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Viet Nam: Spike in judicial repression with six convictions in eight days

Viet Nam must end judicial repression, and immediately and unconditionally release six activists convicted in the past eight days, Amnesty International said.

On 30 March 2016, four activists were convicted under Article 88, “spreading propaganda against the state”, in two separate trials. In one case, three women – Ngô Thị Minh Ước, Nguyễn Thị Trí, and Nguyễn Thị Bé Hai – were convicted by the Hồ Chí Minh People’s Court. Ngô Thị Minh Ước was sentenced to four years’ imprisonment with an additional three years under house arrest, whereas Nguyễn Thị Trí, and Nguyễn Thị Bé Hai received three year prison sentences and two years’ house arrest. State media has reported that Ngô Thị Minh Ước received an additional three month sentence from the People’s Court of southern Bình Phước without specifying the charge or explaining the circumstances surrounding this additional conviction.

Little information has been made public about the three women. State media has reported that they had admitted to participating in an organization named ‘Phong Trào Cách Mạng Dân Oan Phục Quốc Cứu Nước’ (‘Revolutionary Campaign of Victims of Injustice Wanting to Save the Country’). It has been reported elsewhere that they are the victims of land grabbing and that they had brought home made flags of the former South Viet Nam to the US embassy in July 2014 where they are said to have called for a change in government.

In a separate trial, blogger Nguyễn Ngọc Già, whose real name is Nguyễn Đình Ngọc, was sentenced to four years in prison followed by three years’ house arrest in a trial that lasted two hours. Già, who has been held in pre-trial detention since 27 December 2014, is a prolific blogger who posted articles on independent websites such as *Dân Làm Báo* and *Dân Luận*, including articles concerning the criminal convictions of high profile human rights defenders in Viet Nam. Shortly before his arrest, Già gave an interview to *Radio Free Asia* in which he condemned the torture of prisoners of conscience.

The four convictions on 30 March come a week after the convictions of Nguyễn Hữu Vinh, founder of the popular blogsite Anh Ba Sàm, and his assistant Nguyễn Thị Minh Thúy, under Article 258, “abusing democratic freedoms”. The pair received prison sentences of three and five years respectively after spending nearly two years in pre-trial detention.

The spike in criminal convictions for legitimate expression follows two months after Viet Nam announced changes in the country's senior leadership. They also coincide with the issuance by the Ministry of Public Security of new regulations for policing demonstrations relating to court hearings. Under Article 14 of Circular 13/2016/TT-BCA, following a verbal warning, police may "deploy forces to prevent the disturbance of public order, isolate and arrest opposition elements, instigators and leaders of the disturbance". The Circular was issued by the outgoing Ministry for Public Security General Trần Đại Quang who is set to become the country's new President in the coming weeks.

Background

Viet Nam is a party to the International Covenant on Civil and Political Rights and is constitutionally obligated to uphold the rights to freedom of speech, freedom of the press, and freedom of assembly yet vaguely worded articles of the country's Penal Code, including Articles 88 and 258, are routinely used to imprison men and women for the legitimate exercise of these rights. Other activists, namely prominent human rights lawyer Nguyễn Văn Đài and his colleague Lê Thu Hà, await trial on charges arising from legitimate human rights work. US President Barack Obama is set to visit make his first visit to Viet Nam in May or June this year.

Amnesty International has documented torture and other forms of cruel, inhumane, or degrading treatment or punishment of prisoners of conscience in Viet Nam, including during pre-trial detention when it is used for the purposes of obtaining a confession.

South Viet Nam, officially the Republic of Viet Nam, was the state governing the southern half of Viet Nam between 1955 and its reunification with North Viet Nam, officially the Democratic Republic of Vietnam, in 1975 following the US-Viet Nam War.