

SOCIALIST REPUBLIC OF VIET NAM

Religious Intolerance - Recent Arrests of Buddhists

Amnesty International is concerned by the recent arrest and detention of members of the Hoa Hao Buddhist Church for the peaceful expression of their religious beliefs. This report provides details concerning the trial and imprisonment of five church members in September 2000 as well as information on other Hoa Hao Buddhists believed to be in detention. Their convictions illustrate the continuing repression of non-official religious groups in Viet Nam and are in flagrant contradiction to the Vietnamese Government's assertion of freedom of religion. As a state party to the International Covenant on Civil and Political Rights (ICCPR), Viet Nam has the responsibility to uphold freedom of religious belief and worship as enshrined in Article 18, as well as guarantees for freedom of expression contained in Viet Nam's Constitution.

Five members of the Hoa Hao Buddhist church were given prison sentences on 26 September 2000. In a trial that only lasted one day and was not open to the public, Nguyen Chau Lang and Truong Van Thuc were each sentenced to three years in prison, while Le Van Nhuom was sentenced to two years. Tran Van Be Cao and Tran Nguyen Huon were both sentenced to one year's imprisonment. The trial occurred in the southern province of An Giang. It is reported that clashes occurred between police and other Hoa Hao followers as court proceedings began, with unconfirmed reports of further arrests made at the time. Those on trial were accused of "defaming the government and abusing democracy" according to a Vietnamese Foreign Ministry spokesperson. Four of the five detained had previously denounced the provincial authorities and called for an investigation into allegations of abuses of State power in a letter that they co-signed addressed to the Central Government.

Amnesty International believes that the defendants have been accused under vaguely worded articles of the Vietnamese penal code, which may be used to impose severe penalties and criminalize peaceful religious activity. Amnesty International's findings concur with the recent report of the United Nations Special Rapporteur for religious intolerance who concluded that "these extremely vague provisions make it possible to punish manifestations of freedom of religion or belief that are in conformity with international law".

Amnesty International believes that those arrested are prisoners of conscience, detained solely for exercising their rights to freedom of expression and religion, and is calling for their immediate and unconditional release.

Religious intolerance in Viet Nam

People who worship in state-sanctioned churches do generally enjoy freedom of worship in Viet Nam, although state-sanctioned churches must be affiliated to the Communist Party-run Fatherland Front and obtain official permission for many of their activities. Others who follow their religion in churches not approved by the authorities continue to face harassment, arrest and imprisonment. Unofficial churches which have been particularly targeted by the authorities include the Unified Buddhist Church of Viet Nam and the Roman Catholic Congregation of the Mother Co-redemptrix. Members of these churches have been imprisoned for long periods

of time for their peaceful activities associated with their religion. Information about the persecution of members of lesser known churches, such as the Hoa Hao, Cao Dai and Protestant evangelical churches is less readily available.

In October 1998 the UN Special Rapporteur on Religious Intolerance visited Viet Nam. The visit was initially requested in 1995 and finally took place between 19 and 28 October 1998. During the visit the Special Rapporteur's movements were strictly controlled and he was prevented from meeting with a number of religious prisoners and dissidents. The Special Rapporteur published a critical report in March 1999(1). The Vietnamese authorities reacted by stating that "individuals or organizations which come to Viet Nam to conduct activities concerning human rights or religion and interfere with the internal affairs of the country will no longer be accepted." In fact, human rights organizations have not been permitted to visit the country for many years.

Background to the Hoa Hao Buddhist church

Hoa Hao is one of the six official religions in Viet Nam. It was only officially recognized in 1999, after being banned for 25 years. The official Office of Religious Affairs has put the number of its believers at 1.3 million, but the real figure is widely reported to be far higher. The Hoa Hao is a reformist Buddhist church established in the late 1930s in the Mekong Delta of southern Viet Nam. The religion emphasizes personal faith and simplicity in worship and as a result, has no special places of worship. However, as with other religious movements in South Viet Nam, before reunification in 1975, the Hoa Hao had a strong political element and its own armed militias. Relations with the Vietnamese communists were strained ever since the alleged massacre of hundreds of Hoa Hao followers by the Viet Minh in September 1945 and, particularly, the alleged murder of Huynh Phu So, the church's founder, by the communists in April 1947. With the communist victory over the south in 1975, the Hoa Hao, like other powerful religious-cum-political movements, became a focus of reprisals because of their perceived anti-communism and links with the former US-backed regime. Its armed militias were immediately dissolved as were the local-level administrative committees. The communist authorities reportedly confiscated many of the church's properties (more than 5,000, including, in An Giang province, a university, hospital and centre of the propagation of the faith). Dissemination of Hoa Hao sacred scriptures was also prohibited. The Vietnamese authorities abolished the sophisticated Hoa Hao management structure as well as banning major celebrations, including the annual Founder's day festival. Senior Hoa Hao leaders and more than 100 of their followers, including members of the former South Vietnamese National Assembly, were reportedly sent for varying periods of "re-education" without trial, as were several hundreds of thousands of others associated with the former regime.

During the visit of the UN Special Rapporteur on Religious Intolerance to Viet Nam in 1998, he was informed by the authorities that there was no formal State-approved Hoa Hao organization. He was unable to meet officially with representatives of the Hoa Hao community, and a private meeting was also not possible after pressure was allegedly placed on the Hoa Hao representatives not to attend.

However, in May 1999, the authorities convened a Hoa Hao congress in An Giang province. The government-chosen group went on to establish an 11-member committee to oversee the administrative affairs of the religion. Whilst the committee

constitutes the first official recognition by the Vietnamese government of the Hoa Hao religion in 25 years, there have been numerous reports, notably from overseas Hoa Hao groups, that the committee comprises communist party members and local officials rather than accepted representatives of a significant faction within the church itself.

There followed a series of confrontations with the authorities surrounding gatherings of Hoa Hao followers at religious anniversaries. These incidents seemed to have become more serious following official permission for the public celebration of the 60th anniversary of the founding of the faith in July 1999. This event drew huge crowds to the village of the Hoa Hao founder in An Giang province and appears to have caught the authorities by surprise. The repeated and serious nature of these confrontations suggest that religious intolerance is not a problem of over-zealous officials at the local level, but rather of a deliberate and coordinated policy determined at the highest levels of the government.

In September 1999, representatives of four of Viet Nam's major religious groups wrote a joint letter to the authorities, demanding the restoration of complete religious freedoms and a respect for the clear separation of church and state. The Hoa Hao group was represented by Le Quang Liem, who was a leader of one of the major Hoa Hao factions prior to 1975 and who is regarded by the overseas Hoa Hao groups as the church's leader. Le Quang Liem has explicitly renounced the use of violence by the church in a recent radio interview.

The Trial

Five members of the Hoa Hao Buddhist church were given prison sentences on 26 September 2000 at a court in Long Xuyen, the provincial capital of An Giang province. In a trial that only lasted one day and was not open to the public Nguyen Chau Lang and Truong Van Thuc were each sentenced to three years in prison, while Le Van Nhuom was sentenced to one or two years. Tran Van Be Cao and Tran Nguyen Huon were both sentenced to one year's detention. They were initially arrested on 26 December 1999 along with several others, released soon after, and then re-arrested on 28 March 2000.

It was further reported that some several hundred fellow Hoa Hao Buddhists attempted to attend the trial at the Long Xuyen People's Courthouse and that security police in full anti-riot gear prevented them from doing so. According to witness accounts, Tran Thi Em, the wife of Truong Van Thuc, attempted suicide in front of the court building.

Those on trial were accused with "having abused their right to democratic freedoms, disturbing social order and opposing public authorities" according to an An Giang provincial official(2). After the trial the Judge is reported to have said "these Hoa Hao followers have abused their democratic rights, imbuing them with religious and political colour in order to slander the authorities"(3). Four of the five prisoners were amongst a group of signatories to an open 'appeal' letter which had been sent to the Ha Noi judicial and police authorities as well as government leaders and the United Nations High Commissioner for Human Rights in January 2000 (see appendix 1). The five were charged under Articles 117 and 205a of the penal code quoted below:

"Article 117 of the penal code. Slander

1. Any person committing any of the following acts shall be subject to a caution, non-custodial reform for a period of up to one year, or to a term of imprisonment of between three months and two years.

(A) the offender invents or circulates rumours he himself knows to be false, with intent to infringe upon the honour of [sic] harm the interests of another.

(B) the offender invents untrue stories that another has committed an offense and denounces him to State authorities

2. If the offence is committed in serious circumstances, the offender shall be subject to a term of imprisonment of between one and seven years".

"Article 205a. Abusing democratic rights to encroach upon the interests of the State, social organizations or citizens

Any person who abuses freedom of speech, of the press or of religion, or wrongly uses the rights to assembly, association or other democratic rights to encroach upon the interests of the State, social organizations or citizens shall be subject to a caution to non-custodial reform for a period of up to two years, or to a term of imprisonment of between three months and three years".

Amnesty International believes that the defendants have been accused under vaguely worded articles of the Vietnamese penal code, which may be used to impose severe penalties and criminalize peaceful religious activity.

It has been reported that the trial was not held in public and the defendants were denied access to any defence in contravention of articles 131 and 132 of the Vietnamese constitution. In a letter of appeal addressed to the Supreme Court of Ho Chi Minh City and signed by the wives and mother of the defendants, the group claimed that, *"the trial was not opened to the public: the citizens were not permitted to attend. All the Courthouse doors were closed and locked. The defendants' families, including mothers and wives couldn't attend, the victims didn't have the right to defence, and the victims and critical witnesses of the trial weren't allowed to be present. The petitioners, who had evidence, were arrested, imprisoned and also tried."* (See appendix 2).

One of the five, Truong Van Thuc, reportedly had met United States Congressman Christopher Smith in late 1999 and was detained a short time later. It was further reported that he had initially been freed following strong intervention from the United States government.

Nguyen Chau Lang, Tran Van Be Cao, and Tran Nguyen Huon are reportedly being held in Xuan Loc Z30 K1 prison, Dong Nai province. Truong Van Thuc and Le Van Nhuom are reportedly detained in Xuan Loc Z30 K2 prison, Dong Nai province.

Other Hoa Hao Unconfirmed Arrests

Amnesty International is seeking further information on the following individuals who have been reported as being detained for their religious activities. They are all believed to be members of the Hoa Hao Buddhist church:

1. Ha Hai, reportedly arrested on 18 November 2000. It is reported that Ha Hai, claimed by overseas Hoa Hao groups to be the Secretary General of the Church, was trying to meet with US President Clinton during his recent visit. A

Vietnamese Foreign Ministry spokesperson issued a statement accusing Ha Hai of being "an individual who has many times violated Vietnamese laws, and now is being dealt with in accordance with Vietnamese laws". Ha Hai is reportedly being held in Cho Moi district prison, An Giang province. Any charges against him have not yet been made public(4).

2. Nguyen Duy Tam also known as Tam Mot, reportedly placed under house arrest for two years according to Decision No. 146/QD-UB of the Chairman of the People's Committee, Phu Tan district, An Giang province, dated 14 November 2000. In June 2000 security police reportedly searched Nguyen Duy Tam's house and confiscated one radio-cassette recording, eight audio-cassette recordings of *Radio Free Asia*(5) programs, some brown flags and banners saying 'happy master's birthday' and 'long life Hoa Hao Buddhism'. According to reports Nguyen Duy Tam was one of 28 Hoa Hao Buddhists who signed an appeal about the alleged beatings and arbitrary arrests of Hoa Hao Buddhists at the Ancestral Temple at Phu Tan district, An Giang province, on 26 December 1999.

3. Nguyen Van Buu also known as Vo Van Buu, another member of the Church reported to be awaiting trial. The date of arrest is not known.

4. Vo Van Liem also known as Vo Thanh Liem, reportedly sentenced in May 2000 to 30 months imprisonment, having been arrested in March 2000 and beaten during a private ceremony to commemorate the death of the Hoa Hao founder. Vo Van Liem is reportedly being detained in Chau Binh re-education camp, Giong Trom district, Ben Tre province.

5. Nguyen Van Hoang, arrested at the same time as Vo Van Liem above and was reportedly sentenced in May 2000 to 12 months in prison. Nguyen Van Hoang is reportedly being detained in Chau Binh re-education camp, Giong Trom district, Ben Tre province.

6. Tran Van Dien, arrested at the same time as Vo Van Liem above and was reportedly sentenced in May 2000 to nine months in prison. Tran Van Dien is reportedly being detained in Chau Binh re-education camp, Giong Trom district, Ben Tre province.

7. Le Huu Hoa, from Thoai Son, An Giang province is reported to be detained awaiting trial.

8. Nguyen Long Chao, reported to be over 80 years old and in ill health. Reportedly detained in Z30A prison camp, Xuan Loc, Dong Nai province.

9. Doan Van Huynh also known as Luc Huynh, reportedly detained at Xuan Loc, Dong Nai province.

10. Nam Kiem also known as Phuong Van Kiem, reportedly detained at Xuan Loc, Dong Nai province.

11. Le Van Tinh, reportedly detained at Xuan Loc, Dong Nai province.

12. Dr. Tri, reportedly detained at Xuan Loc, Dong Nai province.

13. Tran Van Mac, reportedly detained at Xuan Loc, Dong Nai province.

14. Minh Triet also known as Le Minh Triet, a 57 year-old farmer who is reported to have practised his religion at home. In December 1993 the security police are alleged to have raided his home and removed an altar. Minh Triet went into hiding. He is said to have contacted an overseas radio station to ask for help from the international community. He was reportedly arrested in early 1994. Charges against him are reported to include "disrespect for the national law" and "conspiracy with reactionary forces overseas".

15. Hue Dang, reportedly detained at Xuan Loc, Dong Nai province.

16. Bay An, reportedly detained since 1990 at Xuan Loc, Dong Nai province.

17. Le Van Son, reportedly detained since 1985 in T5 "re-education" camp, Thanh Hoa province. He is reportedly serving a life sentence and is in ill health.

18. Doan Van Nay, reported to be detained at T5 "re-education" camp, Thanh Hoa province.

19. Nguyen Van Dao also known as Nguyen Van Dau, reported to be serving a life sentence at A20 camp at Xuan Phuoc, Phu Yen province.

20. Nguyen Van Hung, reportedly serving a life sentence at A20 camp, Xuan Phuoc, Phu Yen province.

21. Nguyen Van Tren, reportedly serving a life sentence at A20 camp, Xuan Phuoc, Phu Yen province.

22. Nguyen Van Dung, reportedly serving a life sentence at A20 camp, Xuan Phuoc, Phu Yen province.

23. To Ba Ho, reportedly serving a life sentence at A20 camp, Xuan Phuoc, Phu Yen province.

Amnesty International is concerned that the persons listed above may be detained for peacefully exercising their rights to freedom of religion by practising their chosen faith in the Hoa Hao Buddhist church. It urges the authorities to make public information about the reasons for their detention and the charges against them.

Recommendations

Amnesty International is concerned that, despite the claims by the Vietnamese authorities to uphold freedom of religion, there is in fact a deliberate and coordinated policy of intolerance, determined at the highest levels of the government. Freedom of expression and freedom to 'believe or not believe' in a religion are guaranteed by Articles 69 and 70 of the 1992 Constitution, but, in contravention of Viet Nam's obligations under international human rights law, there are no guarantees of freedom of worship. The Vietnamese Government continues to arrest and detain monks and lay Buddhists solely for peacefully exercising their rights to freedom of expression and freedom of religion.

! Amnesty International urges the immediate and unconditional release of all prisoners of conscience - including the five Hoa Hao Buddhists sentenced in

September 2000 - detained for peacefully and lawfully exercising their right to freedom of opinion, conscience, expression and religion.

! Amnesty International calls on the Vietnamese Government to provide information on all the prisoners mentioned in this report, including charges against them and details of any trials which have taken place, and any which are scheduled.

! Amnesty International calls on the Vietnamese Government to guarantee the right of all people in Viet Nam to practice the religion of their choice. This includes the right to freedom of belief and right to assemble as enshrined in Articles 69 and 70 of the 1992 Constitution, but also the right to freedom of worship, as laid down in international law, in particular the International Covenant on Civil and Political Rights, to which Viet Nam is a state party.

! Amnesty International urges the Vietnamese Government to ensure that all domestic legislation, including the penal code and various decrees, are in conformity with the state's obligations under international law. Any provisions which do not meet the standards of the international treaties to which Viet Nam is a state party, should be urgently reviewed and amended accordingly.

APPENDIX 1 - Translation of an open appeal letter sent by Hoa Hoa followers to authorities

An Giang, Dong Thap, January
2, 2000

APPEAL LETTER:

(Ref: Public Security Police's harassment of Hoa Hao Buddhists)

To

People's Supreme Court
Public Security Police Ministry, Hanoi
Public Security Police Agency of An Giang Province
Public Security Police Office of Phu Tan District

Based on the Declaration of Independence of Chairman Ho Chi Minh on 2 September 1945, 1945: "The people has the right to live, to prosper and to be free."

Based on the Security Police newspaper on 1 January 2000, according to the spirit of the letter of General Secretary Le Kha Phieu, to the Party Subcommittee of Ho Chi Minh City, "The people is the foundation, the people is above all..."

Based on the Criminal Laws and the Constitution of The Socialist Republic of Vietnam,

'We, a group of Hoa Hao Buddhists from many regions, and nine victims, who were savagely beaten and falsely imprisoned on 26 December 1999 while on pilgrimage and while "trying to suggest a plan to erect a temple sign saying 'Hoa Hao Buddhist Ancestral Temple'" would like to express our pain, anger and suffering at being beaten, arrested, and defamed on the airwaves, as detailed below:

1. The beating and arrest of innocent persons by An Giang Province, Phu Tan District plain-clothes police.

At dawn on 26 December 1999, a large group of plain-clothes security police surrounded the Hoa Hao Buddhist Ancestral Temple area, with riot gear such as handcuffs, electric-shock batons, batons, a jeep, and a video camera. Meanwhile, inside the temple, Hoa Hao Buddhists were taking mass and discussing a plan with the guardians of the Ancestral Temple to put up a sign saying "Hoa Hao Buddhist Ancestral Temple" in time for the ceremony of the 25/11 [sic] of the lunar month, because the temple's official board had not mentioned the plan to the guardians.

The plain-clothed security police were there with the devious purpose of terrorizing the peaceful meeting and intimidating Hoa Hao Buddhist followers. Taking advantage of the plain nature of the Hoa Hao Buddhists, they suddenly invaded the Ancestral Temple, assaulted the worshippers, handcuffed their arms behind their backs, dragged and threw them onto the back of the Jeep, and transported them to Phu Tan jail. Two of the beaten Hoa Hao Buddhists suffered severe concussion and were transferred to Ho Chi Minh City Hospital. (They were Mr. Nghia and Mr. Long.)

These savage beatings and arrests were witnessed by most of the sympathetic people of Phu Tan District.

- 2 False accusation: "Public disturbance"

After being jailed for two days, the 9 victims were falsely convicted of "public disturbance" and were released only after they were forced to sign an admission of guilt. Two did not sign: Mr. Tam Thuc and Mr. Lia. The security police swiftly set up a public hearing immediately afterwards to announce their convictions. The majority of attendants at the public hearing were security police, the state-sponsored board of representatives and "brown-noses." This proved that the security police were out to malign Hoa Hao Buddhists and to cover up their barbaric acts against the followers.

- 3 Broadcasting false information

After using the deceitful tactic of oppression, the security police also deliberately misinformed the public by broadcasting falsified information:

- ! Accusing the victims of creating disturbance in the Ancestral Temple.
- ! Accusing the victims of vandalizing the Ancestral Temple and forcefully evicting the guardians of the temple.

These accusations were broadcast continuously from 29 to 31 December 1999, in order to intimidate and suppress Hoa Hao Buddhist followers' fight for freedom of religion, and to drive a wedge into attempts to unify Hoa Hao Buddhists.

- 4 Analysis of the public security police's deceitful tactics:

By disguising themselves as common people while beating the Hoa Hao Buddhists, the security police showed their malicious intentions.

The security police, pretending to act as "referees", carried out a more devious scheme of "defaming religion," to malign the integrity of the Hoa Hao Buddhist Church, and to divide the unity of the guardians of the Ancestral temple.

Creating public confusion by beating, handcuffing and causing pandemonium.

Directly challenging the Hoa Hao Buddhist Church's fight for freedom of religion by fueling anger and thus inciting long-term uprising and rebelling against oppression.

Obviously showing the administration's insincerity about international justice in terms of Human rights and Freedom of religion, and therefore leading the High Commission of Human Rights to focus on helping to eradicate the oppression of Hoa Hao Buddhism.

- 5 Analysis of tactics to hide conspiracies by plain-clothes security police and state-sponsored representatives board in their "terrorism coalition" campaign.

The accusation of "public disturbance" is totally baseless. For if it was true that the nine victims intended to create a public disturbance, they would have had some weapons with them or at least would have retaliated against the beatings but none did that, and there would have been evidence of damage to the Ancestral temple. Yet none was shown on television as proof of "public disturbance".

On the other hand, if the victims had evicted the Temple guardians, then there must be some video film to prove and show who were responsible. On the contrary, TV viewers tried to look for the disturbance caused by the 9 poor victims but neither these scenes were shown, nor anyone heard of any rude words by the victims towards Mr Duong, Mr Dat, Ms Muot, and Ms Be. Many people witnessed the beatings, and handcuffing which took place while the 9 victims were shouting loudly "The government oppresses religion", "The government oppresses Hoa Hao Buddhism". In particular, people who were near the temple heard profanities from the security police, and the deputy chairman of the state-sponsored representative board loudly called out "Arrest them all, I'll be responsible for this."

All of these facts prove their accusations to be unfounded and baseless.

In short, the nine victims, who have the utmost respect for Hoa Hao Buddhist followers were at the temple only to make a suggestion that a sign was put up there before the Anniversary of Prophet Huynh Phu So; and the fact that none of them retaliated against the assault proves them not to be the aggressors in this incident.

The most obvious cruelty is the fact that they arrested Mr Nguyen Van Lia and Truong Van Long.

Mr Lia was talking to Mr Duong, Deputy head of the representative board, and Ms Hai Muot, about the Security Police Newspaper's defamation of The Master (*presumably the Prophet Huynh Phu So*).

Mr Long was standing in front of Mr Ut Nong's house. The security police tried to find some reasons to provoke him: they swore at him and ordered that he was beaten, handcuffed and arrested. Mr Ut Nong witnessed this incident.

During the public hearing, security police applied all forms of pressure and harassment on the victims, and they were not allowed to speak at all. They calmly suffered the pressure put on them by the security police, who sat behind them in court. This was clearly staged to wrongfully accuse individuals, not in accordance with the law. Because if it is done according to the law, in a public

hearing there must be a procedure whereby defendants stand to confess their guilt and promise not to do it in the future. In fact in this case the security police did not allow the victims to speak, meaning the nine victims were innocent and were publicly forced by the police.

It is the security police who should be prosecuted for their brutalities and dishonesty to the people, and their disregard of the laws. They, disguised as common people, caused serious injuries to innocent people, handcuffed them, made false arrests, and publicly vilified the victims. They blatantly violated human rights.

Oppressing people publicly was an act of disregarding people's opinions and they deliberately intended to assert authority and power, which is totally the opposite to the intention of being fair and humane.

Mr. Huynh Tam Song, chief administrator of Phu Tan District, casually snatched and destroyed a camera from a Hoa Hao Buddhist, who was collecting evidence by photographing the scene when people were hit, handcuffed and pushed onto a jeep. We request the return of the camera and its films for evidence.

6 Suggestions and requests to:

The People's Supreme Court of the Socialist Republic of Vietnam
The Public Security Police Ministry and other government Agencies
concerned

- To review and investigate the brutalities of plain-clothes security police of An Giang Province and Phu Tan District.
- To publicly acquit the nine victims on the airwaves.
- To retract defamations against them.
- To compensate the two severely injured victims.
- To prosecute to the fullest extent of the law the commanders and plainclothes security police involved in the beatings and false arrests.

To mediate a reconciliation between the security police and the nine victims in order to build unity between the Hoa Hao Buddhists and the security police.

We wish the People's Supreme Court, the Security Police Ministry, and the Central Agencies to resolve this matter justly and satisfactorily.

Respectfully submitted to

Secretary General of the Communist Party's Central Committee
President of the Socialist Republic of Vietnam
Prime Minister
Fatherland Front Central Committee
Central Committee on Religious Affairs
United Nations High Commission for Human Rights

Agreed and signed by

Truong Van Thuc
Nguyen Chau Lang
Ha Hai
Tran Nguyen Huon

Nguyen Van Vinh
Tong Van Chinh
Truong Kim Long
Nguyen Ngoc Thanh
Nguyen Quang Long
Pham Hoang Lap
Le Van Tieu
Bui Van Hien
Tran Thi Em

APPENDIX 2 - Translation of appeal letter from the relatives of four of the prisoners

REPUBLIC OF VIETNAM
Independence - Freedom - Happiness
RE: Appeal
To: The Supreme Court of Ho Chi Minh City

Dear Members of the Court:
We are the undersigned:

1. Tran Thi Em, born 1958 currently residing at Trung I hamlet, Phu My town, Phu Tan district, An Giang province, wife of Truong Van Thuc.
2. Do Thi Be Nam, born 1958 currently residing at Dong hamlet, Tan Binh county, Chau Thanh district, Dong Thap province, wife of Nguyen Chau Lang.
3. Dinh Thi Kim Phung, born 1965 currently residing at Trung I hamlet, Phu My town, Phu Tan district, An Giang province, wife of Tran Van Be Cao.
4. Huynh Thi Sam, born 1933 currently residing at Hoa Thoi hamlet, Dinh Thanh county, Thoai Son district, An Giang province, mother of Le Van Nhuom.

We are writing to appeal against the sentence on September 26, 2000 by the Court of An Giang province, which tried and sentenced our children and husbands. We base this appeal on the following laws:

"According to the Republic of Vietnam's Constitution, Chapter X, Section the People Court, Article 131 and 132: '...The People Court must examine and judge in public, and the defendant's right must be insured..."

But the trial was not opened to the public; the citizens were not permitted to attend. All the Courthouse doors were closed and locked. The defendants' families, including mothers & wives couldn't attend, the victims didn't have the right to defense, and the victims and critical witnesses of the trial weren't allowed to be present. The petitioners, who had evidence, were arrested, imprisoned and also tried.

We don't accept the sentence of "defaming the government" and "abusing democracy".

With the reasons listed above, we have put together this appeal asking you to re-evaluate the case so that the victims will receive justice based on the existing laws.

During this period of waiting, please accept our appreciation.

Respectfully,
An Giang, September 28, 2000.

Tran Thi Em Do Thi Be Nam Dinh Thi Kim Phung Huynh Thi Sam

- (1) E/CN.4/1999/58/Add.2 Report of the Special Rapporteur on religious intolerance: visit to Viet Nam, 29 December 1998, Report submitted by Mr. Abdelfattah Amor, Special Rapporteur, in accordance with Commission on Human Rights resolution 1998/18.
- (2) Agence France Presse (AFP) report 'Viet Nam jails six dissident Buddhist sect members' dated 26 September 2000.
- (3) Deutsche Presse Agentur (DPA) report 'Viet Nam jails Buddhist for "abusing democratic rights"' dated 26 September 2000.
- (4) According to a Reuters report dated 22 January 2001, quoting an An Giang province local official, Ha Hai has been sentenced to five years imprisonment on two charges '*violating surveillance orders made by local authorities and abusing democratic rights to encroach on state interests.*'
- (5) Radio Free Asia is a private corporation funded by the U.S. Congress which broadcasts to listeners in China, Tibet, Viet Nam, Myanmar, North Korea, Laos and Cambodia.