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Viet Nam: Buddhist dissident leaves his homeland for exile abroad

(New York and London, June 23, 2004) - Thich Tri Luc, a Vietnamese Buddhist dissident who was kidnapped from Cambodia and forcibly returned to Viet Nam in 2002, was permitted to leave Viet Nam for a Scandinavian country, arriving today, Amnesty International and Human Rights Watch said today. Thich Tri Luc, whose secular name is Pham Van Tuong, was a UN-recognized refugee when he was abducted by Cambodian and Vietnamese agents in Cambodia and taken to Viet Nam, where he was imprisoned for nearly two years.

"When a devout Buddhist is forced to go into exile to practice his religion safely, it's clear that Viet Nam will simply not tolerate any independent thought or institutions," said Sam Zarifi, deputy director of the Asia Division of Human Rights Watch. Thich Tri Luc, who was detained and imprisoned numerous times in Viet Nam because of his religious beliefs, was a member of the Unified Buddhist Church of Vietnam (UBCV), which is banned by the Vietnamese government.

"At last this sorry saga is over for Thich Tri Luc," said a spokesperson at Amnesty International. "This man has been repeatedly imprisoned, subjected to intrusive surveillance, kidnapped from Cambodia with the active collusion of the Cambodian authorities, where he had fled to seek asylum after years of persecution and harassment, and then held in secret in Viet Nam without his family knowing whether he was dead or alive. All this because he was critical of government religious policies and dared to speak out."

Background

Thich Tri Luc, 50, a former Buddhist monk, has been a member of the non state-sanctioned Unified Buddhist Church (UBCV) of Viet Nam for thirty years. He fled from Viet Nam to Cambodia in early 2002 to seek asylum after suffering years of persecution by the Vietnamese authorities. Prior to 1975, the UBCV was a major religious force in South Viet Nam, known internationally for monks that protested against the war through self-immolation and social activism.

From 1992 to 1993 he was detained without charge or trial for 10 months in Viet Nam for protesting against the treatment of Buddhists and calling for the respect of religious freedom. He was arrested again in November 1994 with other UBCV monks and lay-people for participating in an unofficial relief mission for flood victims in the Mekong Delta. In August 1995 he was sentenced to two and a half years' imprisonment plus five years' probationary detention for charges including "taking advantage of freedom and democratic rights to infringe upon the interests of the state, social organizations, and citizens". In between the periods spent in prison, Thich Tri Luc was subjected to house arrest, harassment, short-term detention, and deprivation of basic rights by the authorities because of his membership in the UBCV and his peaceful religious activities.

After he fled to Cambodia, he was granted refugee status by the United Nations High Commissioner for Refugees (UNHCR) in June 2002. On 25 July, 2002 he was abducted by Cambodian and Vietnamese agents and forcibly returned to Viet Nam.

Thich Tri Luc was held incommunicado for more than a year before his family were finally informed that he was still alive and due to face trial. His "disappearance" and abduction, in violation of the most basic tenets of international law, created an international uproar.

Thich Tri Luc's shocking treatment by the Cambodian authorities demonstrated the absence of protection for refugees and asylum-seekers in Cambodia, a problem that persists despite being party to the Refugee Convention.

On 12 March 2004 the People's Court in Ho Chi Minh City sentenced Thich Tri Luc to 20 months' imprisonment on charges of distorting "the government's policies on national unity" and contacting "hostile groups to undermine the government's internal security and foreign affairs". He was released on 26 March, having already spent 20 months in pre-trial detention. In a handwritten note sent to Human Rights Watch and Amnesty International four days after his release from prison, Thich Tri Luc described his abduction from Cambodia:

"At approximately 7:00 p.m. on 25 July 2002, I was walking down Street 185 opposite Russey Market in Phnom Penh, Cambodia, to buy my evening meal. Suddenly, some strangers accosted me, encircled me, abducted me by force and threw me into a vehicle waiting nearby. They handcuffed me, and then the man sitting next to me grabbed my throat and throttled me so hard that I was unable to cry out for help. The men behind me leaned forward and beat me brutally on my face and head. They emptied my pockets and confiscated my belongings, money and refugee card. Some of the men in the car were Vietnamese.

"One man questioned me in Vietnamese, with the fluency of a true Vietnamese speaking in his mother tongue: 'Did you have a visa to come here?' I answered him without hesitation: 'I am a political refugee. I was granted refugee status by the UNHCR. I have the right to live in Cambodia under UN protection. I have never broken Cambodian laws, so why have you kidnapped me and beaten me like this?'

"The men remained silent. They kept on beating me relentlessly. I cannot tell you how panic-stricken I felt!

"The car drove on for about half an hour before stopping outside a building... They put me into another car, and we set off again. The vehicle with the men who kidnapped me drove in front... We drove to another building near the roundabout at the foot of the Saigon Bridge in Phnom Penh. The men locked me in a meeting hall which had a large insignia of the Cambodian Security Police painted on the wall. I was kept in handcuffs all night. No one came to question me, so I had no opportunity to explain my situation nor contact the UNHCR to seek their help.

"Around 4.00 a.m. the next day, 26 July 2002, I was put in a vehicle and driven to the Moc Bai border [crossing] in Ben Cau district, Tay Ninh province. On the Vietnamese side of the border, Vietnamese Security officials were waiting. I saw the Cambodian and the Vietnamese Security Police shaking hands, smiling and talking to each other. After that, they took me to the Security Police Detention Centre B34/A24 [in Ho Chi Minh City]. The Ministry of Public Security issued a temporary detention warrant, and charged me with 'fleeing abroad or defecting to stay overseas with a view to opposing the people's administration,' under Article 91 of the Criminal Code of the Socialist Republic of Vietnam. On 12 March 2004, the Ho Chi Minh City People's Court sentenced me to 20 months in prison. I was released after completing this sentence on 26 March 2004."

