

URGENT ACTION

SERIOUS HEALTH CONCERNS FOR PRISONER OF CONSCIENCE

Trần Anh Kim was convicted and sentenced to 13 years' imprisonment for "carrying out activities aimed at overthrowing the Peoples' administration" in 2016. At 69 years of age, his health is deteriorating and according to his wife, "may not survive his lengthy imprisonment" as authorities have denied him adequate medical care. A prisoner of conscience, Trần Anh Kim must be immediately and unconditionally released.

Trần Anh Kim started advocating for democracy in Vietnam in the early 2000s when he joined a non-registered political party and another political group. In December 2009, the authorities arrested, tried, convicted and sentenced him to five years' imprisonment for his peaceful political activities. He was released in January 2015.

In September 2015, the authorities again arrested Trần Anh Kim, just nine months after the end of his previous imprisonment. During his pre-trial detention, he was held in solitary confinement and incommunicado for 14 months. In December 2016, the Peoples' Court of Thai Binh province, in north-eastern Viet Nam convicted and sentenced him to 13 years' imprisonment with four years' house arrest upon release under Penal Code Article 79 for "activities aiming to overthrow the people's administration".

After meeting her husband on 1 May 2018, Nguyễn Thị Thơm told Amnesty International that Trần Anh Kim is suffering a number of serious health conditions including high blood pressure and a prostate infection which Trần Anh Kim did receive surgery for in 2017 but with no improvement. His wife also reported that his ongoing headaches have worsened whilst imprisoned, he has lost almost all sight in one of his eyes, and lost most his teeth causing him difficulty when eating. The prison authorities have not allowed him to go to hospital to receive teeth implants and denied him accessing adequate medical treatment despite frequent requests from Tran Anh Kim and his family.

Please write immediately in Vietnamese, English or your own language, calling on Viet Nam's authorities to:

- Release Trần Anh Kim immediately and unconditionally as he is a prisoner of conscience, detained solely for peacefully exercising his rights to freedom of peaceful assembly, association and expression;
- Ensure that pending his release, Trần Anh Kim is protected from torture and other ill-treatment, including through deliberate denial of adequate medical treatment;
- Provide immediately adequate medical treatment to Trần Anh Kim according to the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 24.

PLEASE SEND APPEALS BEFORE 27 JUNE 2018 TO:

State President
Trần Đại Quang
Số 2 Hùng Vương, Ba Đình,
Hà Nội, Việt Nam
Fax: +844 437 335 256
Email: webmaster@president.gov.vn
Salutation: Your Excellency

Minister of Public Security
Tô Lâm
44 Yết Kiêu St. Hoàn Kiếm District,
Hà Nội, Việt Nam
Fax: +844 382 318 72
c/o Ministry of Foreign Affairs
Email: ttl.mfa@mofa.gov.vn
Salutation: Dear Minister

And copies to:
Prime Minister
Nguyễn Xuân Phúc
1, Hoàng Hoa Thám St, Ba Đình
Hà Nội, Việt Nam
Email:
nguoiiphatngonchinhphu@chinhphu.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

SERIOUS HEALTH CONCERNS FOR PRISONER OF CONSCIENCE

ADDITIONAL INFORMATION

Trần Anh Kim is a former soldier; he went to war in 1979 and was injured, he served in the Viet Nam Peoples' Military for around 30 years. In 1991 while serving in the military as Lieutenant Colonel he was arrested under the accusation of "abuse of trust in appropriating socialist property" which denied. He was convicted and sentenced by a military court to 24 months' imprisonment and was released early in September 1995.

Trần Anh Kim was arrested the second time in 2009 for joining a non-registered political party called Viet Nam Democratic Party and another political group named Block 8406, both of whose stated aim was to promote democracy in Viet Nam. The People's Court of Thai Binh province sentenced him to five years' and six months' imprisonment with three years' house arrest upon release. Amnesty International considered him a prisoner of conscience.

In January 2015, Trần Anh Kim completed his prison term and was released. He continued his activism by forming "Quân nhân Dựng cờ Dân chủ" (which roughly translates to "Soldiers Raising the Democratic Flag"), whose members are former soldiers from both North and South Viet Nam working to promote democracy and fighting against corruption. Due to this activity, the authority arrested Tran Anh Kim in September 2015. He was tried, convicted under Penal Code article 79 of "activities aiming to overthrow the people's administration" and sentenced to 13 years' imprisonment with four years' house arrest in December 2016.

Nguyễn Thị Thơm, the wife of Trần Anh Kim, told Amnesty International that it has become much more difficult for her to visit her husband since the Ministry of public security moved Tran Anh Kim to prison number 5 which is located more than 200 kilometres away from their home. According to Nguyễn Thị Thơm, during her visits the prison guards constantly watch her and her husband, "it's about 5 to 6 officers in the room monitoring the conversation". Nguyễn Thị Thơm said her husband is kept in the "political prisoner block", he is allowed access to natural light and to leave his cell a few hours a day but the guards still tightly monitor his every movement and he is forbidden to communicate with prisoners outside of his block. "The food is not enough and he cannot eat since there are very few teeth left in his mouth", said Nguyễn Thị Thơm.

Trần Anh Kim is one of 97 known prisoners of conscience in Viet Nam included in the list released by Amnesty in April, 2018. Viet Nam is one of the most prolific jailers of peaceful activists in Southeast Asia, where prison conditions are harsh especially for political prisoners. Torture and other ill-treatment, including prolonged incommunicado detention, prolonged solitary confinement, beating and deliberately withholding medical treatment, are prohibited absolutely under international law but remain common practices by Viet Nam authorities.

Viet Nam is a state party to the UN Convention against Torture and the International Convention on Civil and Political Rights (ICCPR). The prison conditions in Viet Nam are harsh, with food, healthcare and other conditions falling short of the minimum requirements set out in the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and other international standards. Prisoners of conscience are often held in solitary confinement as a punishment for lengthy periods, in clear violation of these Rules - some former prisoners have said this is like "prison within prison". Some prisoners of conscience are frequently moved from one detention facility to another, often without their families being informed.

Name: Tran Anh Kim
Gender m/f: M

UA: 101/18 Index: ASA 41/8432/2018 Issue Date: 16 May 2018