



International PEN
NGO in Consultative Status with ECOSOC

Appendix to the Contribution to the Universal Periodic Review Mechanism
5th Session of the Working Group of the UPR (4 – 15 May 2009)

Submission on the Socialist Republic of Viet Nam

30 October 2008

Case samples

International PEN has been monitoring repression of writers and journalists in the Socialist Republic of Viet Nam, and concludes, as evidenced by the case samples, that rather than improving, freedom of expression in Viet Nam continues to be disregarded by the authorities. The following are a list of International PEN's main cases of writers imprisoned in Viet Nam as of October 2008.

DANG Phuc Tue (religious name: Thich Quang Do): Buddhist monk, writer, scholar. Secretary General of the outlawed Institute for the Propagation of the Dharma, United Buddhist Church of Vietnam (UBCV). He was arrested on 9 October 2003, together with a delegation of nine UBCV leaders, and taken away for interrogation. Thich Quang Do was then placed under house arrest in Thanh Minh Zen Monastery in Ho Chi Minh City, where he remains. Previously, on 27 June 2003, he was released from a twenty-seven month detention order. Thich Quang Do has spent most of the last twenty years in detention or under residential surveillance because of his campaign for religious freedom and free expression.

LE Thi Cong Nhan (f) and **NGUYEN Van Dai**: Lawyer and cyber dissident, and journalist respectively, were arrested at their homes on 6 March 2007. They were accused of 'hostile propaganda against the Socialist Republic of Vietnam' for their dissident activities with the pro-democracy movement 'Bloc 8406', including the recent signing of a petition. They were sentenced to four years and five years in prison respectively, reduced by one year each on appeal. In January 2008 Le Thi Cong Nhan was transferred to Trai Giam detention camp #5, Cao Thinh village, Ngoc Lac District, Thanh Hoa Province, south Vietnam, and Nguyen Van Dai was transferred to K1 Detention Camp, Ba Sao Village, Kim Bang District, Ha Nam Province, 80km south of Ha Noi. Nguyen Van Dai is one of the leaders of the democracy movement 'Bloc 8406' and regularly posted pro-democracy essays on foreign websites. He started a web-log on the Reporters Sans Frontiers web-log platform shortly before his arrest (<http://nguyenvandai.rsfblog.org>). He and fellow lawyer Le Thi Cong Nhan have been under heavy surveillance for some time for their dissident activities, and were briefly detained on 3 February 2007 and held for 48 hours. Nguyen Van Dai was reportedly subjected to criticism by a 'popular court' on 8 February 2007, in which 200 residents from a district of Hanoi were mobilised by the authorities to insult and denounce him for being a 'traitor'.

NGUYEN Van Hai (aka Nguyen Hoang Hai/Dieu Cay): Independent journalist and blogger, was arrested on 19 April 2008, after he participated in protests in Ho Chi

Minh City earlier in 2008. There are reports that he had been closely watched by the police and threatened with death prior to his arrest. On 10 September 2008 he was sentenced to two and a half years-imprisonment by the Vietnamese People's Court at Ho Chi Minh city for alleged tax fraud, although he is widely believed to be targeted for his criticism of Vietnamese government policy. He is known for his critical internet postings calling for greater democracy and human rights in Vietnam and his participation in protests against Chinese foreign policy. Dieu Cay was one of the founding members of the Club of Free Journalists (Cau Lac Bo Nha Bao Tu Do) in 2006.

NGUYEN Viet Chien and **NGUYEN Van Hai**: Reporters for the Vietnamese language newspapers *Thanh Nien* and *Tuoi Tre* respectively, were arrested on 13 May 2008. Their detention was linked to their reports on high-level corruption in the so-called "PMU-18" scandal in 2006. On 15 October 2008 the Hanoi People's Court sentenced both journalists under Article 258 of the Penal Code, for 'abusing democratic freedoms to infringe upon the interest of the State, the legitimate rights and interests of organizations and/or citizens'. Nguyen Viet Chien was given a two-year imprisonment sentence after pleading his innocence, while Nguyen Van Hai was handed down a non-custodial two-year re-education sentence, after pleading guilty.

NGUYEN Van Ly: Priest, scholar, essayist and co-editor of the underground online magazine *Tu Do Ngôn luận* (*Free Speech*), was arrested on 19 February 2007 during an 'administrative check' at the archdiocesan building where he lives in the city of Hue. Two other editors of *Tu Do Ngôn luận*, Father Chan Tin and Father Phan Van Loi, were reportedly also placed under house arrest. On 30 March 2007 a People's Court in Hue (Central Vietnam) sentenced Father Nguyen Van Ly to eight years in prison and five years of probationary detention for 'conducting propaganda against the Socialist Republic of Vietnam', under Article 88 of the Penal Code.

TRAN Quoc Hien: Internet writer and human rights lawyer, was arrested on 12 January 2007, the day after being nominated as the spokesperson for the Workers-Farmers Organisation (UWFO), an organisation which represents workers and farmers' rights and which is not recognised by the government. He was charged with 'spreading anti-government propaganda' on the Internet and 'endangering state security'. He was found guilty of both charges by a court in Ho Chi Minh City on 15 May 2007, following a trial that reportedly only lasted four hours. Tran Quoc Hien is known for his critical writings published on the Internet, including a short story *The Tail* about the experience of life under surveillance. He is a member of the pro-democracy movement 'Bloc 8406'.

TRUONG Minh Duc: Freelance journalist and political activist, member of Bloc 8406 and the Vietnamese Populist party, was arrested on 5 May 2007. He was given a five-year prison sentence on 28 March 2008, for 'taking advantage of democratic rights to act against the state's interest' and 'receiving money from abroad to support complaints against the state', under Article 258 on the Penal Code. Truong Minh Duc is known for his articles on corruption and abuse of power since 1994 for various newspapers, under different pseudonyms. Among the pieces he wrote, and which are said to have incriminated him are the following articles: 'To Point at Corruption's Mandarins in Kien Gian Province'; 'Court of Tyrannous, Influential and Powerful Notables; and 'Province Chairman, Inspectors in collusion with Judiciary System'.