

EXTERNAL (for general distribution)

AI Index: ASA 41/07/94

Distr: UA/SC

UA 307/94

Death Penalty

23 August 1994

SOCIALIST REPUBLIC OF VIETNAM

Le Thi Thu Ha (f), police captain

On 22 August 1994, a Vietnamese court sentenced Le Thi Thu Ha to death for fraud. She reportedly confessed to lying to 41 people and two state companies in order to misappropriate gold and cash worth 3.5 billion dong (\$321,000) in 1993. Le Thi Thu Ha, a police captain in Nam Ha province, borrowed money from many people on the pretext of buying real estate and foreclosed state properties. She fled to Ho Chi Minh City before her arrest in February 1994. She may appeal the death sentence to an appellate court.

BACKGROUND INFORMATION

In Viet Nam, immediately after a death sentence takes legal effect, 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' Organ of Control for review. Both must decide within two months whether or not to protest the sentence imposed by an appellate court. 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 Viet Nam's President.

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 on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights.

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

- expressing concern that Le Thi Thu Ha has been sentenced to death;
- stating Amnesty International's unconditional opposition to the death penalty;
- urging that all death sentences, including that of Le Thi Thu Ha, be commuted and that no more death sentences be imposed.

APPEALS TO:

1. Head of State

Le Duc Anh

President

Socialist Republic of Viet Nam

35 Ngo Quyen St.

Ha Noi, Socialist Republic of Viet Nam (SRV)

Telegrams: President Le Duc Anh, Ha Noi, Viet Nam

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 Viet Nam
accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 4 October 1994.