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Dr Nguyễn Thanh Sơn
General Director
The Permanent Office on Human Rights of
Viet Nam
Chùa Một Cột Street
Ba Đình District
Hà Nội
Socialist Republic of Việt Nam

15 September 2016

Dear Nguyễn Thanh Sơn

OPEN LETTER: URGENT REQUEST FOR INTERVENTION IN THE CASE OF PRISONER OF CONSCIENCE TRẦN THỊ THÚY

I write to outline Amnesty International's serious concerns about the health situation of prisoner of conscience Trần Thị Thúy. We request your urgent intervention to address her situation and to ensure that it does not deteriorate further.

Trần Thị Thúy is serving an eight year sentence after being convicted of "activities aimed at overthrowing" the state, under Article 79 of the Penal Code. She was arrested in August 2010 and is due for release in August 2018. She is currently being held in An Phước Detention Centre, Bình Dương province. She is considered a prisoner of conscience by Amnesty International; that is, an individual imprisoned or otherwise physically restricted because of his/her political, religious or other conscientiously held beliefs, ethnic origin, sex, colour, language, national or social origin, economic status, birth, sexual orientation or other status who has not used violence or advocated violence or hatred.

Amnesty International is in contact with Trần Thị Thúy's family who have provided us with information about her alarming medical situation and the refusal of the prison authorities in An Phước Detention Centre to provide her with adequate medical treatment.

On 3 September, Trần Thị Thúy was visited by her brother who informed Amnesty International that she was in a confused state to the point that she did not initially recognise him. According to her brother, Trần Thị Thúy is being given medication by prison medical staff which she believes is affecting her memory and making her confused. The medication is for tumours that Trần Thị Thúy is suffering from. She told her brother that the medication is not having any effect on the tumours, one of which near her abdomen is now 15 centimetres in circumference and is ulcerating and bleeding through her clothing. Further, medication and food being sent to Trần Thị Thúy by her family is being withheld, with prison authorities telling her that she will only receive these materials when she confesses to the crimes she is alleged to have committed. Trần Thị Thúy is in considerable pain and believes she is dying. We are extremely concerned about her situation, including about the likelihood of her contracting an infection in her open wounds while in prison.

The withholding of medication causing severe pain and suffering as a means to obtain a "confession", constitutes torture or other cruel, inhuman or degrading treatment or punishment. This treatment is in violation of the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture (CAT), to which Viet Nam is a state party. The UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) state that the provision of health care for prisoners is a State

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responsibility and that prisoners shall enjoy the same standards of health care that is available in the community. The Mandela Rules state that prisons shall ensure prompt access to medical attention in urgent cases and prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals.

Trần Thị Thúy's situation is dire and Amnesty International is concerned that her condition, if not addressed urgently, will deteriorate. Trần Thị Thúy has been in severe pain since April 2015 when a tumour was found on her uterus. She has a third tumour near her left breast. She has told her family on numerous occasions that she is afraid that she will die in prison as a result of her medical situation and the refusal of the prison authorities to provide proper and appropriate medical treatment. In six years, she has never been permitted to make a phone call home and medical updates on her situation can only be made to her family and the outside world in the monthly visits her family make to her in the prison, which is 900 kilometres from her family home.

Viet Nam is in violation of its legal obligations towards Trần Thị Thúy and of its international obligations under ICCPR and CAT. I call on the authorities to urgently resolve this situation and ensure Trần Thị Thúy is given urgent medical treatment pending her immediate and unconditional release.

Yours sincerely

Rafendi Djamin
Director of Southeast Asia and Pacific Programme