

PUBLIC

AI Index: ASA 41/002/2004

2 January 2004

UA 01/2004 Health concern/Incommunicado detention

SOCIALIST REPUBLIC OF VIET NAM

Dr Nguyen Dan Que [m], 61

Prisoner of conscience Dr Nguyen Dan Que requires continuous medication for several life-threatening conditions. He is now believed to be the only political prisoner held incommunicado out of a group of high-profile dissidents detained in Viet Nam, and there are serious concerns for his safety.

Dr Nguyen Dan Que suffers from high blood pressure, a bleeding peptic ulcer and kidney stones. Medication which he needs has been provided to the detention centre where he is held, but it is not known whether this has been passed on to him, as he has had no access to his family or to legal representation since his arrest on 17 March 2003.

Fellow prisoner of conscience Nguyen Vu Binh was sentenced to seven years' imprisonment after a three-hour trial on 31 December 2003. Nguyen Vu Binh had been held incommunicado since September 2002. Both men are part of a loosely connected group of dissidents who have been vocal critics of government policy, especially on human rights, in recent years. It is not known whether they have been mistreated in detention. However, according to the UN Special Rapporteur on Torture, denial of access to family and legal counsel over long periods of time puts detainees at increased risk of torture and ill-treatment.

Dr Nguyen Dan Que was arrested four days after he issued a statement, published abroad, saying that there was no freedom of information in Viet Nam, and supporting legislation recently put to the US House of Representatives which proposed steps to promote of freedom of information in Viet Nam. After his arrest, it was reported in the official media that Dr Nguyen Dan Que was accused of espionage. It is not known if he has been formally charged, or when he might be brought to trial. Amnesty International considers him a prisoner of conscience.

BACKGROUND INFORMATION

Dr Nguyen Dan Que, an endocrinologist and well-known dissident, has been imprisoned twice before, for a total of 18 years, because of his advocacy of political reform and respect for human rights, and his criticism of government policies. In February 1978 he was arrested and accused of "rebellious against the regime" and forming a "reactionary" organization – the National Front of Progress. After 10 years of imprisonment without trial he was released in 1988. He was re-arrested in June 1990 after he founded the *Cao Trao Nhan Ban* (High Tide of Humanism Movement) which called for democratic change. He also became a member of Amnesty International, a fact mentioned in the charges against him. In November 1991 he was sentenced to 20 years' imprisonment. He was released under a special amnesty in September 1998.

Dr Nguyen Dan Que was held in conditions which Amnesty International believes amounted to cruel, inhuman and degrading treatment. Since his release, Dr Que had faced constant surveillance amounting to harassment by the authorities, including having his phone and access to the Internet cut on numerous occasions.

Dr Nguyen Dan Que was arrested outside his house in Ho Chi Minh City, while reportedly on his way to an Internet café. He is one of several dissidents, including Nguyen Vu Binh, who have been arrested since the beginning of 2002 for peacefully exercising their right to freedom of expression through use of the Internet, some of whom have been sentenced to long prison terms.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, French or your own language:

- expressing concern for the health of Dr Nguyen Dan Que, who suffers from serious medical problems, and seeking assurances that he is receiving the medical treatment he needs,
- expressing concern that Dr Nguyen Dan Que has been held incommunicado since his arrest in March 2003, and asking for him to be allowed immediate and urgent access to his family and legal representation, in accordance with minimum international standards for the treatment of prisoners;
- calling for him to be released immediately and unconditionally, as he is a prisoner of conscience, imprisoned solely for the peaceful exercise of his fundamental rights.

APPEALS TO:

Prime Minister Phan Van Khai
Office of the Prime Minister
Hoang Hoa Tham
Ha Noi
Socialist Republic of Viet Nam
Telegrams: Prime Minister, Ha Noi, Viet Nam
Fax: + 844 823 4137
Salutation: Dear Prime Minister

Le Hong Anh
Minister of Public Security
Ministry of Public Security
15 Tran Binh Trong Street
Hoan Kiem District
Ha Noi
Socialist Republic of Viet Nam
Telegrams: Public Security Minister, Ha Noi, Viet Nam
Fax: + 844 199 2682 (c/o Ministry of Foreign Affairs)
Salutation: Dear Minister

Uong Chu Luu
Minister of Justice
Ministry of Justice
25A Cat Linh Street
Dong Da District
Ha Noi
Socialist Republic of Viet Nam
Telegrams: Justice Minister, Ha Noi, Viet Nam
Fax: + 844 843 1431
Salutation: Dear Minister

COPIES TO:

Nguyen Dy Nien
Minister of Foreign Affairs
Ministry of Foreign Affairs
1 Ton That Dam Street
Ba Dinh District
Ha Noi
Socialist Republic of Viet Nam
Telegrams: Foreign Affairs Minister, Ha Noi, Viet Nam
Fax: + 844 199 2682
Salutation: Dear Minister

and to diplomatic representatives of 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 13 February 2004.