

PUBLIC

AI Index: ASA 41/016/2004

20 July 2004

Further Information on UA 01/04 (ASA 41/001/2004, 2 January 2004) Health concern/Incommunicado detention/Unfair trial/prisoner of conscience

**SOCIALIST REPUBLIC
OF VIET NAM**

Dr Nguyen Dan Que (m), aged 62

Prisoner of conscience Dr Nguyen Dan Que, who was due to go on trial on charges of espionage on 19 July, has had his trial postponed, reportedly until 29 July. He has had no legal representation since he was arrested in March 2003. His health has reportedly worsened significantly while he has been in custody. He requires medication for high blood pressure, and suffers from a bleeding peptic ulcer and kidney stones. Medication is reportedly delivered to the detention facility.

According to a spokesperson of the Ministry of Foreign Affairs, Dr Que is charged with “abusing democratic rights to jeopardize the interests of the State” under Article 258 of Viet Nam’s Penal Code, which carries a prison sentence of between six months and seven years. Political trials in Viet Nam are routinely unfair, usually lasting for less than one day, and independent observers are not allowed to attend.

Dr Nguyen Dan Que, a distinguished doctor, former hospital director and long-standing human rights activist, was arrested outside his home on his way to an internet cafe. It is believed that his arrest was prompted by a statement he issued on 13 March asserting that there was no freedom of information in Viet Nam, which was circulated via the internet and published outside the country.

He has been imprisoned twice before, for a total of 18 years, for advocating political reform and respect for human rights, and criticising government policies. He was detained without charge or trial from 1978 to 1988, and 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. At that time he was sentenced to 20 years’ imprisonment, but was released under a special amnesty in September 1998. After his release, Dr Que faced constant surveillance by the authorities, amounting to harassment.

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

- expressing concern for 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 detained since his arrest in March 2003, and asking for him to be allowed immediate and urgent access to his family and legal representation of his choice, in accordance with international standards for the treatment of prisoners;
- expressing concern that Dr Nguyen Dan Que faces a trial which will not meet international standards of fairness;
- 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
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
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
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
Fax: + 844 199 2682
Salutation: Dear Minister

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 31 August 2004.