

**PUBLIC**

**AI Index: ASA 41/021/2003**

**UA 228/03**

**Fear of imminent execution**

**30 July 2003**

**SOCIALIST**

**REPUBLIC OF VIET NAM** 49 people (names unknown)

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Forty-nine people, who were sentenced to death, are reported to have had their final appeal for commutation by the President rejected. It is not known when they will be executed, but there are fears that this could take place in the coming weeks. Details about when or for what crimes the 49 were sentenced to death by a court in Ho Chi Minh City are not known. Their identities have also not been made public.

According to official media reports 19 people have been executed since the beginning of 2003, and 53 people have been sentenced to death nationally. These numbers represent a significant increase compared to 2002. As not all executions and death sentences are made public, the true numbers are believed to be much higher. According to statistics provided by the Supreme People's Court in July 2002, among the 931 people sentenced to death between 1997 and 2002, 535 were sentenced for violations of the right to life, 310 for drug crimes, 24 for corruption, and five for violations of the right to property.

#### **BACKGROUND INFORMATION**

According to the 1999 revised Criminal Code, the death penalty is an optional punishment for 27 offences, including crimes against national security, murder, rape, drug trafficking and economic offences such as fraud and embezzlement.

Executions are carried out by firing squad, reportedly often in public. Victims are tied to wooden stakes and blindfolded; their relatives are not usually informed in advance of the execution, and are simply told several days later to collect prisoners' belongings. Pardon or commutation of sentences is rare – only 12 people have been officially reported as having their death sentence commuted to life imprisonment by the President since the beginning of 2003.

#### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, French or your own language:**

- urging the authorities not to execute the 49 people in Ho Chi Minh City who have had their appeals for commutation rejected by the President;
- urging the authorities to place an immediate moratorium on all executions in line with international standards and United Nations recommendations to all countries to move towards abolition of the death penalty;
- welcoming reports that 12 people had their death sentence commuted to life imprisonment by the President since the beginning of 2003;
- stating that the death penalty is a violation of the right to life and is the ultimate cruel, inhuman and degrading punishment which is irrevocable and can be inflicted on the innocent;
- stating that there is no clear evidence that the death penalty has any identifiable deterrent effect against serious crime.

#### **APPEALS TO:**

President Tran Duc Luong  
Office of the President  
35 Ngo Quyen  
Ha Noi  
Socialist Republic of Viet Nam

**Telegrams:** **President, Ha Noi, Viet Nam**  
**Faxes:** **+ 844 199 2682 (c/o Ministry of Foreign Affairs)**  
**Salutation:** **Dear President**

Prime Minister Phan Van Khai  
Office of the Prime Minister  
Hoang Hoa Tham  
Ha Noi  
Socialist Republic of Viet Nam

**Telegrams:** **Prime Minister, Ha Noi, Viet Nam**  
**Faxes:** **+ 844 823 1872 (c/o Ministry of Foreign Affairs)**  
**Salutation:** **Dear Prime Minister**

**COPIES TO:**

Uong Chu Lu  
Minister of Justice  
Ministry of Justice  
25A Cat Linh Street  
Dong Da District  
Ha Noi  
Socialist Republic of Viet Nam  
**Telegrams:** **Justice Minister, Ha Noi, Viet Nam**  
**Faxes:** **+ 844 843 1431**

and to diplomatic representatives of the Socialist Republic of Viet Nam accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 September 2003.