



Latest Count: Vietnam Holds 246 Prisoners of Conscience

Press Release, October 1, 2018

According to the Now! Campaign, which consists of 14 international and Vietnamese civil society organizations, the government of Vietnam is holding at least 246 in prisons or similar forms of detention compared to 165 cases in November 2017, when the campaign was launched. This makes the country the second largest jailer of dissidents in the region, only behind Myanmar.

The above number includes 219 who have been convicted – typically of political crimes such as “propaganda against the state” and “injuring the national unity” – and 26 others held in pre-trial detention, as well as one (Venerable Thich Quang Do, the Supreme Patriarch of the Unified Buddhist Church of Vietnam) under indefinite house arrest. Bloggers, lawyers, unionists, land rights activists, political dissidents, and followers of non-registered minority religions have been arrested and detained for peacefully exercising their internationally and constitutionally protected rights, principally the right to freedom of expression, freedom of peaceful assembly and freedom of religion or belief. The list does not include individuals who have engaged in or advocated violence.

In the first nine months of 2018, Vietnam has arrested 24 human rights activists. By the end of September, it has convicted 33 activists and sentenced them to a total of 225.5 years in prison and 56 years of probation. In addition, 60 persons were convicted in connection to the mass demonstrations that started in mid-June, where tens of thousands of protesters opposed the two bills on Special Economic Zones and Cyber Security. The demonstrators were sentenced to a total of 113 years and five months in prison and 89 months of probation.

Thirty-two of the prisoners of conscience identified by the NOW! Campaign are female. With one exception, all of these women come from the majority Kinh ethnic group. The one exception, Rmah Hruth, is an ethnic Jarai woman who was sentenced to five years’ imprisonment in March 2014. In total, 148 people, or 60.2 % of the list, are ethnic Kinh. The second largest ethnic grouping on the list are Montagnards, a loose set of religious and ethnic minorities who live in the mountains of the Central Highlands. They account for 75 people, 30.5% of those on the list. Two of those on the list are Khmer Krom. At the time of this writing, the NOW! Campaign has yet to confirm the ethnicity of the seven others on the list.

Most prisoners of conscience have been charged with or convicted of allegations under Articles 79, 87 and 88 of the 1999 Penal Code or Article 109, 117 and 331 in the 2015 Penal Code:

- 38 activists convicted and six charged with subversion (Article 79 of 1999 Penal Code or Article 109 in the 2015 Penal Code);
- 13 activists convicted and five charged with anti-state propaganda (Article 88 of the 1999 Penal Code or Article 117 of the 2015 Penal Code);
- 36 people from ethnic minorities were convicted for undermining the national unity policy (Article 87 of the 1999 Penal Code);
- 12 activists were convicted or or charged with "abusing democratic freedom" (Article 258 of the 1999 Penal Code or Article 331 of the 2015 Penal Code);
- 65 individuals were convicted of or charged with "disrupting public orders" (under Article 245 of the 1999 Penal Code or Article 318 of the 2015 Penal Code). Sixty of them were imprisoned for participating or being suspected of planning to participate in the mid-June demonstrations and their aftermath;
- The charge(s) for 53 individuals are unknown or yet to be announced by authorities.

Background: Vietnam's government continues its intensified crackdown on local dissent by convicting many activists and arresting numerous other government critics, bloggers, Facebook users, nonviolent demonstrators, and other critics of the government

In order to deal with growing social dissatisfaction and silence activists as well as discourage critics, the government has applied severe measures, including sentencing democracy activists and human rights defenders to lengthy sentences, arresting outspoken bloggers and charging them with patently political "crimes", and employing harsh measures to prevent street demonstrations.

Arrests in the aftermath of the June demonstrations: Between July 1 and September 30, Vietnam arrested 19 activists and bloggers. Half of them were charged under provisions of the Penal Code while the charges against the remaining nine have not been announced.

University student Huynh Duc Thanh Binh was charged with "attempting to overthrow the government" under Article 109 of the 2015 Penal Code, while Nguyen Ngoc Anh, Nguyen Trung Linh, and Huynh Truong Ca were charged with "[m]aking, storing, [or] spreading information, materials, [or] items for the purpose of opposing the government of the Socialist Republic of Vietnam" under Article 117. Bloggers Le Anh Hung, Nguyen Hong Nguyen, Truong Dinh Khang, Bui Manh Dong, and Doan Khanh Vinh Quang were charged with "abusing democratic freedom" under Article 331. Doan Khanh Vinh Quang and Bui Manh Dong were originally accused of "[i]llegal provision or use of information on computer networks or telecommunications networks" under Article 288 but later tried under Article 331.

Meanwhile, Ms. Hoang Thi Thu Vang was arrested on September 3 and later charged with "Disruption of security" under Article 118 of the Penal Code.

All of these dissidents have been held incommunicado during the investigation period. They are not permitted to meet with their lawyers, and their families are not allowed to visit them in

person and must turn over to the prison authorities food, medicine and other personal necessities intended for the detainees.

On July 7 and 8, police arrested Huynh Duc Thinh, the father of Huynh Duc Thanh Binh whose case is discussed above, and Tran Long Phi as well as Vietnamese American Michael Nguyen Phuong Minh. The first three had been participating in a peaceful demonstration in June to protest the new laws on Special Economic Zones and Cyber Security. While Binh was charged with subversion, the charges against the other three have not been announced.

During and around the Independence Day holiday (September 2), the police in Ho Chi Minh City (aka Saigon) reportedly arrested a dozen members of the unregistered group Hien Phap (Constitution), which seeks to promote human rights that are constitutionally guaranteed to all citizens by distributing copies of Vietnam's 2013 Constitution. Police were said to have released some of them but still to be holding eight members of the group for investigation. On September 1, police announced the arrest of only Huynh Truong Ca, who was later charged under Article 117. The families of bloggers Ngo Van Dung, Doan Thi Hong and Do The Hoa said they had not yet been informed by police of the arrest and detention of their relatives or of any charges against them.

Convictions: In the past three months, Vietnam convicted eight activists named Le Dinh Luong, Nguyen Trung Truc, Dao Quang Thuc, Do Cong Duong, Doan Khanh Vinh Quang, Bui Manh Dong, Nguyen Hong Nguyen and Truong Dinh Khang, and upheld the 13-year sentence of Nguyen Van Tuc but reduced the sentence of Nguyen Viet Dung by one year, to six years in prison and five years of probation.

Messrs. Luong, Thuc and Truc were all convicted of "subversion" and were sentenced to 20 years, 13 years, and 12 years in prison, respectively, followed by five years of probation each, for their social media advocacy of human rights, multi-party democracy, and environmental justice. The sentence of Mr. Luong was the highest imposed on a peaceful dissident in many years.

On September 22, Mr. Nguyen Hong Nguyen and Ms. Truong Dinh Khang were convicted for "abusing democratic freedoms" and sentenced to two years and one year, respectively, for posting and sharing articles that were critical of the government on their Facebook accounts. In the next five days, authorities in Can Tho City sentenced Doan Khanh Vinh Quang to 27 months and Bui Manh Dong to 30 months in prison on the same charge.

Do Cong Duong, who had petitioned for the return of confiscated land and exposed corruption among government officials in Tu Son Town, Bac Ninh Province, was sentenced to four years in prison for "disrupting public order" because he had filmed a forced eviction. He now faces a second trial, expected to take place in October, on an additional charge of "abusing democratic freedoms" under Article 331.

Of the 60 protesters who had, or had been suspected of having, participated in the mid-June mass demonstrations were convicted of "disrupting public order" under Article 318 of the Penal Code,

52 were sentenced to between eight months and 54 months in prison and the remaining eight were given between five and 12 months of probation.

On October 5, Vietnam will hold the first-instance trial hearing against democracy activist Luu Van Vinh and his associates Nguyen Van Duc Do, Phan Trung, Nguyen Quoc Hoan and Tu Cong Nghia. They were all linked to the Coalition for Self-Determination for the Vietnamese People, which was founded by Mr. Vinh. They were arrested in early November 2016 and charged with subversion. They have been in pre-trial detention since their arrests.

Mistreatment in prison: In July-August, imprisoned human rights activists Tran Thi Nga and Nguyen Ngoc Nhu Quynh (Mother Mushroom) were reportedly mistreated in prison. Ms. Nga was beaten and given death threats by an inmate. On September 29, Nga was denied of her family's visit and her family is concerned about her safety. The last time she met with her family was July 26.

Ms. Quynh was also threatened by an inmate and provided with poor-quality food. Quynh conducted a long-lasting hunger strike on July 7-23 in a bid to protest the prison's inhumane treatment.

Mr. Tran Huynh Duy Thuc, who is serving his 16-year imprisonment in the Prison camp No. 6 in the central province of Nghe An, conducted hunger strike on August 14 - September 16 in a bid to protest the prison's bad treatment which aimed to force him to make false confession.

The Ministry of Public Security is applying a common practice of transferring prisoners of conscience to prison camps far from their families as additional punishment for those who refuse to admit wrongdoings. For example, Mr. Tran Huynh Duy Thuc, Ms. Nguyen Ngoc Nhu Quynh, and Ms. Tran Thi Nga were sent to prisons located between 1,000 km and 2,000 km from their families. Illustrative cases are included in the following table.

No.	Name of PoC	Article	Place of detention	Home location	Distance (km)	Period
1	Ms. Nguyen Ngoc Nhu Quynh	88	Prison No. 5 - Thanh Hoa province	Nha Trang	1,300	currently
2	Ms. Tran Thi Nga	88	Prison Dac Trung- Gia Lai province	Hanoi	1,250	currently
3	Mr. Tran Huynh Duy Thuc	79	Prison No. 6- Nghe An province	HCM City	1,400	currently
4	Mr. Tran Anh Kim	79	Prison No. 5 - Thanh Hoa province	Thai Binh	150	currently
5	Ms. Nguyen Dang Minh Man	79	Prison No. 5 - Thanh Hoa province	Vinh Long	1600	currently
6	Mr. Nguyen Van Oai	88	Prison Dac Trung- Gia Lai province	Nghe An	1300	currently
7	Mr. Ngo Hao	79	An Diem Camp, Quang Nam province	Phu Yen	500	currently
8	Ms. Bui Thi Minh Hang	245	Prison Dac Trung- Gia Lai province	Vung Tau	1,000	2015-2017
9	Ms. Mai Thi Dung	88	Thanh Xuan camp, Hanoi	Dong Thap	2000	2013-2015
10	Ms. Can Thi Theu	245	Prison No. 5 - Thanh Hoa province	Hanoi	300	2016-2017
11	Mr. Ho Duc Hoa	79	Ba Sao camp- Ha Nam province	Nghe An	300	currently
12	Le Thanh Tung	88	Prison No. 5 - Thanh Hoa province	Hanoi	210	currently
13	Mr. Nguyen Hoang Quoc Hung	89	Xuyen Moc camp- Ba Ria-Vung Tau pr	HCM City	100	currently
14	Mr. Nguyen Huu Vinh	258	Prison No. 5 - Thanh Hoa province	Hanoi	300	currently
15	Mr. Nguyen Van Hoa	88	An Diem Camp, Quang Nam province	Ha Tinh	500	currently
16	Mr. Phan Kim Khanh	88	Ba Sao camp- Ha Nam province	Phu Tho	300	currently
17	Mr. Phan Van Thu	79	An Phuoc camp, Binh Duong province	Phu Yen	500	currently
18	Ms. Tran Thi Thuy	79	An Phuoc camp, Binh Duong province	Ben Tre	150	currently

Release from prison: On August 10, Ms. Tran Thi Thuy completed her 8-year imprisonment for "conducting anti-state propaganda" under Article 88 of the 1999 Penal Code. She is now serving five years of probation.

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The term “prisoner of conscience” (POC) was coined by Peter Benenson in the 1960s. It refers to any individual “imprisoned for his/her political, religious or conscientiously held beliefs, ethnic origin, sex, colour, language, national or social origin, economic status, birth, sexual orientation or other status who have not used violence or advocated violence or hatred.”

The NOW! Campaign is a joint campaign initiated by Boat People SOS calling upon the government of Vietnam to release all prisoners of conscience immediately and unconditionally. The campaign is supported by 14 non-government organizations:

Boat People SOS (BPSOS)
Front Line Defenders (FLD)
Civil Right Defenders (CRD)
Christian Solidarity Worldwide (CSW)
Defend the Defenders (DTD)
Stefanus Alliance International
Asian Parliamentarian for Human Rights (APHR)
The 88 Project
Independent Journalists Association of Vietnam (IJAVN)
Progressive Voice-Burma
Vietnam Women for Human Rights (VNWHR)

Campaign to Abolish Torture in Vietnam (VN-CAT)
World Organisation Against Torture (OMCT)
Montagnard Human Rights Organization (MHRO)

Join NOW! and call on the government of Vietnam to release immediately and unconditionally all prisoners of conscience and peaceful human rights activists being held in pre-trial detention. For more information, visit www.vietnampocs.com.