

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

8 November 2016

Index: ASA 41/5104/2016

Viet Nam: Crackdown on human rights amidst Formosa related activism

A nationwide crackdown against human rights defenders and activists engaged in calls for transparency and accountability in the Vietnamese government's handling of the environmental disaster that has gripped the country is intensifying. This is particularly so, following a recent wave of arrests by the authorities. The arrests, in different parts of Viet Nam, are taking place against a background of threats, harassment, intimidation and surveillance of those engaged in activism relating to the disaster all across the country.

Since April 2016, Viet Nam has been rocked by an environmental catastrophe that has caused the deaths of huge levels of fish stocks in central coastal provinces. The resulting fallout from the disaster is said to have impacted on the lives of 270,000 people in the affected provinces. In June, following weeks of calls for information on the cause of the catastrophe, a steel plant owned by the Taiwanese Formosa Plastics Group was deemed responsible by the government.

Despite Formosa publicly accepting blame for the incident and pledging to pay USD500 million in compensation to those affected, calls for accountability and increased transparency in relation to the incident and the distribution of compensation have been ongoing for months, with unprecedented levels of demonstrations and febrile online commentary.

On 6 November 2016, Lưu Văn Vịnh, a pro-democracy activist, became the latest victim in the authorities' apparent efforts to crackdown on criticism of their handling of the disaster. He was arrested in Hồ Chí Minh City in the south of the country and charged with "carrying out activities aimed at overthrowing the people's administration" under Article 79 of the Penal Code, a charge which carries a penalty of between five years and life imprisonment, or the death penalty.

Lưu Văn Vịnh is from the northern province of Hải Dương, he moved to Hồ Chí Minh City last year where he has taken part in a number of demonstrations, including ones relating to Formosa. In July, he established the Coalition of Self-Determination [for] Vietnamese People, which seeks to end the rule of the Vietnamese Communist Party. He is said to have since left the coalition.

Amnesty International has received information that three others with links to Lưu Văn Vịnh were also arrested on 6 November. Đỗ Phi Trường and Tuấn Đoàn are believed to have been arrested at a meeting with Lưu Văn Vịnh while the third individual, Nguyễn Văn Đức Do, an activist from Huế city, is said to have been arrested after visiting Lưu Văn Vịnh's home. Đỗ Phi Trường is detained at Bình Hòa Hưng police station; Tuấn Đoàn is at No 4 Phạm Văn Lưu police station; while Nguyễn Văn Đức Do is at No 4 Phan Đăng Lưu in Phú Nhuận district.

The arrests follow that of Dr Hồ Văn Hải, an online activist who has used his blog to advocate for transparency and accountability in relation to the disaster. Dr Hải was arrested on 2 November in Hồ Chí Minh City. Amnesty International understands that Dr Hải is facing charges under Article 88 of the Penal Code, "spreading propaganda against the state", which carries a prison sentence of between three and 20 years.

Another blogger, Nguyễn Ngọc Như Quỳnh, known as blogger Mẹ Nấm (Mother Mushroom), who was arrested on 10 October in Nha Trang in Khánh Hòa province and who has also been engaged in activism relating to the disaster has also been charged under Article 88.

The arrests of these individuals represent an upturn in the use of the criminal justice system in a crackdown against human rights defenders and activists engaged in advocacy relating to the disaster which has included intimidation and harassment, and widescale surveillance of activists.

On 5 November, former prisoner of conscience Trương Minh Tam was arrested in the capital Hà Nội, in the north of the country, and questioned in relation to travel he had undertaken to Ninh Thuận province last month. Trương Minh Tam has been engaged in activism relating to the disaster since its beginning.

In April, he was arrested and tortured by police when he attempted to travel to affected areas and report on the event. His latest arrest coincided with the timing of the final exam for his law degree which he was prevented from attending. Trương Minh Tam is a member of the Viet Nam Path Movement which promotes human rights and advocates for political reform in Viet Nam.

Father Đặng Hữu Nam, a Catholic priest who has assisted 506 fishermen whose livelihoods have been affected by the disaster to file criminal complaints requesting compensation, has been subjected to surveillance, death threats, arrests and beatings by security police and individuals in plain clothes. The attempts by the fishermen to file the complaints were met with intimidation and harassment, as well as obstacles which sought to prevent them from traveling to the courthouse in Kỳ Anh, Hà Tĩnh to lodge them. All 506 complaints were eventually rejected by the Hà Tĩnh court on procedural grounds.

Other activists who have engaged in demonstrations and other activities have also faced threats and intimidation. Nguyễn Văn Trắng has been targeted through public denunciations in local media, on the radio and on neighbourhood loudspeakers. Former prisoner of conscience Paulus Lê Văn Sơn has been subjected to surveillance, denounced in local media and now fears for his safety. Pastor Nguyễn Trung Tôn and his family have faced repeated harassment, including surveillance, public denunciation, destruction of market produce for sale and verbal threats from persons in plain clothes.

Amnesty International calls on Viet Nam to uphold and facilitate the rights to freedom of association, peaceful assembly and expression as guaranteed by the International Covenant on Civil and Political Rights (ICCPR) to which Viet Nam is a state party.

The authorities should specifically ensure an immediate end to arbitrary arrests, prosecutions, and harassment of human rights defenders and activists calling for transparency and accountability for the environmental disaster that occurred in April 2016.

In addition, the Viet Nam authorities should release immediately and unconditionally Lưu Văn Vịnh, Nguyễn Văn Đức Do, Đỗ Phi Trường, Tuấn Đoàn, Nguyễn Văn Đức Do, Dr Hồ Văn Hải, Nguyễn Ngọc Như Quỳnh who are prisoners of conscience held for their peaceful activism, and drop all charges against them.

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