

EXTERNAL (for general distribution)

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UA 209/93

Death Penalty

24 June 1993

SOCIALIST REPUBLIC OF VIETNAM:

TRAN Ngoc Minh

On 3 June 1993, the Supreme People's Court in Ha Noi imposed the death penalty on Tran Ngoc Minh for committing two murders on 23 April 1993. He reportedly murdered a young man in a revenge attack, then killed a jewellery shop owner in a robbery less than an hour later.

Tran Ngoc Minh, 29, was a refugee in Hong Kong. He was deported back to Vietnam on 7 January 1993. He had been sentenced to a five-year prison term in Hong Kong for committing offences in the camp where he was detained with other "boat people".

BACKGROUND INFORMATION

In Vietnam, immediately after a death sentence, the court file is sent to the Chief Justice of the People's Supreme Court and a copy of the judgement is also sent to the Chief Procurator of the Supreme Peoples's Organ of Control for review, both of whom must decide within two months whether or not to protest the sentenced imposed. A death sentence is enforced if there is no protest from either official.

Within a period of seven days from the time of the death sentence, the convicted person may also submit an appeal for clemency to Vietnam's President.

The death penalty is rarely enforced in Vietnam. In the past, most death sentences have been commuted to jail terms including life imprisonment. The death penalty may be applied as a maximum sentence for around 30 serious criminal offences including smuggling, treason, espionage, rebellion, murder, rape, defrauding socialist property, and bribery.

Amnesty International opposes the death penalty in all cases as a violation of the right to life, and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as enshrined in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Please send telegrams/express and airmail letters either in French, English or your own language:

- expressing concern that Tran Ngoc Minh has been sentenced to death;
- stating Amnesty International's unconditional opposition to the death

penalty;

- urging that all death sentences, including that of Tran Ngoc Minh, be commuted and that no more death sentences be imposed.

APPEALS TO:

1) Head of State:

Le Duc Anh

President

Socialist Republic of Vietnam

35 Ngo Quyen St.

Ha Noi

Socialist Republic of Vietnam (SRV)

Telegrams: President Le Duc Anh, Ha Noi, Vietnam

Salutation: Your Excellency

2) Supreme Court:

Pham Hung

Chief Justice of the

Supreme People's Court

Ha Noi

SRV

Telegrams: Chief Justice, Supreme People's Court,
Ha Noi, Viet Nam

Salutation: Dear Chief Justice

3) Supreme People's Organ of Control:

Tran Guyet

Chief Procurator

Supreme People's Organ of Control

16 Tue Tinh St.

Ha Noi

SRV

Telegrams: Chief Procurator, Supreme People's
Organ of Control, Ha Noi, SRV

Salutation: Dear Chief Procurator

COPIES OF YOUR APPEALS TO:

The Ministry of Justice

Nguyen Dinh Loc

Minister of Justice

25A Cat Linh

Ha Noi

SRV

and to diplomatic representatives of the Socialist Republic of Vietnam accredited to your country. The World Conference on Human Rights is being held in Austria this month and you can enhance the power of your appeals by also sending copies to the diplomatic representative of Vietnam in Austria during June at the following address:

Vietnamese Embassy:

The Ambassador

Botschaft der Sozialistischen Republik Vietnam

Anton-Langer-Gasse 26, 1130 Wien

Austria

Faxes: + 43 1 802 22 23

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 5 August 1993.