

Report Submitted to the UN Special Rapporteur on Torture and UN Special Rapporteur on Health

(1) General Information

The incidents involved a single individual.

Location: Section 4 of Prison No. 5, Lam Son Village, Yen Dinh District, Thanh Hoa Province, Vietnam.

Victim's nationality: Vietnamese

(2) Victim's Identity

Family name: Ho. Middle name: Thi. First name: Bich Khuong. Gender: Female

Resident of: Hamlet No. 2, Nam Anh Village, Nam Dan District, Nghe An Province

Birth date: 1967

Person authorized to represent victim: Ms. Ho Thi Lan

(3) Description of the Incidents

Date: 3/28 or 3/29/2014 (March 28 or 29, 2014).

Location: Disciplinary (solitary) cell in Section 4 of Prison No. 5, Lam Son Village, Yen Dinh, Thanh Hoa

Details:

Prison authorities punished Ms. Ho Thi Bich Khuong by confining her in an isolation cell. She requested that they let her send a letter to her son because Vietnam's law allows detainees to send letters to their families. Prison staff denied the request. Ms. Khuong argued with a female guard on their unjust denial. The guard (whose name is known to the victim) screamed obscenities at the victim, threw her to the ground, and stomped on her abdomen repeatedly. The beating caused severe pain and incapacitated Ms. Khuong, forcing her to use a wheelchair from that day on. After the guard finished beating the victim, the guard pointed a finger to the victim's face and said: "I will beat up your type of prisoners whenever I feel like it, and I can even beat you until you die and nothing will happen to me". On April 7, 2014, the victim's son visited his mother and saw her in a wheelchair as a prison employee pushed the wheel chair into the visitation room. Clearly the victim's health is quite poor.

Ms. Khuong revealed that a number of prisoners had been ganging up on her several times to beat her, causing injury to her private parts and the ensuing bleeding that lasted a number of days. In addition, prison employees unjustly punished her, e.g.:

On February 9, 2014, guards forbade her from making a phone call to her relatives. Ms. Khuong brought her case to the cognizant prison staff, Ms. Ha, Ms. Tuyet and Ms. Hong. The three staff members merely bounced the victim's request to one another in a conscious attempt to deny her legitimate request. Moreover, Ms. Hong reclined on the chair in the prisoners' hair washing room without performing her duties in responding to prisoners' legitimate requests. Ms. Khuong denounced Ms. Hong's misuse of her time on duty. In turn, Ms. Hong cited the victim for "being impolite" towards prison staff, causing Ms. Khuong to be punished with solitary confinement.

Worse, in the same month, February, when it was still cold, prison staff only allowed her to bring her prison uniform which was made of thin cloth, and forbade her from bringing warm clothing and blankets into the solitary cell. The victim used the mosquito net in her cell as a blanket. A

guard pulled the mosquito net away from Ms. Khuong against the victim's wish. The net was torn. The guard wrote a report citing Ms. Khuong for "destruction of prison property". They extended her isolation cell punishment further. Prior to this episode, the victim had been subjected to several solitary confinement terms and a number of beatings by prisoners who acted on behalf of prison authorities, soon after she entered the prison.

Does the victim know the identity of the perpetrators: Yes.

Are agents of the government or agents of a non-governmental organization responsible for these violations: Government agents and detainees who collaborate with government agents are responsible.

Are the perpetrators government employees: Yes. They are public security officers assigned to the prison and their respective functions are supervisory officer, operating officer and security officer (names: Ms. Ha, Ms. Tuyet, Ms. Hong).

Who has submitted complaints about the incidents to government officials or cognizant agencies: After each incident, Ms. Khuong filed a complaint with the administration of prison camp No.5 and the Yen Dinh District's procuracy of Thanh Hoa Province. No one knows if prison staff allowed her complaint letter to reach the intended authorities. She only found that each time she submitted a complaint, prison staff treated her even more harshly.

If the victim or her relatives had submitted complaints, how did the responsible government agencies respond? What was the outcome: No response to date, only harsher and harsher reprisals.

(4) Information about the person submitting or preparing this report

Family name: Ho, middle name: Thi, first name: Lan

Address: Ms. Hồ Thị Lan, Hamlet No. 3, Nam Anh Village, Nam Dan District, Nghe An Province, Vietnam

Telephone: 01628387716. Email: nguyenthanhthuy199@gmail.com

Person that the victim authorized to represent her: Ms. Ho Thi Lan

The entity preparing and submitting this report is: individual, who is victim's older sister

If the victim had not submitted this report, did the victim authorize you to prepare this report: The victim authorized Ms. Lan to prepare and submit this report.

Should the identity of the person who prepared and submitted this report remain confidential (not for disclosure): Yes; please keep it from becoming public knowledge.

Report was submitted on: 4/9/2014 (April 9, 2014).

Signature of the preparer: ***Ho Thi Lan (see signed assignment of power to represent)***

Appendices:

- (1) Appeal from Ho Thi Bich Khuong's son Nguyen Trung Duc, dated Feb 12, 2014
- (2) Appeal by Pastor Nguyen Trung Ton, a former prisoner of conscience, dated Jan 28, 2014

To: Members of Congress, the Government, and the diplomatic missions of democratic Nations worldwide.

My name is Nguyen Trung Duc, born in 1997

I am residing at Xuan Hoa Commune, Nam Dan district, Nghe An province, Vietnam.

I am the only son of the prisoner of conscience Ho Thi Bich Khuong.

I was born into a very unfortunate situation. My father passed away when I was very young; my mother Ho Thi Bich Khuong had spent years filing petitions from one place to another. I have to live with my old grandmother - my father's mother. My mother has been repeatedly arrested and imprisoned, so I grow up in humiliation.

On January 26, 2014, I visited my mother in Prison No. 5 in Thanh Hoa. Through a brief visit, I found my mother very weak, thin and pale.

According to what my mother told me, her untreated broken collarbone has caused severe chronic pains. My mother does not plead guilty and refuses to do labor works due to the pains she suffers from the broken bone. Therefore, prison officials instruct other prisoners to beat my mother many times.

In January 2014 alone, my mother's inmates, who are drug addicts, had beaten her twice. When seeing me my mother could not tell me all the troubles that have happened to her in prison because four police monitored our conversation. My mother could only say she hopes people would pray and voice their support for her.

Today I write these few lines to Congress Members, diplomatic agencies, the Government and Parliament of democratic Nations. I beg the Congress Members and international organizations to understand the pain from a broken heart of my grandmother, my mother and mine, so that you would help press for my mother's release. My grandmother needs my mother's care and my mother is the main source of my emotional support.

I am extremely grateful to you and I wish all of you always have peace in your life.

Yours truly,

Nguyen Trung Duc

Feb. 12, 2014

Cháu Nguyễn Trung Đức con trai duy nhất tù nhân lương tâm Hồ Thị Bích Khương kêu cứu

Kính gửi: Các dân biểu Quốc hội, các Chính phủ, cơ quan ngoại giao thuộc các Quốc gia dân chủ tiến bộ, các cơ quan ngoại giao.

Tên cháu là: Nguyễn Trung Đức – Sinh năm 1997

Sinh trú quán tại: Xã Xuân Hòa, huyện Nam Đàn tỉnh Nghệ an.

Cháu là con trai duy nhất của tù nhân lương tâm Hồ Thị Bích Khương.

Cháu sinh ra trong một hoàn cảnh thật bất hạnh. Từ khi còn nhỏ cháu đã phải chịu cảnh mồ côi cha, Mẹ của là Hồ Thị Bích Khương lại suốt tháng quanh năm đi khiếu kiện kêu oan hết chỗ này chỗ khác. Cháu phải sống với bà nội trong cảnh bà già cháu dại. Mẹ cháu liên tục bị bắt vào tù nên cháu lớn lên trong sự tủi nhục...

Ngày 26/1/2014 vừa qua, cháu đã vào trại giam số 5 Thanh Hóa để thăm mẹ. Qua buổi gặp ngắn ngủi cháu nhận thấy mẹ cháu đang rất yếu, gầy và xanh xao. Theo lời mẹ cháu kể lại thì thời gian vừa qua do xương vai bị gãy đã lâu không được chữa trị nên đã thành tật và rất đau đớn. Vì mẹ cháu không thừa nhận là mình có tội gì và vì chỗ xương gãy đau nhức liên tục nên mẹ không tham gia lao động “cải tạo”. Vì vậy mà cán bộ trại giam chỉ thị cho các tù nhân khác đánh đập mẹ nhiều lần. Chỉ trong tháng 1/2014 mẹ đã 2 lần bị những phạm nhân cùng buồng giam là những người nghiện ma túy đánh đập. Trong lúc gặp cháu mẹ không thể nói hết được những sự kiện đã xảy ra với mình trong nhà tù, vì có tới 4 công an giám sát buổi nói chuyện. Mẹ chỉ có thể nhả nhủ ra ngoài rằng mong mọi người hãy cầu nguyện và lên tiếng bênh vực cho mẹ cháu.

Nay cháu xin viết đôi dòng kính gửi tới các quý vị Dân biểu, các cơ quan ngoại giao, Chính phủ và Quốc hội của các nước dân chủ tiến bộ. Kính mong các quý vị dân biểu, các tổ chức Quốc tế hãy vì tình yêu và thấu hiểu nỗi lòng của bà, mẹ và cháu mà lên tiếng bênh vực để mẹ cháu sớm được trả tự do trở về chăm sóc bà nội cháu và làm chỗ dựa tinh thần cho cháu.

Cháu vô cùng biết ơn và kính chúc tất cả quý vị luôn bình an trong cuộc sống!

Kính thư:

Nguyễn Trung Đức

12.02.2014

Urgent Call from Prisoner of Conscience Ho Thi Bich Khuong

Recently on Jan 26, 2014, Nguyen Trung Duc, the only son of Hồ Thị Bích Khuông, a prisoner of conscience, came to prison camp number 5 in Thanh Hoa to visit his mother. Upon coming home, he informed me: Currently Ms Bich Khuong is very weak, thin and pale. According to Đức, due to her long untreated broken collar bone, she has been suffering severe pain and disability.

She did not admit guilt for any crime accused by the government. Since her bone fracture has caused constant pain, she has not participated in any "re-education" labor. Therefore, prison officials instructed other inmates to beat her repeatedly. On two occasions during Jan 2014, drug-addicted inmates in her cell had physically assaulted her.

When seeing her son, she could not tell of many things that happened to her in the prison, due to the presence of 4 prison wardens monitoring the conversation. She only could send out a message in the hope that people will pray for her, and advocate on her behalf.

This is the 3rd time that Hồ Thị Bích Khuông was sentenced by the Vietnamese Communist government. She was arrested the third time on Jan 15, 2011, accused of "spreading propaganda against the Socialist Republic of Vietnam" under Article 88 of the Penal Code. Bich Khuong was then sentenced to 5 years in prison and 3 years probation. Her family situation has been dire after the death of her husband. She just has her only son, currently attending remedial classes at the Cultural Center in Nghe An province.

Đức is deeply worried that his mother Bich Khuong might die in prison because the untreated collar bone fracture has been causing fever, in addition to the gang beatings by other prisoners. The remaining two years of her sentence have an extremely gloomy outlook for her. We hope that international human rights organizations and democracy advocates at home and abroad will speak up to defend her.

Thanh Hoa, Vietnam 28.01.2014

Pastor Nguyen Trung Ton

Tel : 01628387716

Tiếng kêu cứu của tù nhân lương tâm Hồ Thị Bích Khương

Ngày 26/1/2014 vừa qua, cháu Nguyễn Trung Đức, con trai duy nhất của tù nhân lương tâm Hồ Thị Bích Khương, đã vào trại giam số 5 Thanh Hóa để thăm mẹ.

Khi về nhà cháu cho tôi biết: Hiện tại chị Bích Khương đang rất yếu, gầy và xanh xao. Theo lời cháu Đức kể lại thì thời gian vừa qua do xương vai bị gãy đã lâu không được chữa trị nên đã thành tật và rất đau đớn.

Chị không thừa nhận là mình có tội gì và vì chỗ xương gãy đau nhức liên tục nên chị không tham gia lao động “cải tạo”. Nhưng vì vậy mà cán bộ trại giam chỉ thị cho các tù nhân khác đánh đập chị nhiều lần. Chỉ trong tháng 1/2014 chị đã 2 lần bị những phạm nhân cùng buồng giam là những người nghiện ma túy đánh đập.

Trong lúc gặp con trai mình chị không thể nói hết được những sự kiện đã xảy ra với chị trong nhà tù, vì có tới 4 công an giám sát buổi nói chuyện. Chị chỉ có thể nhả nhủ ra ngoài rằng mong mọi người hãy cầu nguyện và lên tiếng bênh vực cho chị.

Xin nhắc lại đây là lần thứ 3 chị Hồ Thị Bích Khương bị nhà nước CHXHCNVN kết án. Chị bị bắt lần thứ 3 vào ngày 15/1/2011 bị cáo buộc tội danh “Tuyên truyền chống nhà nước CHXHCNVN” theo điều 88 Luật Hình Sự.

Sau đó chị bị kết án 5 năm tù giam và 3 năm quản chế. Hoàn cảnh gia đình chị rất neo đơn bởi chồng chị đã qua đời. Chị chỉ có một con trai duy nhất hiện đang theo học bổ túc văn hóa tại Trung tâm giáo dục thường xuyên tỉnh Nghệ an.

Cháu Đức rất lo lắng việc chị Bích Khương có thể chết trong tù vì vết gãy xương vai vẫn thường làm chị lên cơn sốt, lại thêm những trận đòn tập thể của các tù nhân khác. Hai năm tù còn lại là quãng thời gian vô cùng tăm tối cho chị.

Kính mong các cơ quan theo dõi nhân quyền quốc tế và các nhà đấu tranh dân chủ trong, ngoài nước lên tiếng bênh vực chị

Thanh Hoá 28.01.2014

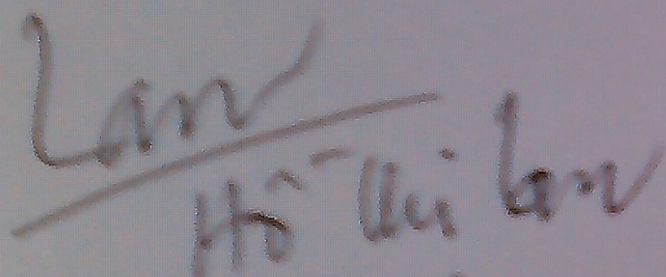
Nguyễn Trung Tôn

Tel : 01628387716

I, Ho Thi Bich Khuong (Date of Birth: 29/07/1967), hereby assign to Boat People SOS (BPSOS) the power to bring to the attention of the international community issues relating to my health and my overall conditions while in prison. Due to the tight surveillance in prison I may not be able to freely communicate with the outside world. In such circumstances information provided by my sister Ho Thi Lan should be treated as first-source information.

BPSOS may communicate on the behalf of me and my sister with the UN Human Rights Council, its relevant Special Rapporteurs, the UN Commission on the Status of Women, appropriate UN agencies, foreign governments, international human rights organizations, legal advocacy organizations or groups, and the media.

This assignment of power to represent me will be effective immediately and will continue until and unless revoked by me.

A handwritten signature in dark ink, appearing to read 'Lan' over 'Ho Thi Lan'.

Ho Thi Bich Khuong

Date: 02 September 2013 (điền vào đây ngày ký tên)

Prison K4 Trại giam số 5 Lam Sơn, Yên Định, Thanh Hóa.

“As long as I breathe, I will keep fighting.”

Ho Thi Bich Khuong

former victim of labor trafficking, human rights advocate,
prisoner of conscience, recipient of the Hellman-Hammett Award



Ho Thi Bich Khuong, born in 1967 in Nam Anh, Nam Dan, Nghe An Province, is a human rights advocate repeatedly victimized by Vietnam's government. She was arrested in 2011 and is currently in detention for the third time, following two previous detentions in 2005 and 2007. This time the government sentenced her to 5 years of imprisonment, followed by 3 years of probation and surveillance.

Ho Thi Bich Khuong's property had been illegally seized by the government. Subsequently she was exported to South Korea as a victim of labor trafficking. In South Korea, she took the initiative to defend her fellow labor trafficking victims against their employer's violation of their rights and contractual agreements. Upon repatriation to Vietnam, she started advocating on behalf of those whose property had been seized by Vietnam's government, and joined the advocacy group Block 8406 to help bring freedom and democracy to the Vietnamese people.

While growing up in Nghe An, Ho Thi Bich Khuong showed her love for justice at an early age. When she was 18, she was bold enough to denounce various acts of intimidation, corruption and robbery by people in positions of power.

In 1989 the local government wrecked her home and store, and seized her land. She had to make a living by selling small items at a stall and through odd jobs such as photography, sewing and teaching others how to make clothes. She had a fairly large number of students and associates in her sewing business. She continued to denounce local government officials when they violated the law and engaged in dishonest activities for personal gains.

In 1994-1995, Ho Thi Bich Khuong joined the government's labor export program to work in South Korea after the government had shut down her home-based business. Soon after her arrival in South Korea, she and other workers found out that they had been tricked as their employer paid them way below what their contracts stipulated. When she demanded their South Korean employer and the representative of the Vietnamese labor exports company to abide by their contract, these labor traffickers ordered their thugs to beat up Khuong. Subsequently they repatriated her.

Back in Vietnam, she went to the labor export company LOD and the Transport Ministry to demand restitution. Nothing came out of it.

From 1996 on, she began to make demands on her local and central governments for the restitution of her confiscated property.

Beginning in 1999, she became a vocal advocate who assisted other victims of illegal property confiscation. Her husband was mysteriously murdered during one of his trips to Ha Noi for the purpose of demanding restitution. The murderers dumped his body in a river and later buried him without notifying her.

Her activities on behalf of her own family and other victims landed her in prison with a six-month sentence in Hoa Lo Prison, Ha Noi (May 11 to November 11, 2005) for "disrupting public order".

Upon being released, she courageously traveled all over Vietnam to collect evidence from other victims of property expropriation and help them reclaim their property. She suffered a number of suspicious collisions involving motorcycles or cars driven by unidentified persons, causing her substantial injuries. The government imprisoned her again from May 26, 2007 until April 26, 2009 for "abuse of the democratic rights granted to a citizen in working against the state's interests and the interests of social/citizens' organizations".

Upon her release, Ho Thi Bich Khuong continued her activism, disseminating articles on behalf of victims whose property was expropriated by the government, as well as advocating for freedom and democracy. Although her own family suffered reprisals by the Communist government, she persevered in her struggle for social justice, consistent with her popular statement: "As long as I breathe, I will keep fighting". During this period, she wrote her memoirs, "My Struggle for Justice and Democracy", in which she recorded her imprisonments and human rights violations by public security agents. From July 2009 on, her book has been publicized through various media. Ho Thi Bich Khuong collaborates with several key members of Block 8406, such as Catholic Priest Nguyen Van Ly, Catholic Priest Phan Van Loi (Hue), Protestant Pastor Nguyen Hong Quang (Saigon), and Protestant Pastor Nguyen Trung Ton (Thanh Hoa). During one of her visits to a collaborator, public security agents in Phu Nhuan, Saigon, arrested and beat her up severely in the night of June 14, 2010.

In late 2010, following the Internet distribution of the documentary film "Tragedy of Losing Our Country" by Nguyen Ngoc Huy and his associates, she and Pastor Ton downloaded and made hundreds of DVDs for others. Both Khuong and Pastor Ton were arrested by the police. On November 29, 2011, the government sentenced her to 5 years of imprisonment, followed by 3 years of probation and surveillance for "Propaganda against state socialism".

The agencies that arrested her and the courts that sentenced her had disregarded Vietnamese and international laws throughout their prosecution campaign against her. On November 29, 2011, Atty. Ha Huy Son, her defense counsel, issued a statement concerning her sentencing: "The prosecution did not follow the statute ...".

International human rights organizations expressed their concerns about Vietnam's disregard for the rights of this courageous woman and other prisoners of conscience. Recently, Human Rights Watch's Deputy Director, Asia Division, appealed to Vietnam to follow Burma's example and release its own political prisoners, including Ho Thi Bich Khuong. In 2011, Human Rights Watch awarded Ho Thi Bich Khuong its prestigious Hellman-Hammett Award.

Her only child, a boy who completed 9th grade, had to quit school because his relatives are too poor to afford sending him to school.

In May 2012, she confided to a visitor, her sister Ho Thi Lan, that prison guards tortured her badly and her health has declined precipitously. In early June 2012, prison staff punished her by forbidding her from meeting with any visitor.