

URGENT ACTION

BLOGGER'S "PROPAGANDA" TRIAL IMMINENT

Blogger Nguyen Hoang Hai, known as Dieu Cay ("the peasant's pipe"), in prison since 2008, will be brought to trial shortly for "conducting propaganda" against the state. His lawyer was recently allowed to visit him, and said he was ill and had lost a lot of weight.

Nguyen Hoang Hai is a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression. He is due to be tried on 17 April, and could be sentenced from three to 20 years' imprisonment.

Nguyen Hoang Hai co-founded the independent Free Vietnamese Journalists' Club in 2007. He has written articles critical of China's foreign policy on Viet Nam and taken part in peaceful protests. He used his blogs to expose corruption and promote human rights in Viet Nam.

He has been detained since his arrest in April 2008. In September 2008, he was convicted on politically motivated charges of tax fraud and sentenced to two-and-a-half years in prison, which he completed in October 2010. Instead of releasing him, the authorities told his family he was being held for investigation for "conducting propaganda" against the state.

His family have been repeatedly denied access to him, and his lawyer saw him for the first time only at the end of March 2012. In July 2011, a prison official told his family he had "lost" an arm or hand, without further explanation. The authorities have ignored his family's appeals for information.

Please write immediately in English, Vietnamese or your own language:

- Call on the authorities to drop charges against Nguyen Hoang Hai and release him immediately and unconditionally;
- Urge them to ensure that until he is released, he receives any medical attention he may require, and is treated in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners, including regular access to his family and lawyer;
- Demand that they respect and protect freedom of expression, association and assembly, and stop harassing human rights defenders.

PLEASE SEND APPEALS BEFORE 24 MAY 2012 TO:

Minister of Public Security

Lt Gen Tran Dai Quang

Ministry of Public Security

44 Yet Kieu Street

Ha Noi, Viet Nam

Fax: +844 3942 0223

Salutation: Dear Minister

Minister of Foreign Affairs

Pham Binh Manh

Minister of Foreign Affairs

1 Ton That Dam Street

Ba Dinh district, Ha Noi

Viet Nam

Fax: +844 3823 1872

Email: bc.mfa@mofa.gov.vn

Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 132/11. Further information:

<http://amnesty.org/en/library/info/ASA41/004/2011/en>

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ADDITIONAL INFORMATION

In 2009, the UN Working Group on Arbitrary Detention declared Nguyen Hoang Hai's detention to be arbitrary, as it represented "an attempt to stifle the exercise of his rights to freedom of opinion and expression and of peaceful assembly". (See para 31 of the WGAD opinion 01/2009: <http://www.unwgadatabase.org/un/Document.aspx?id=2371>).

Viet Nam is a state party to the International Covenant on Civil and Political Rights, and is obliged to conform with and respect the rights therein on arrest, detention and fair trial. Under Viet Nam's Code of Criminal Procedure, the period of temporary detention for investigation is limited. The maximum period for "especially serious crimes" may be extended three times for no more than four months each. By the time Hai is brought to trial on 17 April, he will have been held in pre-trial detention for 18 months, in contravention of both national and international law.

Prison conditions in Viet Nam are generally harsh. With poor food and limited health care, prisoners are reliant on additional supplies from their families. In 2009 Nguyen Hoang Hai was held incommunicado for several months after being transferred to a prison further from his home in Ho Chi Minh City, making it difficult for his family to visit him. Political prisoners held incommunicado are particularly vulnerable to torture and other ill-treatment.

Trials of dissidents in Viet Nam routinely fail to meet international fair trial standards. Defendants are not presumed innocent, and the outcome is seemingly decided before the trial, with no right to defence or to call witnesses. Family members and others are often denied access to the court.

Freedoms of expression, association and assembly are severely restricted in Viet Nam. The authorities routinely harass and imprison peaceful activists who criticise government policies and advocate greater freedoms, in order to silence them. Dozens of prisoners of conscience, including bloggers, lawyers, writers, labour activists, businesspeople, and supporters of opposition groups, are serving long prison terms under legislation which criminalizes peaceful dissent.

Name: Nguyen Hoang Hai, also known as Dieu Cay
Gender m/f: Male

Further information on UA: 132/11 Index: ASA 41/004/201 Issue Date: 12 April 2012