

# URGENT ACTION

## BLOGGERS SENTENCED TO PRISON IN VIET NAM

**On 24 September, a court in Viet Nam's Ho Chi Minh City sentenced bloggers Nguyen Van Hai, known as Dieu Cay ("the peasant's pipe"), Ta Phong Tan, and Phan Thanh Hai to 12, 10 and four years' imprisonment respectively for "conducting propaganda" against the state. The trial lasted only a few hours and their friends and family were detained and assaulted to prevent them from attending.**

In April 2008, blogger **Nguyen Van Hai** was arrested and imprisoned for two-and-a-half years for politically motivated tax fraud. Instead of being released at the end of his sentence in October 2010, he was held for investigation for "conducting propaganda" against the state under Article 88 of Viet Nam's Penal Code. Two other bloggers, **Ta Phong Tan Phan Thanh Hai**, were tried at the same time. Nguyen Van Hai was sentenced to 12 years' imprisonment and five years' house arrest on release. Ta Phong Tan and Phan Thanh Hai were given 10 years and four years respectively in prison, and three years under house arrest upon release.

In video footage of the trial broadcast on national television, all three bloggers appeared distressed. Nguyen Van Hai reportedly stated that he had never acted against the state but was only "frustrated by injustice, corruption and dictatorship, which does not represent the state but some individuals." He also insisted on the right to freedom of expression "in accordance with international treaties to which Viet Nam is party."

Nguyen Van Hai co-founded the independent Free Vietnamese Journalists Club in 2007. He denounced China's foreign policy on Viet Nam and participated in peaceful protests. Along with Ta Phong Tan and Phan Thanh Hai, he was a pioneer in using online social networks to expose corruption and advocate for human rights in Viet Nam. All three are prisoners of conscience, detained solely for peacefully exercising their right to freedom of expression.

### **Please write immediately in Vietnamese, English or your own language:**

- Calling on the authorities to release the three bloggers (naming each one) immediately and unconditionally;
- Urging authorities to ensure that until they are released, they receive any medical attention they may require and are treated in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners, including regular access to their families and lawyers;
- Demanding that authorities respect and protect freedom of expression, association and assembly, and stop the harassment of human rights defenders and their families and friends.

### **PLEASE SEND APPEALS BEFORE 15 NOVEMBER 2012 TO:**

#### Prime Minister

Nguyen Tan Dung  
Government Office  
1 Hoang Hoa Tham Street  
Ba Dinh District, Ha Noi Viet Nam  
Fax: +84 80 44130/ +84 80 44940

**Salutation: Dear Prime Minister**

#### Minister of Public Security

Lt Gen Tran Dai Quang  
Ministry of Public Security  
44 Yet Kieu Street, Hoan Kiem District,  
Ha Noi, Viet Nam  
Fax: +844 3942 0223 – try between 9am  
and 5pm (Vietnam is GMT +7)

**Salutation: Dear Minister**

#### **And copies to:**

#### Minister of Foreign Affairs

Pham Binh Minh  
Minister of Foreign Affairs  
1 Ton That Dam Street  
Ba Dinh District, Ha Noi, Viet Nam  
Fax: +844 3823 1872 – try between 9am  
and 5pm (Vietnam is GMT +7)

Email: [bc.mfa@mofa.gov.vn](mailto:bc.mfa@mofa.gov.vn)

**Salutation: Dear Minister**

### **Also send copies to diplomatic representatives accredited to your country**

Please check with your section office if sending appeals after the above date. This is the third update of UA 132/11. Further information:  
<http://amnesty.org/en/library/info/ASA41/001/2012/en>

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### ADDITIONAL INFORMATION

The trial was postponed three times before it was held on 24 September 2012, by which time the bloggers had been held in pre-trial detention for between one and almost two years.

At the trial, Ta Phong Tan was forcibly removed from the court when she became upset and tried to challenge the verdict. Only three witnesses appeared out of nine summoned, and the judge also cut short the lawyers' speeches in defending the three bloggers.

Before and during the trial, the bloggers' family and friends were severely and repeatedly harassed and intimidated. On 30 July 2012, Nguyen Thi Kim Lieng, Ta Phong Tan's mother, set herself on fire in front of the Bac Lieu Provincial People's Committee Office out of despair. She was refused permission to visit her detained daughter and was believed to be devastated as the local authorities denied her fair treatment over a property dispute.

Nguyen Van Hai, Ta Phong Tan and Phan Thanh Hai are well-known bloggers in Viet Nam. They were pioneers in using the potential of the internet to voice their concerns, which normally could not be heard through Viet Nam's heavily censored media. They have played a critical role in paving the way for the next generation of bloggers who have been shaping online and off-line activism in Viet Nam.

The three freedoms of expression, association and assembly are severely restricted in Viet Nam. The authorities routinely harass and imprison peaceful activists who criticise government policies and advocate greater freedoms, in order to silence them. On 12 September 2012, the Prime Minister issued Directive 7169/VPCP – NC that ordered a crackdown on blogs that express resentment, frustration and advocacy of greater freedoms, which he called "reactionary".

Dozens of prisoners of conscience, including bloggers, lawyers, writers, labour activists, business people, and supporters of opposition groups, are serving long prison terms under legislation which criminalises peaceful dissent.

Name: Nguyen Van Hai (m), Ta Phong Tan (f), Phan Thanh Hai (m)  
Gender m/f: Both

This is the third update of UA: 132/11 Index: ASA 41/002/2012 Issue Date: 4 October 2012