

URGENT ACTION

ACTIVISTS HELD INCOMMUNICADO MAY FACE LIFE IN PRISON

Three Vietnamese activists, Trương Minh Đức, Nguyễn Trung Tôn, and Phạm Văn Trội, are being held incommunicado at B14 prison in Hà Nội after their arrests on 30 July 2017. They have a range of pre-existing health conditions that require treatment and face a sentence of up to life imprisonment or capital punishment.

Trương Minh Đức, Nguyễn Trung Tôn, and Phạm Văn Trội are members of the Brotherhood for Democracy, a group formed by human rights lawyer Nguyễn Văn Đài in 2013 to peacefully advocate for democracy in Viet Nam. They were arrested separately on 30 July 2017 and are accused of "carrying out activities aimed at overthrowing the People's Administration" under Article 79 of the 1999 Penal Code. The vaguely-worded offence, which falls under the overbroad "national security" section of the Code, provides for a sentence of up to life imprisonment or capital punishment.

All three men suffer from pre-existing health conditions that require access to medication and medical care. Trương Minh Đức has a heart disease and high blood pressure. Following a stroke in mid-May, he needs daily access to a number of medications in order to safely control his condition and help prevent another stroke or a heart attack. Nguyễn Trung Tôn suffers from kidney and prostate problems for which he takes medication. In addition, he has badly injured knees after he was abducted and beaten by unknown men in February 2017. Phạm Văn Trội has stomach ulcers for which he takes medication. Although their wives have attempted to pass on medicine via prison authorities, they are unsure whether it has been delivered, since they have not been able to visit their husbands.

Incommunicado detention can facilitate torture and other cruel, inhuman or degrading treatment or punishment and when prolonged can itself amount to such practices under international human rights law and standards. In addition, the right to promptly communicate with a lawyer and prepare a defence is an essential part of the right to a fair trial.

1) TAKE ACTION

Write a letter, send an email, call, fax or tweet:

- Release Trương Minh Đức, Nguyễn Trung Tôn, and Phạm Văn Trội immediately and unconditionally as they have been deprived of their liberty solely for peacefully exercising their rights to freedom of expression and association;
- Pending their release, ensure that they are protected from torture and other ill-treatment and are allowed access to their family, a lawyer of their choice, and adequate medical care; and
- Ensure an immediate end to the arbitrary arrests and harassment of members of the Brotherhood for Democracy and other activists who peacefully express their views.

Contact these two officials by 20 October, 2017:

Prime Minister
Nguyễn Xuân Phúc
Prime Minister's Office
Hà Nội, Việt Nam
Email: nguoi-phat-ngon-chinh-phu@chinhphu.vn
Salutation: Your Excellency

Ambassador H.E. Phạm Quang Vinh, Embassy of the
Socialist Republic of Viet Nam
1233 20th St NW Suite 400, Washington DC 20036
Fax: 1 202 861 0917 | Phone: 1 202 861 0737
Email: info@vietnamembassy.us OR vnconsular@vietnamembassy.us
Salutation: Dear Ambassador

2) LET US KNOW YOU TOOK ACTION

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ADDITIONAL INFORMATION

On the morning of 30 July 2017, Trương Minh Đức and his wife were stopped on a street in Hà Nội by Vietnamese officials in plain clothes and forcibly escorted to a local police station where an arrest warrant was read. The same morning Phạm Văn Trội and Nguyễn Trung Tôn were arrested by police at their homes in Hà Nội and Thanh Hoa province, respectively, where arrest warrants were also read out. A fourth individual, Nguyễn Bắc Truyền, was forcibly disappeared on the same morning (see <https://www.amnesty.org/en/documents/asa41/6964/2017/en/> for further information). According to State-run media, all four men are alleged to have connections to human rights lawyer Nguyễn Văn Đài who was himself arrested in Hà Nội on 16 December 2015 and, along with his colleague Le Thu Ha, is charged with "committing propaganda" against the State under Article 88 of the Penal Code and "carrying out activities aimed at overthrowing the People's Administration" under Article 79.

Trương Minh Đức is a former journalist and prisoner of conscience. Prior to his arrest he worked as an administrator for the Brotherhood for Democracy and as an advocate in the Viet Labour movement, educating workers about their human rights. He was arrested in 2007 and imprisoned for five years after being convicted of "abusing democratic freedoms to infringe upon the interests of the State" under Article 258 of the Penal Code for reporting on land grabs in a number of Vietnamese publications. In May 2009, his detention was found to be arbitrary by the UN Working Group on Arbitrary Detention (Opinion 1/2009), however he remained in prison until the end of his sentence. Since his release from prison in 2012, authorities have frequently raided his home, making it difficult for his family to earn a living from renting spare rooms at the back of their property. His adult children have been repeatedly questioned by officials about his activities and he has been badly beaten on a number of occasions by men in plain clothes whom he recognized as security officials.

Nguyễn Trung Tôn is a Protestant pastor and former prisoner of conscience who has written about and promoted freedom of religion in Viet Nam. He was arrested in January 2011 in connection with his writings and imprisoned for two years after being convicted of "conducting propaganda" against the State under Article 88 of the Penal Code. Nguyễn Trung Tôn and his family have been harassed for many years by authorities and unidentified assailants. Human waste, oil, and dirt have been thrown at both a market stall operated by his wife and their family home on a number of occasions. In February 2017, Nguyễn Trung Tôn and a friend were abducted in Quang Binh province by unidentified men and badly beaten. He was hospitalized and required surgery to repair injuries to his knees.

Phạm Văn Trội is a writer, activist, and former prisoner of conscience. He has provided advice to workers and land grab victims and written about human rights and democracy. He was arrested in September 2008 for his writings promoting multi-party democracy and imprisoned for four years, including six months in solitary confinement, after being convicted of "conducting propaganda" against the State under Article 88 of the Penal Code. In May 2009, his detention was found to be arbitrary by the UN Working Group on Arbitrary Detention (Opinion 1/2009), however, he remained in prison until the end of his sentence.

Viet Nam is in the midst of a sustained crackdown on human rights which has resulted in the arrest and arbitrary detention of at least fifteen peaceful activists and government critics since January 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.

Name: Trương Minh Đức, Nguyễn Trung Tôn and Phạm Văn Trội
Gender: male

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