

URGENT ACTION

HUMAN RIGHTS ACTIVIST HELD, AT RISK OF TORTURE

Vietnamese lawyer Lê Thu Hà, a human rights activist, was arrested on 16 December, at the same time as prominent human rights lawyer Nguyễn Văn Đài, a colleague. No other activists have been allowed to see her, and she is at risk of torture and other ill-treatment.

Lawyer **Lê Thu Hà** is believed to have been detained when security officers searched human rights lawyer Nguyễn Văn Đài's home in the capital, Ha Noi, after he was arrested in the morning of 16 December (see UA 292/15, <https://www.amnesty.org/en/documents/asa41/3098/2015/en/>). She is the secretary of the independent organization he founded, the Brotherhood of Democracy Association. She is now detained in B14 prison in Ha Noi, pending investigation. It is not known if she has been formally charged.

Lê Thu Hà had been arrested on 23 September with four other staff members of the independent Lương Tâm (Conscience) TV, set up in August 2015 to broadcast short video clips on YouTube about human rights issues in Viet Nam. She was an English translator for the broadcasts. Ha Noi security police held the five for questioning until late in the evening. In April, the authorities confiscated Lê Thu Hà's passport as she was about to fly from Ha Noi to Ho Chi Minh City where she was planning to board an onward flight abroad.

Activists tried to visit Lê Thu Hà at B14 prison on 20 December, but were refused permission. She is at risk of torture and other ill-treatment. Human rights defenders facing criminal charges are subject to severe and often brutal treatment during pre-trial detention and investigation.

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

- Urging the authorities to release Lê Thu Hà immediately and unconditionally as she is a prisoner of conscience detained solely for exercising her right to freedom of expression and promoting human rights;
- Urging them to ensure that she is not subjected to torture or other ill-treatment;
- Urging them to treat her in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners and to ensure that she is given full access to lawyers of her choice, her family and any medical attention she may require.

PLEASE SEND APPEALS BEFORE 2 FEBRUARY 2016 TO:

Minister of Public Security

Gen Tran Dai Quang
Ministry of Public Security
44 Yet Kieu Street, Hoan Kiem district
Ha Noi, VIET NAM
Online contact form:
http://www.mps.gov.vn/web/guest/contact_english

Salutation: Dear Minister

Minister of Foreign Affairs

Pham Binh Minh
Ministry 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

And copies to:

Minister of Justice
Ha Hung Cuong
Ministry of Justice
60 Tran Phu Street, Ba Dinh district
Ha Noi, VIET NAM
Fax: + 844 627 3959
Email: botuphap@moj.gov.vn

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.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

HUMAN RIGHTS ACTIVIST HELD, AT RISK OF TORTURE

ADDITIONAL INFORMATION

Lê Thu Hà is not known to have been charged. However, it is likely that she will also be charged under Article 88 of the Penal Code, like Nguyễn Văn Đài, with “conducting propaganda” against the state and held for an initial four months for investigation. Visits from family or lawyers are not usually allowed during this period, which may be extended.

Viet Nam is a party to the International Covenant on Civil and Political Rights which guarantees the rights to freedom of expression, association and peaceful assembly. However, these rights are severely restricted in Viet Nam. Vaguely-worded articles in the national security section of Viet Nam’s 1999 Penal Code are frequently used to criminalize peaceful dissent. Those at risk include people advocating for peaceful political change, criticizing government policies or calling for respect for human rights. Article 88 (Conducting propaganda against the Socialist Republic of Viet Nam) is one of several provisions in the Penal Code frequently used to detain, prosecute and imprison dissidents for their peaceful activism, including bloggers, labour rights and land rights activists, political activists, religious followers, human rights defenders, social justice activists and even songwriters.

Prison conditions in Viet Nam are harsh, with food and healthcare that fall short of the minimum requirements set out in the UN Standard Minimum Rules and other international standards. Human rights defenders facing criminal charges are subjected to severe and often brutal treatment during pre-trial detention and investigation. This includes physical violence, intimidation, humiliation and solitary confinement, amounting to torture and other cruel, inhuman or degrading treatment or punishment which often continues for months or even years. It is done to force detainees to confess.

Treatment after trial and conviction is also harsh. Prisoners of conscience have been held in solitary confinement as punishment for lengthy periods. They have also been tortured or otherwise ill-treated: this can include other prisoners beating them, while prison guards do nothing. Some prisoners of conscience are frequently moved from one detention facility to another, often without their families being told. Several prisoners of conscience have undertaken hunger strikes in protest at abusive treatment and poor conditions of detention.

Name: Lê Thu Hà
Gender m/f: f

UA: 297/15 Index: ASA 41/3126/2015 Issue Date: 22 December 2015