

EXTERNAL

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Death penalty

24 April 1996

SOCIALIST REPUBLIC OF VIET NAM Duong The Tung, aged 19

Amnesty International is gravely concerned that 19-year-old Duong The Tung, sentenced to death on 16 April 1996, faces execution by firing squad if appeals against the sentence fail.

Duong The Tung was found guilty by Ha Noi People's Court of murdering a policeman during New Year celebrations in February 1996. Despite Duong The Tung's confession and pleas for clemency, the Chief Judge imposed the death penalty in order to avoid "indignation of the people and to preserve discipline and threaten the other criminals". According to a report in the Hong Kong newspaper *South China Morning Post*, 2,000 people watched and cheered the proceedings from the court grounds. In a previous case in late 1994 when a policeman was sentenced to death for murder, thousands of people demonstrated at the Appeal Court hearing in support of the sentence. The policeman was subsequently executed.

BACKGROUND INFORMATION

The death penalty in Viet Nam is an optional punishment for a wide range of offences, including murder, "national security" crimes, drug offences and economic crimes such as manufacturing and selling counterfeit products. Defendants sentenced to death may appeal to the People's Supreme Court, which should make a decision on the case within two months. If the sentence is upheld, defendants must lodge a final appeal to the President for clemency within seven days.

During 1995, 104 death sentences were imposed. Although only 11 executions were officially reported, Amnesty International believes that executions are carried out on a regular basis.

Amnesty International opposes the death penalty in all cases on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR). The Vietnamese Government ratified the ICCPR in 1982 and is therefore bound by its terms.

RECOMMENDED ACTION: Please send telegrams/express/airmail letters in English or French or your own language:

- urging commutation of the death sentence imposed on Duong The Tung;
- urging the commutation of all outstanding death sentences;
- expressing unconditional opposition to the death penalty;
- urging that the death penalty be removed from the Penal Code.

APPEALS TO:

His Excellency Pham Hung
Chief Justice
People's Supreme Court
Ha Noi
Socialist Republic of Viet Nam
Telegrams: Chief Justice, Ha Noi, Viet Nam
Salutation: Dear Chief Justice

His Excellency Le Thanh Dao
Chief Procurator
Supreme People's Organ of Control
16 Tue Tinh Street
Ha Noi
Socialist Republic of Viet Nam
Telegrams: Chief Procurator, Ha Noi, Viet Nam
Salutation: Dear Chief Procurator

His Excellency Le Duc Anh
President
Office of the President
35 Ngo Quyen
Ha Noi
Socialist Republic of Viet Nam
Telegrams: President Le Duc Anh, Ha Noi, Viet Nam
Salutation: Your Excellency

and to diplomatic representatives of 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 10 June 1996.