. She has refused to “confess” to the alleged crimes for which she was convicted, despite the severe hardship she is forced to endure. An Phước Detention Centre, Bình Dương province, is approximately 900 km from where her family lives; it takes them three days to get there and back.

In September 2011, the UN Working Group on Arbitrary Detention adopted Opinion No 46/2011 which stated that the detention of Trần Thị Thúy and her six co-defendants is arbitrary and should be remedied by their release and compensation.

Viet Nam is a state party to the International Covenant on Civil and Political Rights which guarantees the rights to freedom of expression, association and peaceful assembly. However, these rights are severely restricted in law and practice in Viet Nam. Vaguely worded articles in the national security section of Viet Nam’s 1999 Penal Code are frequently used to criminalize peaceful dissenting views or activities. Those at risk include people advocating for peaceful political change, criticizing government policies, or calling for respect for human rights. Article 79 (Carrying out activities aimed at overthrowing the people’s administration) is frequently used to detain, prosecute and imprison dissidents for their peaceful activism, including bloggers, labour rights and land rights activists, political activists, religious followers, human rights defenders and social justice activists, and even song writers.

Prison conditions in Viet Nam are harsh, with inadequate food and health care that falls short of the minimum requirements set out in the UN Standard Minimum Rules and other international standards. Prisoners of conscience have been held in solitary confinement for prolonged periods of time, both during the period of investigation as a means of applying pressure on them to admit wrongdoing and as punishment in the post-conviction period for infractions of prison regulations. They have been subjected to other forms of torture and ill-treatment, including beatings by prison staff as well as by other prisoners with no intervention by prison guards. Some prisoners of conscience are frequently moved from one detention facility to another, often without their families being informed. Several prisoners of conscience have undertaken hunger strikes in protest at abusive treatment and poor conditions of detention.

Although Viet Nam has ratified the Convention against Torture, which came into effect in February 2015, insufficient steps have been taken to bring the country into compliance. Amnesty International has documented torture and ill-treatment of prisoners of conscience in Viet Nam in a report entitled *“Prisons Within Prisons: Torture and ill-treatment of prisoners of conscience in Viet Nam”*, see: <https://www.amnesty.org/en/documents/asa41/4187/2016/en/>. Trần Thị Thúy is also included in the list of 84 prisoners of conscience in Viet Nam published in July 2016, see: <https://www.amnesty.org/en/documents/asa41/4389/2016/en/>.

Further information on UA: 284/15 Index: ASA 41/4838/2016 Issue Date: 15 September 2016