

EXTERNAL

AI Index: ASA 03/03/96

25 March 1996

Further information on UA 69/96 (ASA 03/02/96, 11 March 1996) - Legal concern / Fear of ill-treatment and new concern: Death penalty

CAMBODIA / VIET NAM Ly Chandara  
Ly Thara  
Nguyen Phong Seun

---

Amnesty International has obtained further information on the situation of the three men who were illegally deported to Viet Nam by the Cambodian authorities on 9 March 1996. The organization fears that, one of them, Ly Thara, faces the death penalty, and may already have been executed, on 24 March.

On 9 March, immediately after their arrest in Phnom Penh, all three men were taken by road to the Vietnamese border, where they were detained for several days, before being collected by provincial officials, and taken to Chi Hoa prison, Ho Chi Minh City. Amnesty International believes that Ly Thara was severely beaten, and subjected to torture in Chi Hoa prison, to make him confess to being a leader of the "Free Viet Nam Movement". It appears that trial procedures began last week, and that Ly Thara was charged with crimes aimed at overthrowing the Vietnamese Government. Viet Nam's national security legislation allows for the death penalty in such cases. Unconfirmed reports say that Ly Thara may have been executed by firing squad on 24 March in Song Be Province. Under Vietnamese law, there has not been sufficient time allowed for the appropriate appeals procedures against a death sentence to have taken place, but Amnesty International believes there is no guarantee that the law is followed in all cases.

Amnesty International believes that Ly Chandara is a prisoner of conscience, held solely for his peaceful activities as editor of the Phnom Penh-based Vietnamese language magazine *Viet Nam Tu Do* (Free Viet Nam). He is being held in shackles, in contravention of minimum standards for the treatment of prisoners, and has been interrogated, but has not been beaten. He is likely to face a prison term of up to three years.

Nguyen Phong Seun is accused by the Vietnamese authorities of being connected with the "Free Viet Nam Movement" but is not thought to be one of the leadership. He is being held in Chi Hoa prison, and may be subject to ill-treatment by the authorities.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or French or in your own language:**

**To the Vietnamese authorities:**

- seeking clarification about the whereabouts and state of health of Ly Thara, and expressing deep concern that he faces the death penalty and may already have been executed;
- calling on the authorities to uphold the rights of Ly Chandara, Ly Thara and Nguyen Phong Seun in detention; expressing deep concern at reports of the torture and ill-treatment of Ly Thara and the shackling of Ly Chandara, and seeking assurances that the three are now being treated in accordance with international standards;

- calling for the immediate and unconditional release of Ly Chandara as a prisoner of conscience, and seeking details of any charges, court proceedings, judgements and sentences against the other two.

**To the Cambodian authorities:**

- expressing concern at the fate of Ly Thara, Ly Chandara and Nguyen Phong Seun in Viet Nam, and the circumstances by which they were sent there;  
- calling on the government to uphold the rights of all people in Cambodia, including ethnic minorities, to freedom of expression and association, and asking for assurances that there will be no more deportations.

**APPEALS TO VIET NAM:**

His Excellency Le Duc Anh  
President  
35 Ngo Quyen  
Ha Noi

Socialist Republic of Viet Nam

**Telegrams: President Le Duc Anh, Ha Noi, Viet Nam**

**Salutation: Your Excellency**

His Excellency Vo Van Kiet  
Prime Minister  
Office of the Prime Minister  
Hoang Hoa Tham  
Ha Noi

Socialist Republic of Viet Nam

**Telegrams: HE Vo Van Kiet, Ha Noi, Viet Nam**

**Salutation: Your Excellency**

**APPEALS TO CAMBODIA:**

Samdech Krompreah Norodom Ranariddh  
First Prime Minister,  
Office of the Council of Ministers  
Phnom Penh  
Cambodia

**Telegrams: HRH Norodom Ranariddh, Phnom Penh, Cambodia**

**Faxes: +855 234 26054**

**Salutation: Your Royal Highness**

His Excellency Hun Sen  
Second Prime Minister  
Office of the Council of Ministers  
Phnom Penh  
Cambodia

**Telegrams: HE Hun Sen, Phnom Penh, Cambodia**

**Salutation: Your Excellency**

**COPIES TO** diplomatic representatives of Cambodia/Viet Nam accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 8 May 1996.