

URGENT ACTION

THREE HUMAN RIGHTS DEFENDERS HELD INCOMMUNICADO

Within 10 days of each other, three unassociated Vietnamese human rights defenders were arrested in January and are currently being held in incommunicado pre-trial detention. With no access to lawyers, they are at risk of torture and other ill-treatment.

Trần Thị Nga, a member of the independent Vietnamese Women for Human Rights group, was arrested at her home in Phủ Lý, northern Viet Nam on 21 January 2017. According to state controlled media, she was “caught posting video clips and documents containing anti-state propaganda on the internet”. Charged under Article 88 of Viet Nam’s 1999 Penal Code for “conducting propaganda” against the state, Trần Thị Nga could face up to 20 years imprisonment if convicted. She is held at Hà Nam provincial prison.

Nguyễn Văn Oai, a former prisoner of conscience and Catholic social activist, was arrested on his way home from a fishing trip in Hoàng Mai town, central Viet Nam late on 19 January 2017. His family were informed the following day that he was being accused of resisting officials on duty under Article 257 of the Penal Code. Nguyễn Văn Oai is currently serving a three year probation period after he was released in August 2015 following a four year prison sentence. He is held at Nghệ An provincial prison, and faces a possible seven year sentence if convicted. He is in weak health after his previous imprisonment.

Nguyễn Văn Hóa a blogger from Kỳ Anh district, north central Viet Nam, was arrested on 11 January 2017. After 12 days, on 23 January, his family were informed by the Hà Tĩnh police that he was being detained under Article 258 of the 1999 Penal Code for “abusing democratic freedoms to infringe upon the interests of the State and the rights and legitimate interests of organizations and citizens”, a provision commonly used against peaceful activists. If convicted under Article 258 he faces a possible sentence of up to seven years’ imprisonment. He is held at Cầu Đông prison, Hà Tĩnh province.

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

- Immediately and unconditionally release Trần Thị Nga, Nguyễn Văn Oai and Nguyễn Văn Hóa who are prisoners of conscience held solely for exercising their rights to freedom of expression;
- Ensure that the three activists are protected from torture and other ill-treatment, and allowed access to family, lawyers of their choice and adequate medical care.

PLEASE SEND APPEALS BEFORE 29 MARCH 2017 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

To Lam
44 Yết Kiêu St. Hoàn Kiếm District Hà
Nội, Việt Nam
Fax: + 844 3823 1872
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 Ton That Dam Street, Ba Dinh district
Hà Nội, Việt Nam
Fax: + 844 3823 1872
Email: ttll.mfa@mofa.gov.vn

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.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

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 dissenting views or activities, as well as articles in the section on administrative management.

Those at risk include people advocating for peaceful political change, criticizing government policies, or calling for respect for human rights. Article 88, Article 257 and Article 258 are among articles used to detain, prosecute and imprison dissidents for their pro-democracy activism, including bloggers, labour rights and land rights activists, political activists, religious followers of different churches, 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 for the Treatment of Prisoners (Nelson Mandela Rules) and other international standards. Prisoners of conscience are commonly held in incommunicado pre-trial detention when risk of torture and other ill-treatment is high. Although Viet Nam has ratified the Convention against Torture, which came into effect in the country in February 2015, insufficient steps have been taken to bring the country into compliance with its obligations under that treaty. For more information see report, Prisons Within Prisons: Torture and Ill-treatment of Prisoners of Conscience in Viet Nam, <https://www.amnesty.org/en/documents/asa41/4187/2016/en/>, published in July 2016.

Trần Thị Nga has two children, aged six and four years old, and is well-known for her peaceful activism. On several occasions in the past she has been subjected to harassment, intimidation and police beatings for her advocacy on human rights, including land and labour rights, and for participation in environmental and anti-China protests.

Nguyễn Văn Oai was previously arrested in August 2011, and sentenced in January 2013 to four years' imprisonment with three years' house arrest on release, under Article 79 of the 1999 Penal Code for activities aiming to "overthrow" the state. Prisoners of conscience, who are consequently restricted under house arrest or probation, are commonly unable to exercise their right to freedom of movement after release, and are subject to regular questioning, surveillance and harassment by local police.

Nguyễn Văn Hóa had been helping fishermen affected by the Formosa ecological disaster that began in April 2016, in which as many as 270,000 people, including fishermen, have been affected by the deaths of millions of fish. After a two month investigation into the ecological disaster, the government confirmed allegations by the public that a steel plant owned by the Taiwanese Formosa Plastics Group had caused discharges of toxic waste. At the end of June, Formosa publicly apologised and announced that it would provide US\$ 500 million in compensation, but those affected have said that this is insufficient reparation for the impact and loss of livelihoods. Activists on Formosa are being subject to intense harassment and intimidation.

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