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Viet Nam: The crackdown continues - dissident sentenced for "espionage"

Amnesty International expressed profound shock and dismay at today's sentencing of dissident Dr Pham Hong Son to 13 years imprisonment after a closed trial lasting only one day. Diplomats who had formally requested to attend the hearing were refused entry to the court. Dr Pham Hong Son was charged with espionage and sentenced under Article 80 of the Viet Nam Criminal Code.

"Once again the Vietnamese authorities are showing blatant disregard for freedom of expression and fundamental human rights. To accuse Dr Pham Hong Son of espionage is a travesty of justice", the organization said.

Dr Pham Hong Son, a 35-year-old businessman and qualified medical doctor, and father of two young children, has been detained since March 2002 under conditions which contravene both Vietnamese and international law. He was arrested after translating an article from the United States embassy's website in Viet Nam, entitled "What is Democracy" and sending it to friends and senior party officials. He is now serving a long prison sentence solely for the peaceful exercise of his fundamental rights to freedom of expression.

Dr Pham Hong Son is one of 21 other dissidents who signed a petition to the authorities in August 2002 which called for political reform.

The indictment which details Dr Pham Hong Son's alleged "crimes", names other dissidents in Viet Nam and Vietnamese in exile, with whom he had e-mail contact and shared information.

"This is a worrying indication of how closely the Vietnamese authorities monitored his private email and access to the Internet," Amnesty International emphasized.

Amongst the accusations noted against him are that he collected "materials with content denigrating and distorting the policy of the Party and the State, collecting materials and information and distributing them to exile reactionary persons for them to falsely accuse the State of violating human rights" and that he "actively prepared for the establishment of forces for pluralism and democracy in Viet Nam".

"Dr Pham Hong Son has not advocated violence or the overthrow of the Vietnamese government, neither has he passed on state secrets. He is an advocate of democracy, peaceful political change and human rights", Amnesty International said, "We consider him to be a prisoner of conscience who must be

immediately and unconditionally released."

"This is yet another outrageous example of Viet Nam using loosely-worded national security legislation to criminalize activities which are regarded as perfectly legal under international law and in most countries of the world," the organization added.

Background

Under the July 1988 Viet Nam Criminal Procedure Code, the period of temporary detention for investigation cannot exceed two months for "less serious crimes", or four months for "serious crimes". However, if a person is being held for investigation of crimes "of particular danger to national security", this period can be further extended by the Chief Procurator. Dr Pham Hong Son was detained for 15 months without trial.

In a crackdown which started around the beginning of 2002, other dissidents have been imprisoned, arrested, or placed under house arrest, many of them in connection with increased use of the Internet for advocating peaceful political reform and human rights. Dissident Nguyen Khac Toan was sentenced to 12 years' imprisonment for "spying" in December 2002, and Le Chi Quang to four years' imprisonment in November 2002 under national security legislation alleging "propaganda against the Socialist Republic of Viet Nam".

At least five other prominent dissidents are in prison awaiting trial, including the respected military historian Pham Que Duong and Professor Tran Khue arrested in December 2002. They are believed also to be facing charges of espionage under Article 80 of the Viet Nam Criminal Code. Dr Nguyen Dan Que, a prisoner of conscience for 18 years before his release from detention in 1998, was re-arrested on 17 March 2003 and is currently detained without charge.

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