

AMNESTY INTERNATIONAL PUBLIC STATEMENT

8 March 2019 ASA 41/9991/2019

VIET NAM: RELEASE HUMAN RIGHTS DEFENDER ARRESTED ON POLITICALLY-MOTIVATED CHARGE

The Vietnamese authorities must immediately and unconditionally release human rights defender Ha Van Nam, who has been arrested on the accusation of “disturbing public order” in connection with his peaceful activism, Amnesty International said today. The arrest is yet another example of the growing crackdown by the authorities on dissent and sends a worrying message to activists across the country.

At 5am on 5 March 2019, public security officials from Bac Ninh province, in northern Viet Nam, arrested Ha Van Nam, accusing him of “disturbing public order” under article 318 of Viet Nam’s 2015 Penal Code. Ha Van Nam is well known for his activism against corruption and injustice, and the previous day had live streamed himself on Facebook, urging people to continue the fight against human rights violations and abuses. He is currently detained at the Bac Ninh detention center, and it is believed that he has yet to be granted access to a lawyer. Under article 318 of the Penal Code, the charge he is facing carries a maximum seven-year sentence.

Amnesty International considers the case brought against Ha Van Nam to be politically motivated, as it relates solely to the peaceful exercise of his human rights as an anti-corruption and justice campaigner. He is a prisoner of conscience who should be immediately and unconditionally released.

Ha Van Nam has repeatedly faced harassment and intimidation in connection with human rights work. On 28 January 2019, he was kidnapped by unidentified men, who dragged him into a car and drove him to an unknown location where they beat him and warned him to stop what he was doing. The assault resulted in serious injuries all over his body. He immediately filed a complaint with the local police; however, the police never launched an investigation and to date no one has been held to account for the attack. On 12 February, he found blood smeared all over his car, as well as chicken heads placed on it—an apparent death threat.

Under international human rights law, everyone has the right to liberty and security of person, and no one should be subjected to arbitrary arrest or detention. However, Amnesty International continues to receive reports of intimidation, harassment and surveillance of human rights defenders and peaceful activists in Viet Nam. The work of international human rights observers, non-governmental organizations and journalists are severely restricted in the country.

Amnesty International calls on the Vietnamese government to ensure that it is possible to defend human rights in the country without fear of reprisal or intimidation. As part of this effort, the government should adopt measures to provide prompt, effective and impartial investigation into allegations of attacks on human rights defenders and to ensure effective remedies for those who have suffered attacks, and to protect those who are at risk of attack.

BACKGROUND

Ha Van Nam is a prominent human rights defender and anti-corruption activist and one of the leaders of the newly-established movement known as Fight Dirty BOT, which demands greater transparency around infrastructure projects in Viet Nam (in particular those known as Build - Operate - Transfer (BOT)). The movement has been particularly critical of privately-run toll roads, which have grown in number in recent years and for which ordinary people must pay large sums of money in advance to access. Activists accuse the government of refusing to provide access to information about how contracts for the roads are awarded, and of hiding the real profits made by these companies.

This nation-wide movement is supported by thousands of drivers across the country, and many people have been fully involved as activists to lead the movement. They drive along national road number 1, which connects north and south Viet Nam, to challenge the toll roads that local people claim are not transparent. Amnesty International has received frequent reports of harassment, intimidation and threats targeting these peaceful activists.