

**PUBLIC**

**AI Index: ASA 41/018/2004**

**06 August 2004**

**Further Information on UA 01/04 (ASA 41/001/2004, 2 January 2004) and follow-up (ASA 41/016/2004, 29 July 2004) - Health concern / Incommunicado detention / Unfair trial / Prisoner of conscience**

**SOCIALIST REPUBLIC OF VIET NAM**

**Dr Nguyen Dan Que (m), aged 62**

---

Dr Nguyen Dan Que has been sentenced to two-and-a-half years' imprisonment following a grossly unfair trial, which took place at Ho Chi Minh City People's Court on 29 July. Amnesty International is appalled by this sentence, which was imposed despite a wave of international protest, and is urging the Vietnamese authorities to immediately and unconditionally release Dr Que as a prisoner of conscience.

Dr Que's trial, at which he did not have legal representation, lasted only three hours. When he made a statement to the court denying he had committed any crime, and stating that the trial was not in accordance with international standards for fair trial, he was removed from the courtroom to listen to the proceedings in a separate room. He was sentenced on charges of "abusing democratic rights to jeopardize the interests of the state, and the legitimate rights and interests of social organizations and citizens" under Article 258 of the Viet Nam Penal Code. Taking into account the time that Dr Que has already spent in prison, he will not be released until September 2005.

Dr Que's health has reportedly worsened significantly while he has been in custody. He requires medication for high blood pressure, and suffers from a bleeding peptic ulcer and kidney stones.

#### **BACKGROUND INFORMATION**

Dr Nguyen Dan Que, a distinguished doctor, former hospital director and long-standing human rights activist, was arrested outside his home on his way to an Internet cafe on 17 March 2003. It is believed that his arrest was prompted by a statement he issued on 13 March asserting that there was no freedom of information in Viet Nam, which was circulated via the Internet and published outside the country.

He has been imprisoned twice before, for a total of 18 years, for advocating political reform and respect for human rights, and criticizing government policies. He was detained without charge or trial from 1978 to 1988, and was re-arrested in June 1990 after he founded the Cao Tra Nhan Ban (High Tide of Humanism Movement) which called for democratic change. He also became a member of Amnesty International, a fact mentioned in the charges against him. At that time he was sentenced to 20 years' imprisonment, but was released under a special amnesty in September 1998.

#### **RECOMMENDED ACTION: As part of Amnesty International's continuing campaign for the release of Dr Nguyen Dan Que, please send a final round of appeals:**

- calling for Dr Nguyen Dan Que to be released immediately and unconditionally as a prisoner of conscience, imprisoned solely for the peaceful exercise of his fundamental rights.
- expressing concern that Dr Que was sentenced to two and half years' imprisonment after a trial not meeting international standards of fairness;
- seeking assurances that Dr Que is receiving the medical treatment he needs.

#### **APPEALS TO:**

Prime Minister Phan Van Khai  
Office of the Prime Minister  
Hoang Hoa Tham, Ha Noi

Socialist Republic of Viet Nam  
**Fax:** + 844 823 4137  
**Salutation:** Dear Prime Minister

**COPIES TO:**

Nguyen Dy Nien  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
1 Ton That Dam Street  
Ba Dinh District, Ha Noi  
Socialist Republic of Viet Nam  
**Fax:** + 844 199 2682  
**Salutation:** Dear Minister

and to diplomatic representatives of the 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 17 September 2004.