

EXTERNAL

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Death penalty

3 May 1996

SOCIALIST REPUBLIC OF VIET NAM Phung Thi Tho (f), 34

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Amnesty International is gravely concerned at the imposition of the death penalty on Phung Thi Tho, a 34-year-old woman. She faces execution by firing squad if appeals against the sentence fail.

According to an official report Phung Thi Tho was found guilty of fraud by a court in Binh Dinh province in late April. She was alleged to have obtained US\$ 320,000 from people between 1991 and 1994 by promising them a high interest return. Her husband and two other alleged accomplices received prison sentences of between 18 months and 16 years.

#### BACKGROUND INFORMATION

The death penalty in Viet Nam is an optional punishment for a wide range of offences, including murder, crimes against "national security", drug offences and economic crimes. 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, 105 death sentences were imposed. Although only 11 executions were officially reported, Amnesty International believes that executions are carried out on a regular basis. Since the beginning of 1996, two death sentences have been officially reported, but Amnesty International fears that the real number may be much higher. The organization is concerned that the death penalty may be increasingly used as part of a current crackdown on perceived rising crime and "social evils".

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 Phung Thi Tho;
- urging 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**

**COPIES 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 30 June 1996.