

December 4, 2012

VIA EMAIL: wgad@ohchr.org
ORIGINAL TO FOLLOW

Mr. Malick Sow
Chair-Rapporteur
Working Group on Arbitrary Detention
c/o Office of the High Commissioner for Human Rights
United Nations Office at Geneva
CH-1211, Geneva 10
Switzerland

Re: In the Matter of Francis Xavier DANG Xuan Dieu et al. v. Government of the Socialist Republic of Viet Nam

Dear Mr. Sow,

I am writing to provide an update to the Working Group on Arbitrary Detention about matters related to the above-reference petition since it was submitted to the Working Group on 25 July 2012.

1. On September 24, 2012, Ms. Mary TA Phong Tan (Petitioner 14) was brought to trial along with two other activists who have written about human rights abuses and corruption in Viet Nam. In a trial of the three defendants that lasted only several hours – not even a full day – Ms. Ta was convicted of conducting “propaganda against the state” in violation of Article 88 of the Penal Code of Viet Nam. She was sentenced to a term of imprisonment of ten years, to be followed by period of house arrest of five years. In the words of the United Nations High Commissioner for Human Rights Navi Pillay, the sentences issued against Ms. Ta and her co-accused “exemplify the severe restrictions on freedom of expression in Vietnam.”¹ Criminal conviction and detention on the basis of the non-violent expression of views, on the stated grounds that these views constitute “propaganda,” is a clear and facial violation of Article 19(2) of the International Covenant on Civil and Political Rights, which states: “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” Ms. Ta’s conviction and sentence also reinforce and exacerbate the other violations of her rights enumerated in the above-referenced petition.
2. On September 26, 2012, an appeals proceeding was held for three petitioners, Mr. Anthony CHU Manh Son (Petitioner 4), Mr. Anthony DAU Van Duong (Petitioner 5), and Mr. Peter TRAN Huu Duc (Petitioner 6), who were all originally sentenced in May 2012 to lengthy prison terms for the offense of conducting “propaganda against the state” in violation of Article 88 of the Penal Code of Viet Nam. A fourth petitioner sentenced at that time, Mr. John the Baptist HOANG Phong (Petitioner 17), received a suspended sentence and decided not to appeal. According to family and eyewitness reports, the appeals hearing lasted less than four hours with heavy police presence outside. Only seven family members were allowed to attend the court proceedings.²

¹ Voice of America, “*Vietnam Slammed for ‘Harsh’ Sentences Against Bloggers*,” at <http://blogs.voanews.com/breaking-news/2012/09/25/vietnam-slammed-for-harsh-sentences-against-bloggers> (posted Sept. 25, 2012).

² Front Line Defenders, “*Vietnam: Update-Results of the appeal of human rights defenders Dau Van Duong, Tran Huu Duc and Chu Manh Son*,” at <http://www.frontlinedefenders.org/node/19952> (posted October 3, 2012).

3. On October 30, 2012, Mr. Peter TRAN Vu Anh Binh (Petitioner 15) was brought to trial along with a fellow songwriter who were both accused of posting songs online that were critical of Vietnam's policies towards China and its crack-down on opponents of those policies. In a half-day trial, Mr. Binh was convicted of conducting "propaganda against the state" in violation of Article 88 of the Penal Code of Viet Nam and sentenced to four years imprisonment.³
4. In early December 2012, the families of Mr. Anthony CHU Manh Son (Petitioner 4) and Mr. Peter TRAN Huu Duc (Petitioner 6) were informed that their sons had been transferred to a different detention center in Vinh Phuc Province. Likewise, Mr. Anthony DAU Van Duong (Petitioner 5) was transferred to another detention center in Thanh Hoa Province.
5. Also in early December 2102, the families of the remaining eleven Petitioners (Petitioners 1-3, 7-13, 16) who have not yet been brought to trial were finally made aware of the indictment against them, after the conclusion of a long investigation and pre-trial detention period of more than a year that was marked by limited access to their immediate families and legal counsel. The indictment, dated September 18, 2012, became available publicly after it was posted online at the Catholic Youth Blog⁴, a watchdog website monitoring the proceedings of this case. The indictment charges these eleven Petitioners and six other activists with "carrying out activities aimed at overthrowing the people's administration" under Article 79 of the Penal Code of Viet Nam, which provides in pertinent part:

"Those who carry out activities, establish or join organizations with intent to overthrow the people's administration shall be subject to the following penalties:

1. Organizers, instigators and active participants or those who cause serious consequences shall be sentenced to between twelve and twenty years of imprisonment, life imprisonment or capital punishment;
2. Other accomplices shall be subject to between five and fifteen years of imprisonment."

The indictment charges these three petitioners under Clause 1 of Article 79:

- Mr. Francis DANG Xuan Dieu (Petitioner 1)
- Mr. Peter HO Duc Hoa (Petitioner 2)
- Mr. Paulus LE Van Son (Petitioner 7)

The indictment charges these eight petitioners under Clause 2 of Article 79:

- Mr. John the Baptist NGUYEN Van Oai (Petitioner 3)
- Mr. NONG Hung Anh (Petitioner 8)
- Mr. John the Baptist NGUYEN Van Duyet (Petitioner 9)
- Mr. NGUYEN Xuan Anh (Petitioner 10)
- Mr. Paul HO Van Oanh (Petitioner 11)
- Mr. John THAI Van Dung (Petitioner 12)
- Mr. Peter TRAN Minh Nhat (Petitioner 13)

³ New York Times, "Vietnam Sentences 2 Musicians to Prison Terms on Propaganda Charges," at <http://artsbeat.blogs.nytimes.com/2012/10/30/vietnam-sentences-2-musicians-to-prison-terms-on-propaganda-charges/> (posted October 30, 2012).

⁴ Catholic Youth Blog, "Công Bố Bản Cáo Trạng Vụ Án "Bô Tui", Xét Xử Các Thanh Niên Công Giáo và Tin Lành của Viện Kiểm Sát Nhà Nước cộng sản Việt Nam," <http://thanhnienconggiao.blogspot.com/2012/12/cong-bo-ban-cao-trang-vu-bo-tui-xet-xu.html> (posted December 2, 2012).

- Mr. Peter NGUYEN Dinh Cuong (Petitioner 16)⁵

The petitioners' families understand that these petitioners' trial is scheduled for January 8, 2013, in Nghe An Province.

6. Mr. Le Quoc Quan, a prominent human rights lawyer who serves as a legal advisor for the families of the 17 Petitioners, was arrested when he dropped his daughter off at school⁶ on December 28, 2012.
7. On December 28, 2012, an appeals court in Ho Chi Minh City upheld the sentencing of Ms. Mary TA Phong Tan (Petitioner 14) and two other activists for "conducting propaganda against the state."⁷ According to Phil Robertson, Deputy Director of Human Rights Watch, authorities held the appellate proceedings during a "holiday week to try and duck criticism from foreign diplomats and the UN for its continuing crackdown on the right to freedom of expression." A lawyer present during the proceedings noted that court officials showed little engagement with the defendants and did not listen to arguments from legal counsel.

These developments highlight the deteriorating condition for those engaged in non-violent forms of political and social activism in Viet Nam and the Vietnamese government's increasing reliance on detention powers as a means of suppression of established human rights. These developments accordingly highlight the urgent need for the Working Group's action on the above-referenced petition.

Thank for your prompt attention to this case. Should you need any further information with respect to this Petition or any related matter, please contact me at aweiner@stanford.edu.

Sincerely,



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Appendix: Unofficial translation of September 18, 2012, indictment of eleven Petitioners

⁵ The six other activists charged along with these eleven Petitioners with Article 79 include: Ms. NGUYEN Dang Minh Man; Ms. DANG Ngoc Minh; Mr. NGUYEN Dang Vinh Phuc; Mr. THAI Van Tu; Mr. LE Sy Sang; and Mr. NGUYEN Xuan Kim.

⁶ Agence France-Presse, "Vietnam detains dissident lawyer: family," at <http://au.news.yahoo.com/thewest/a/-/world/15727421/vietnam-detains-dissident-lawyer-family/> (posted December 28, 2012)

⁷ Agence France-Presse, "Vietnam upholds long blogger jail terms," at <http://au.news.yahoo.com/thewest/a/-/world/15730936/vietnam-upholds-long-blogger-jail-terms/> (posted December 28, 2012).

⁸ Affiliation for identification purposes only; the comments in this letter do not necessarily reflect the views of Stanford Law School or Stanford University.

APPENDIX

Unofficial translation of September 18, 2012, indictment of eleven Petitioners

SUPREME PEOPLE'S PROCURACY OF VIETNAM

SOCIALIST REPUBLIC OF VIETNAM
Independence – Liberty – Happiness

No: 09/VKSTC - V2
Hanoi, September 18, 2012

INDICTMENT

CHIEF PROSECUTOR OF THE SUPREME PEOPLE'S PROCURACY

- Pursuant to Articles 36, 166 and 167 of the Criminal Procedure Code
- Pursuant to the Decision to Prosecute No. 05/ANDT dated August 10, 2011 by the investigative arm of the Ministry of Public Security for the crime of “carrying out activities aimed at overthrowing the people’s administration” as stated in Article 79 of the Criminal Procedure Code
- Based on the Decisions to Prosecute by the investigative arm of the Ministry of Public Security nos. 09/ANDT, 10/ANDT, 11/ANDT, 12/ANDT, 13/ANDT, 14/ANDT, 15/ANDT, 16/ANDT, 17/ANDT and 18/ANDT dated August 10, 2011 regarding defendants Ho Duc Hoa, Dang Xuan Dieu, Nguyen Van Oai, Nguyen Van Duyet, Nguyen Xuan Anh, Dang Ngoc Minh, Nguyen Dang Minh Man, Nguyen Dang Vinh Phuc, Nong Hung Anh, Le Van Son; no. 19/ANDT dated August 18, 2011 regarding Ho Van Oanh; no. 20/ANDT dated August 27, 2011 regarding Thai Van Dung; no. 21/ANDT dated September 1, 2011 regarding Tran Minh Nhat; no. 31/ANDT dated December 26, 2011 regarding Nguyen Dinh Cuong; nos. 01/ANDT, 02/ANDT and 03/ANDT dated January 5, 2012 regarding Nguyen Xuan Kim, Thai Van Tu and Le Sy Sang for the crime of “carrying out activities aimed at overthrowing the people’s administration” as stated in Article 79 of the Criminal Procedure Code of the Socialist Republic of Vietnam

Based on the results of the investigation it has been confirmed as follows:

At the beginning of 2009, Ho Duc Hoa found and made contact, through the Internet, with Luong Van My (alias Duong), a member of "Viet Tan", an organization in the United States, and through these contact Hoa learned about "Viet Tan" and their methods of nonviolent struggle.

After researching "Viet Tan" and after giving his personal information, in June 2009 Ho Duc Hoa was prompted by Luong Van My to travel to Thailand to meet members of "Viet Tan" in person. Also during this time, Ho Duc Hoa spoke to Dang Xuan Dieu about his activities mentioned above and encouraged Dieu to learn more about methods of nonviolent struggle. Dieu agreed to go to Thailand with Hoa. Before leaving Vietnam, per Luong Van My's request for confidentiality, Ho Duc Hoa was given the alias "Thin," and Dang Xuan Dieu, "Tat." From August 26-31, 2009, Ho Duc Hoa and Dang Xuan Dieu crossed the Cau Treo checkpoint in Ha Tinh Province to enter Laos and eventually Thailand. There, Ho Duc Hoa and Dang Xuan Dieu met with core members of "Viet Tan" residing abroad such as Nguyen Ngoc Duc (alias Quang), Nguyen Kim (alias Tan), Ngo Trong Duc (alias Minh), Nguyen Hoang Thanh Tam (alias Thanh), Luong Van My (alias Duong), and a priest simply known as Hung. They were introduced to "Viet Tan" and were trained on the methods of "nonviolent struggle," leadership skills, computer security, how to recruit new members for "Viet Tan," how to use aliases and how to contact each other (through secure methods over Skype, email, sim card and password). "Viet Tan" provided for all the travelling and training expenses. On August 29, 2009, the core members of "Viet Tan" held a ceremony to admit Ho Duc Hoa and Dang Xuan Dieu as official members of "Viet Tan." After becoming members, Ho Duc Hoa and Dang Xuan Dieu made several trips abroad in order to attend training courses and to report the progress of their assigned tasks. Ho Duc Hoa made a total of 4 trips: twice to the U.S., once to Thailand and once to the Philippines; Dang Xuan Dieu made 2 trips: once to Thailand and once to the Philippines. To support his activities for recruiting new members, leading members of "Viet Tan" residing abroad gave Ho Duc Hoa 2 cameras disguised as lighters, and \$ 9,553.75 USD and \$500 CAD (Canadian currency). Ho Duc Hoa admitted to having spent this money to purchase camera, for his own travel expenses and for new recruits during his trips abroad to attend training courses. During a training course in Thailand called "Quang Trung 711," Dang Xuan Dieu was gifted a laptop from Nguyen Ngoc Duc (BL 2045, 2081-2083, 2242).

To recruit new members, Ho Duc Hoa actively sought out, preached, and selected among his friends and acquaintances individuals who Hoa judged to share his political view and interest who were also activists in matters relating to politics, civil society, democracy and human rights in order to introduce them to "Viet Tan". Besides Dang Xuan Dieu, Ho Duc Hoa personally recruited 8 other individuals for "Viet Tan", specifically:

- At the end of 2009, Ho Duc Hoa approached his acquaintance Nguyen Dinh Cuong and spoke about "Viet Tan" and their methods of nonviolent struggle to promote democracy in Vietnam. Ho Duc Hoa encouraged Nguyen Dinh Cuong to go to Thailand to meet with "Viet Tan" members in order to learn about their methods of nonviolent struggle. "Viet Tan" paid for all travel expenses. Nguyen Dinh Cuong agreed and introduced Nguyen Xuan Anh to Ho Duc Hoa, with the intent to bring Nguyen Xuan Anh along for the trip. Ho Duc Hoa met with Nguyen Xuan Anh in person to promote "Viet Tan" and approved of Nguyen Xuan Anh's accompanying Cuong. Also within this time period, Ho Duc Hoa preached and persuaded Nguyen Van Duyet (Hoa's cousin) to go to Thailand to learn about methods of nonviolent struggle. When Nguyen Dinh Cuong, Nguyen Xuan Anh and Nguyen Van Duyet all agreed to go to Thailand, Ho Duc Hoa reported to "Viet Tan" and was instructed by Nguyen Ngoc Duc to arrange to meet in Thailand at the end of February 2010. Before the trip, Ho Duc Hoa gave Nguyen Dinh Cuong the alias "Tuy," Nguyen Xuan Anh the alias "Hai", Nguyen Van Duyet the alias "Khoi" and assigned Nguyen Dinh Cuong as the leader of the group. On February 23, 2010, Nguyen Dinh Cuong, Nguyen Van Duyet and Nguyen Xuan Anh crossed the Cau Treo checkpoint in Ha Tinh Province to enter Laos and eventually arrived in Thailand. However, because Cuong did not hold an entry visa to Thailand, core "Viet Tan" members such as Luong Van My, Nguyen Ngoc Duc, Nguyen Thi Thanh Van (alias Thao) came to Vientiane, Laos to meet with and trained the new arrivals. During the training course, on February 28, 2012 Nguyen Dinh Cuong was admitted into "Viet Tan". Afterwards, on August 29, 20120 and November 26, 20120, Nguyen Van Duyet was admitted into "Viet Tan" at a training course in the Philippines, Nguyen Xuan Anh and Nguyen Van Oai (another defendant) were admitted into "Viet Tan" at Hai Au hotel, Cua Lo town, Nghe An Province. After becoming members, these individuals made several trips abroad to attend training courses held by "Viet Tan". Specifically: Nguyen Dinh Cuong made 2 trips (once to the Philippines and once to Thailand); Nguyen Van Duyet made 3 trips (twice to Thailand and once to the Philippines); Nguyen Xuan Anh made 1 trip to Thailand. During the training course "Quang Trung 711" in Thailand on July 25, 2011, Nguyen Xuan Anh and Le Van Son (another defendant) held "Viet Tan" flags during the ceremony to admit Nong Hung Anh and Nguyen Dang Vinh Phuc (other defendants) (BL 2450, 2563, 2083, 3000). To provide for travel expenses, "Viet Tan" gave Nguyen Dinh Cuong \$700 USD

and 7,000,000 VND (Vietnamese currency), Nguyen Van Duyet \$1,700 USD and 9,000,000 VND (BL 2611, 2428).

- At the end of April 2010, Ho Duc Hoa introduced Thai Van Tu (a college friend of Ho Duc Hoa's since 1998 from a university in Vinh, Nghe An Province) to "Viet Tan". On May 9, 2010, Ho Duc Hoa organized a trip to Thailand via the Cau Treo checkpoint in Ha Tinh Province for Thai Van Tu (alias "Tam") and Le Dinh Luong to meet with Nguyen Ngoc Duc and attend a training course. Upon returning to Vietnam, Thai Van Tu actively worked to recruit new members, and together with Le Dinh Luong attended the ceremony to admit Nguyen Van Oai and Nguyen Xuan Oanh into "Viet Tan" on November 26, 2010 at Hai Au hotel, Cua Lo town in Nghe An Province, presided over by "Viet Tan" members from abroad (BL 2081, 2713, 3012).
- In November 2009, after a trip to the U.S. to meet with core members of "Viet Tan", Ho Duc Hoa contacted and met with Nguyen Van Oai (a relative of Ho Duc Hoa's who was applying for a job at Tran Dinh Investment and Trade Joint Stock Company whose executive director was Ho Duc Hoa); Le Sy Sang (a cousin of Ho Duc Hoa's) and Ho Van Oanh (a fellow countryman of Ho Duc Hoa's from Quynh Vinh town, Quynh Luu District, Nghe An Province) to introduce and encourage them to join "Viet Tan". With the agreement of these individuals, on June 28, 2010, Ho Duc Hoa organized an air trip to Thailand ("Viet Tan" paid for these flight expenses) for Nguyen Van Oai (alias Ty), Ho Van Oanh (alias Su), Le Sy Sang (alias Ly) to meet with Nguyen Quoc Quan (alias Long) and Nguyen Thi Thanh Van, to be introduced to "Viet Tan" and to attend a training course on methods of nonviolent struggle. During the training course, on July 10, 2010 Ho Van Oanh signed an application form to join "Viet Tan", and on November 26, 2010 Nguyen Van Oai and Nguyen Xuan Anh were admitted into "Viet Tan" at Hai Au hotel, Cua Lo town, Nghe An Province (BL 2015, 2713). After the training course mentioned above, Nguyen Van Oai and Ho Van Oanh made several trips abroad to meet with members of "Viet Tan" and attend training courses held by "Viet Tan". Specifically: Nguyen Van Oai made 3 trips abroad (twice to Thailand and once to the Philippines); Ho Van Oanh made one trip to Thailand (BL 2714, 3097). Furthermore, after Ho Duc Hoa, Nguyen Van Oai and Dang Xuan Dieu were arrested, Ho Van Oanh sought out information on their arrest and reported it to "Viet Tan", as instructed by Nguyen Thi

Thanh Van. During the trips abroad, Nguyen Van Oai was given a camera (which he claimed had been lost) by Nguyen Thi Thanh Van, a camera disguised as a lighter by Ho Duc Hoa, and \$800 USD by Nguyen Ngoc Duc, to support Oai's activities in Vietnam (BL 2013, 2745).

- To carry out his assigned tasks, in April 2011 Dang Xuan Dieu introduced Tran Minh Nhat and Nguyen Xuan Kim (a friend of Dieu's) to Ho Duc Hoa for introduction about "Viet Tan" (as instructed by Luong Van My; for security purpose, Ho Duc Hoa was responsible for introducing new recruits to "Viet Tan"). As for Nguyen Xuan Kim, besides agreeing to make trips abroad to meet with core members of "Viet Tan", he also actively encouraged and introduced Thai Van Dung to Luong Van My. After agreeing on a time and location, from July 5-11, 2011, Ho Duc Hoa and "Viet Tan" members residing abroad arranged a trip to Thailand for Tran Minh Nhat, Nguyen Xuan Kim and Thai Van Dung to get trained by Nguyen Kim and Luong Van My on the history of "Viet Tan", methods of nonviolent struggle, digital security, and how to deal with the Vietnamese police. On July 10, 2011, Tran Minh Nhat signed an application to join "Viet Tan". Before their return to Vietnam, Nguyen Kim gave Tran Minh Nhat \$200 USD and 2,000 Bahts (Thai currency) and Thai Van Dung \$250 USD (BL 2139, 3206, 3216).

Besides Ho Duc Hoa's group mentioned above, "Viet Tan" also recruited other individuals, among them the groups led by Nguyen Dang Minh Man and Le Van Son (these two groups attended training courses held by "Viet Tan" at the same time and location as Ho Duc Hoa's group), specifically: in or about October 1996, Nguyen Dang Minh Man and Dang Ngoc Minh frequently listened to radio broadcasts by VOA, BBC, and Radio New Horizon, and visited "Viet Tan's" website. Through the Internet, Nguyen Dang Minh Man and Dang Ngoc Minh met with an individual known as Anh, a member of "Viet Tan." In or about April 2009, Anh introduced Nguyen Dang Minh Man and Dang Ngoc Minh to Nguyen Ngoc Duc and Nguyen Thi Thanh Van, core members of "Viet Tan". Nguyen Thi Thanh Van introduced Nguyen Dang Minh Man and Dang Ngoc Minh to "Viet Tan" and their methods of nonviolent struggle. Per Nguyen Thi Thanh Van's invitation, from September 5-7, 2009, Nguyen Dang Minh Man and Dang Ngoc Minh made a trip to Cambodia, met with Nguyen Ngoc Duc and Nguyen Thi Thanh Van, were introduced to "Viet Tan," were trained on their methods of nonviolent struggle, and were charged with recruiting new members, organizing "aggrieved citizens" in their protests against the

government, and gathering news and information in their community and within Vietnam to write articles for "Viet Tan." During this time, Nguyen Ngoc Duc and Nguyen Thi Thanh Van offered Nguyen Dang Minh Man and Dang Ngoc Minh to join "Viet Tan", which Nguyen Dang Minh Man and Dang Ngoc Minh accepted and signed an application to join. After this trip, per instruction and arrangement by "Viet Tan", Nguyen Dang Minh Man made 4 other trips abroad (3 times to Thailand and once to Cambodia) in order to make progress reports and attend training courses. "Viet Tan" admitted Nguyen Dang Minh Man (on November 17, 2008 in Thailand) and Dang Ngoc Minh (on March 6, 2010 in Cambodia) as official members. Under the instructions of "Viet Tan," in April 2010 Dang Ngoc Minh and Nguyen Dang Minh Man purchased black paint and painted the slogan "HS.TS.VN" (which according to the defendants means "Hoang Sa, Truong Sa, Viet Nam" – Paracel and Spratly Islands belong to Vietnam) on manhole covers and on walls at a primary school in Trung Ngai town, Vung Liem District, Vinh Long Province, in order to incite protests, and took pictures and sent them to Nguyen Thi Thanh Van; collected information, took pictures, compiled reports on anti-China protests in Ho Chi Minh city and sent them to "Viet Tan." Furthermore, Dang Ngoc Minh and Nguyen Dang Minh Man introduced Nguyen Dang Vinh Phuc (Dang Ngoc Minh's son and older brother of Nguyen Dang Minh Man) to "Viet Tan;" arranged for Nguyen Dang Vinh Phuc to make 2 trips abroad (once to Cambodia and once to Thailand) in order to meet core members of "Viet Tan" and attend training courses. On July 25, 2011 at the training course "Quang Trung 711" held by "Viet Tan" in Thailand, Nguyen Dang Vinh Phuc and Nong Hung Anh (another defendant) became members of "Viet Tan" (BL 2342, 2498, 3250). Throughout this period, Nguyen Thi Thanh Van on many occasions gave Dang Ngoc Minh money totaling \$1,200 USD and 2,000 Bahts; Nguyen Dang Minh Man \$300 USD and 3,700 VND, one laptop, one cell phone; Nguyen Dang Vinh Phuc \$192.67 USD (BL 2518, 2354).

From 2010 to 2011, Le Van Son wrote, collected, and disseminated information subverting the government of Vietnam on his personal blog. With his connection to Nong Hung Anh, Son introduced the latter to Nguyen Thi Thanh Van who persuaded Nong Hung Anh to join "Viet Tan." Per instructions of "Viet Tan," Le Van Son gave Nong Hung Anh 3,000,000 VND to purchase a plane ticket to Thailand (June 28 - July 3, 2010). Le Van Son himself made 3 trips abroad: the first trip on November 3, 2010 via the Cau Treo checkpoint in Ha Tinh Province to Laos and eventually Thailand, the second trip from March 21-25, 2010 to Thailand, the third trip on July 12, 2011 via the Moc Bai checkpoint in Tay Ninh Province to Cambodia and eventually Thailand. Le

Van Son and other defendants attended the training course “Quang Trung 711” held by "Viet Tan" in Thailand from July 25-30, 2011. Here, Le Van Son and Nguyen Xuan Anh were the individuals holding the "Viet Tan" flags during the ceremony to admit Nong Hung Anh and Nguyen Dang Vinh Phuc into "Viet Tan" on July 25, 2011. Based on evidence gathered during the investigation, it is determined that Le Van Son has been involved with "Viet Tan" since before June 2010 and was given by "Viet Tan" \$543.05 USD to support his activities. (BL 2076, 2323-2329).

As for Nong Hung Anh, from the beginning of 2010, he wrote and disseminated information subverting the policies of the Party and government on the Internet and in his community. Around June 2010, thanks to Le Van Son’s introduction, Nong Hung Anh made contact with Nguyen Thi Thanh Van who encouraged him to join "Viet Tan." Nong Hung Anh made 3 trips abroad in order to meet with core members of "Viet Tan" and attend training courses (twice in Thailand and once in the Philippines). On July 25, 2011 at the training course “Quang Trung 711” in Thailand, Nong Hung Anh and Nguyen Dang Vinh Phuc were admitted into "Viet Tan." "Viet Tan" paid for expenses of the trips. Among the expenses, Nong Hung Anh was given \$500 USD by Nguyen Thi Thanh Van and \$1,000 USD by Nguyen Hoang Thanh Tam. Just for his first trip to Thailand on June 28-July 3, 2010, Nong Hung Anh was given 3,000,000 VND by Le Van Son (BL 2874, 2882, 2888, 2911).

During the investigation, the investigative arm of the Ministry of Public Security confiscated several documents and devices relating to "Viet Tan" and the criminal acts of the defendants (BL 3264-3266).

During the investigation, all defendants, except for Le Van Son who refused cooperation, admitted to having committed the criminal acts.

Based on the evidence above, there is sufficient foundation for:

CONCLUSION

The organization "Vietnam Reform Party" (“Viet Tan” for short) is an exiled reactionary organization abroad, whose activities are aimed at overthrowing the government of Vietnam.

After its failure to use military and terrorist tactics, "Viet Tan" shifted its activity to "peaceful evolution" and "nonviolent resistance" to continue to sabotage the Government of the Socialist Republic of Vietnam. Beside increasing its advocacy, recruiting new members in order to operate openly in the country, "Viet Tan" fully exploits information technology to communicate, make contact with those in-country in order to bring them abroad for training, recruit them as party members and task them activities aimed at overthrowing the Government of Vietnam. In this case, the 17 defendants, all "Viet Tan" participants, carried out assignments in conformity with the principle and objective that the organization has put forward, namely: Ho Duc Hoa, Dang Xuan Dieu, Nguyen Van Oai, Nguyen Van Duyet, Nguyen Xuan Oanh, Ho Van Oanh, Le Van Son, Nong Hung Anh, Thai Van Dung, Tran Minh Nhat, Nguyen Dinh Cuong, Dang Ngoc Minh, Nguyen Dang Minh Man, Nguyen Dang Vinh Phuc, Nguyen Xuan Kim, Thai Van Tu, and Le Sy Sang. In process of participating with "Viet Tan," Ho Duc Hoa and his accomplices (in the group) travelled abroad 15 times to learn about "Viet Tan," participated in several training workshops by the leaders of "Viet Tan," specifically:

(1) From August 26-31, 2009, Ho Duc Hoa and Dang Xuan Dieu went to Thailand to participate in a "Viet Tan" training workshop conducted by Nguyen Ngoc Duc, Nguyen Kim, Ngo Trong Duc, Nguyen Hoang Thanh Tam, Luong Van My about methods of "nonviolent struggle and leadership skills and digital security."

(2) From September 5-7, 2009, Nguyen Dang Minh Man and Dang Ngoc Minh travelled to Cambodia to participate in a "Viet Tan" training workshop conducted by Nguyen Ngoc Duc and Nguyen Thi Thanh Van about "propagandizing people to join the organization and mobilizing "aggrieved citizens" to demonstrate."

(3) From November 8-19, 2009, Ho Duc Hoa travelled to the United States to participate in a "Viet Tan" training workshop conducted by Nguyen Kim and Luong Van My about the methods of "nonviolent struggle" and "propaganda techniques to introduce and draw people into the organization."

(4) From November 16-22, 2009, Nguyen Dang Minh Man travelled to Thailand to participate in a "Viet Tan" training workshop conducted by Nguyen Ngoc Duc and Nguyen Thi Thanh Van on the methods of "nonviolent struggle".

(5) From February 23 to March 2, 2010, Nguyen Dinh Cuong, Nguyen Van Duyet, and Nguyen Xuan Anh travelled to Laos to participate in a "Viet Tan" training workshop conducted by Nguyen Ngoc Duc, Luong Van My, and Nguyen Thi Thanh Van on the methods of "nonviolent struggle," introduction to the history of "Viet Tan" and several web sites of this organization.

(6) From March 3-8, 2010, Nguyen Dang Minh Man, Dang Ngoc Minh, and Nguyen Dang Vinh Phuc travelled to Cambodia to participate in a "Viet Tan" training workshop conducted by Nguyen Ngoc Duc and Nguyen Thi Thanh Van on the methods of "nonviolent struggle" and ways to mobilize other sympathetic organizations and other people to participate with "Viet Tan."

(7) From May 9-16, 2010, Thai Van Tu and Le Dinh Luong travelled to Thailand to meet with Nguyen Ngoc Duc and participate in a "Viet Tan" training workshop about the methods of "nonviolent struggle." Since Thai Van Tu fled capture and the testimony of defendant Le Dinh Luong has not been obtained, it is not possible to determine the content and objective of this training.

(8) From June 28-July 3, 2010, Nguyen Van Oai, Ho Van Oanh, Le Sy Sang, and Nong Hung Anh travelled Thailand to participate in a "Viet Tan" training workshop conducted by Nguyen Quoc Quan and Nguyen Thi Thanh Van, introducing the method of "nonviolent struggle" and several web sites of "Viet Tan."

(9) From August 26-29, 2010, Dang Ngoc Minh and Nguyen Dang Minh Man travelled to Thailand to participate in a training workshop conducted by Nguyen Ngoc Duc and Nguyen Thi Thanh Van about "ways to deal with security forces."

(10) From August 25 to September 4, 2010 Ho Duc Hoa, Dang Xuan Dieu, Thai Van Tu, Nguyen Van Oai, Nguyen Dinh Cuong, Le Sy Sang, Nguyen Van Duyet, and Le Hung Anh travelled to the Philippines to participate in a "Viet Tan" training workshop conducted by Do Hoang Diem, Nguyen Do Thanh Phong, Nguyen Ngoc Duc, Nguyen Hoang Thanh Tam and one

individual by the name "Tuong" about "circumventing firewalls and digital security" and "international current events and the situation in Vietnam."

(11) From November 11 to December 15, 2010, Ho Duc Hoa travelled to the United States to report to "Viet Tan" on the progress of activities, review lessons on Internet security, and receive further guidelines about recruiting new members for "Viet Tan," a training workshop conducted by Nguyen Kim, Luong Van My, Ngo Trong Duc, and "Tuong".

(12) From January 16-24, 2011, Nguyen Van Oai, Nguyen Van Duyet, Nguyen Dinh Cuong, and Thai Van Tu travelled to Thailand to participate in a "Viet Tan" training workshop conducted by Nguyen Ngoc Duc and Luong Van My on the methods of "nonviolent struggle," "public speaking, recruiting techniques," and was introduced to several "Viet Tan" websites.

(13) From May 1-6, 2011, Ho Van Oanh went to Thailand to participate in a training workshop conducted by Nguyen Thi Thanh Van on the method of "nonviolent struggle," how to deal with oppression by security forces, and was taught the meaning of "Viet Tan's" flag.

(14) From July 5-11, 2011, Thai Van Dung, Nguyen Xuan Kim, Le Hai Chau, and Tran Minh Nhat travelled to Thailand to participate in a "Viet Tan" training workshop conducted by Nguyen Kim and Luong Van My on the history and development of "Viet Tan," the methods of "nonviolent struggle," and "methods of information security and ways to deal with security forces."

(15) From July 25-30, 2011, Ho Duc Hoa, Dang Xuan Dieu, Nguyen Van Oai, Nguyen Van Duyet, Nguyen Xuan Anh, Thai Van Tu, Le Van So, Nong Hung Anh, Nguyen Dang Minh Man, Dang Ngoc Minh, and Nguyen Dang Vinh Phuc travelled to Thailand to participate in a "Viet Tan" training workshop titled "Quang Trung 711" conducted by Do Hoang Diem, Nguyen Ngoc Duc, Luong Van My, Nguyen Thi Thanh Van, Nguyen Kim, Ngo Trong Duc, Nguyen Hoang Thanh Tam on the history of "Viet Tan," the position of "Viet Tan" and the Communist Party of Vietnam on the international scene, the position and strength of "Viet Tan," the organizational structure "Viet Tan," practicing of leadership skills, and ways to deal with suppression by security forces.

The investigation have turned over sufficient evidence to determine that the defendants in this case have been enticed by propaganda by core members of "Viet Tan" and drawn into participation with the aim to subvert the government of Vietnam. The actions of the defendants in this case are in service to "Viet Tan," the number of individuals participating in criminal activities is high, operating in many localities nationwide and abroad; under close coordination and guidance of members outside of Vietnam. Based on documents and evidence on file, there are enough evidence to conclude the criminal actions of the defendants, namely:

1. Ho Duc Hoa (alias Thin) born March 6, 1974 in Nghe An; registered permanent residence Hamlet 4, Quynh Vinh Village, Quynh Luu District, Nghe An Province; current residence: No. 21, Alley 6, Tran Quoc Toan Street, Ha Huy Tap Ward, Vinh City, Nghe An Province. Education level 12/12; profession before arrest: Director at Tran Dinh Investment and Trade Joint Stock Company.

Nationality: Vietnam Ethnicity: Kinh Religion: Catholic

Father: Do Minh Hien, born 1946.

Mother: Nguyen Thi Tuyet, born 1953.

Past activity: From 1974-1991 lived with family and finished high school at Quynh Luu District, Nghe An Province; from 1991-1996 lived with and supported family; from 1996-2000 studied foreign languages at Vinh University; from 2001-2010, staff for non-government organization ANESVAD Foundation (Spanish organization); from 2009-2011 worked for Tran Dinh Investment and Trade Joint Stock Company; from 2011 until arrest Director at Tran Dinh Investment and Trade Joint Stock Company.

Arrested on August 2, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" in order to subvert the government, currently detained.

Previous criminal record: None.

Criminal activity: participated and competently carried out activities for "Viet Tan" and joined the organization on August 28, 2009 in Thailand; travelled abroad five times to meet with several core members of "Viet Tan" to give progress reports on activities and participated in training workshops organized by "Viet Tan" (in the United States: 2 times, in Thailand: 2 times, in the Philippines: 1 time); directly or with accomplices, through propaganda, recruited 9 members for "Viet Tan" including Dang Xuan Dieu, Nguyen Van Duyet, Nguyen Van Oai, Nguyen Xuan Anh, Tran Minh Nhat, Ho Van Oanh, Nguyen Dinh Cuong, Le Sy Sang, and Thai Van Tu; received \$9,553.75 USD and 500 \$CAD (Canadian dollars) and was equipped with 2 cameras disguised as lighters to carry out criminal activities.

2. Dang Xuan Dieu (alias *Tat*) born July 8, 1979, in Nghe An; registered permanent residence: Hamlet 4, Nghi Dong Village, Nghi Loc District, Nghe An Province; current residence: 3 Dinh Le Street, Hung Phuc Precinct, Vinh City, Nghe An Province; education level: 12/12; profession before arrest: Director of the Tien Thanh Public Construction Company.

Nationality: Vietnam Ethnicity: Kinh Religion: Catholic

Father: Dang Xuan Tram (deceased).

Mother: Nguyen Thi Nga, born 1945.

Past activity: From 1979-1999, lived with family and attended high school in Nghi Loc District, Nghe An Province; from 1997-2002 attended Da Nang University of Technology, studied bridge and road engineering; from 2002-2009, self-employed in Nghe An Province; from 2009 until the time of arrest, founded and served as director of the Tien Thanh Public Construction Company.

Arrested on August 2, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" in order to subvert the government, currently detained.

Previous criminal record: None.

Criminal activity: Actively participated in "Viet Tan" and joined the organization on August 28, 2009 in Thailand together with Ho Duc Hoa; travelled abroad 3 times to meet with core members of "Viet Tan" and participated in training workshops organized by "Viet Tan" (in Thailand: 2 times, in the Philippines: 1 time); introduced Nguyen Xuan Kim and Tran Minh Nhat to Ho Duc Hoa to be considered and admitted to the organization; was given a laptop computer by "Viet Tan" to carry out criminal activities.

3. Le Van Son, born October 20, 1985 in Thanh Hoa; registered permanent residence: Hamlet 2, Trinh Ha, Hoang Trung Village, Hoang Hoa District, Thanh Hoa Province; current residence: 357 Bui Xuong Trach, Dinh Cong Ward, Hoang Mai District, city of Hanoi; Education level 12/12; profession before arrest: Freelance.

Nationality: Vietnam Ethnicity: Kinh Religion: Catholic

Father: Le Nhu Doan, born 1955.

Mother: Do Thi Tan, born 1963.

Past activity: From 1992-2004, lived with family and attended public schools in Hoang Trung Ward, Hoang Hoa District, Thanh Hoa Province; from 2004-2006 studied at the Hanoi Tourism College; from 2006 until arrest, freelance tour guide in Hanoi.

Arrested on August 3, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Le Van Son has been an active member of "Viet Tan" since 2010; introduced Nong Hung Anh to meet Nguyen Thi Thanh Van; persuaded him to participate in "Viet Tan"; provided 300,000 VND to help Nong Hung Anh participate in a "Viet Tan" training workshop in Thailand. From July 25 to July 30, Le Van Son participated in the "Quang Trung 711" training workshop in Thailand, at which Son and Nguyen Xuan Anh held the "Viet Tan" flag

during the initiation ceremony for Nong Hung Anh and Nguyen Dang Vinh Phuc; received \$543.05 USD to carry out criminal activities.

4. Nguyen Dang Minh Man (female) born January 10, 1985 in Vinh Long, registered permanent residence and current residence: 511 Kien Thi Nhan St, Bloc 3, Ward 7, city of Tra Vinh; education level: 12/12; profession before arrest: Freelance.

Nationality: Vietnam Ethnicity: Kinh Religion: Catholic

Father: Nguyen Van Loi, born 1955.

Mother: Dang Ngoc Minh, born 1957 (the accused in the same case).

Past activity: From 1985-1989, lived with parents at a young age in Vung Liem District, Vinh Long Province; from April 1989 to October 1996, fled with parents by boat to Thailand and lived in a UN refugee camp in Thailand; October 1996 returned to Vietnam with parents; finished high school in 2006; from 2006-2007 completed first year studies at Pharmacy School in Tra Vinh Province; did freelance work from 2007 until time of arrest.

Arrested on August 2, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation with in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None

Criminal activity: Actively participated in "Viet Tan" and was admitted into the organization on November 17, 2009 in Thailand; travelled abroad five times to meet with core leaders of "Viet Tan" and participated in training workshops organized by "Viet Tan" (in Thailand: 3 times, in Cambodia: 2 times); assigned by "Viet Tan" the task to recruit members and distribute propaganda to incite "aggrieved citizens" to protest; graffitied subversive propaganda slogans with her mother in the area of an (old) elementary school in Trung Ngai village, Vung Liem District, Vinh Long Province; directly reported to and updated "Viet Tan" on the protests regarding the East Sea and introduced Nguyen Dang Vinh Phuc for admission to

the party and received \$300 USD, 3,700 VND, was given 1 laptop computer and 1 cellphone to carry out criminal activities.

5. Nguyen Dinh Cuong, born on February 22, 1981 in Nghe An; registered permanent residence and current residence: Hamlet 4, Nghi Phu village, city of Vinh, Nghe An; education level: 12/12; profession before arrest: Director of Canh Tan Company, Ltd.

Nationality: Vietnamese Ethnicity: Kinh Religion: Catholic

Father: Nguyen Van Bang, born 1960.

Mother: Nguyen Thi Hoa, born 1960.

Past activity: From 1988 to 2000, lived with family and went to high school in the city of Vinh, Nghe An Province; from 2000 to 2005, took exams and studied in the Department of Sociology of the Ho Chi Minh City Open University; from 2005 to 2009, opened a small mechanical workshop from home making door shutters; served as the Director of Canh Tan Company, Ltd. from October 2009 until the time of arrest.

Arrested on December 24, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation with in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" and was admitted to the organization on February 28, 2010 in Laos; travelled abroad 3 times to participate in training courses organized by "Viet Tan" (in Laos: 1 time; in the Philippines: 1 time; in Thailand: 1 time); directly introduced Nguyen Xuan Anh to Ho Duc Hoa for "Viet Tan" to consider, admit; was provided by "Viet Tan" \$700 USD and 9,000,000 VND to carry criminal activities.

6. Dang Ngoc Minh (female) was born on April 4, 1957 in Vinh Long; registered permanent residence and current residence: No. 511, Kien Thi Nhan Street, Hamlet 3, Ward 7, the city of Tra Vinh, Tra Vinh Province; education level: 12/12; profession before arrest: Housewife.

Nationality: Vietnamese Ethnicity: Kinh Religion: Catholic

Father: Dang Van Tuan, born 1917 (deceased).

Mother: Luu Thi Day, born 1920 (deceased).

Husband: Nguyen Van Loi, born 1955.

Children: two children (older son Nguyen Dang Vinh Phuc, born 1980, younger son, Nguyen Dang Minh Man, born 1985, are the defendants in the case).

Past activity: From 1957 to 1967, lived with family and attended primary school in Trung Ngai, Vung Liem District, Tra Vinh Province; from 1967 to 1976, attended high school in Tra Vinh District, Tra Vinh Province; from 1976 to 1977, studied at Vinh Long Secondary school for Teachers, Vinh Long; from 1977 to 1979, served as a primary school teacher of grades 1 and 2 in Trung Ngai village, Vung Liem District, Tra Vinh Province; from 1979 to 1989, stayed at home to assist parents in the town of Tra Vinh, Tra Vinh Province; from 1989 to October 3, 1996, fled to Thailand with her husband and two children, stayed in a refugee camp run by the United Nations High Commission for Refugees in Thailand; from October 3, 1996 to the time of arrest, returned to Vietnam with her husband and two children and lived at 511 Kien Thi Nhan Road, Hamlet 3, Ward 7, city of Tra Vinh, Tra Vinh Province.

Arrested on August 2, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Actively participated in "Viet Tan" and was admitted to this organization on May 3, 2010 in Cambodia; travelled abroad 4 times to meet a number of core leaders of "Viet Tan" organization and participated in training workshops organized by "Viet Tan" (in Thailand: 2 times; in Cambodia: 2 times); assigned by "Viet Tan" the task to recruit members and distribute propaganda to incite "aggrieved citizens" to protest; graffitied subversive propaganda slogans with her daughter in the area of an (old) elementary school in Trung Ngai village, Vung Liem District, Vinh Long Province; directly reported to and updated "Viet Tan" on the protests regarding the East Sea; along with daughter Nguyen Dang Minh Man, introduced "Viet Tan" to

Nguyen Dang Vinh Phuc (son) and was provided by "Viet Tan" \$1,200 USD and 2,000 baht (Thai currency) to carry out criminal activities.

7. Nguyen Van Duyet, born on November 2, 1980 in Nghe An; registered permanent residence and current residence: Hamlet 4, Quynh Vinh village, Quynh Luu District, Nghe An Province; education level: 12/12; profession before arrest: Freelance.

Nationality: Vietnamese Ethnicity: Kinh Religion: Catholic

Father: Nguyen Van Chuc, born 1935.

Mother: Ho Thi Kinh, was born in 1941.

Past activity: From 1992 to 2000, lived and studied in Quynh Luu District, Nghe An Province; from 2000 to 2002, studied at the parish church Bot Da in Da Son village, Do Luong District, Nghe An Province; from 2002 to 2007, studied in the Department of Computational Mathematics at the Continuing Education Center in Nghe An Province; from 2007 to the time of arrest, studied at Huyen Mon church of Thanh Da, Quynh Thanh village, Quynh Luu District, Nghe An Province.

Arrested on August 7, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" and was admitted to the organization on August 29, 2010 in the Philippines; travelled abroad 4 times to meet a number of core leaders of "Viet Tan" and participated in the training workshops organized by "Viet Tan" in Thailand: 2 times; in the Philippines: 1 time; Laos: 1 time); was assigned by "Viet Tan" the task to recruit members and was provided with \$1,700 USD and 9,000,000 VND to carry out criminal activities.

8. Nguyen Van Oai, born on June 18, 1981 in Nghe An; registered permanent residence: Hamlet 4, Quynh Vinh village, Quynh Luu District, Nghe An Province; current residence: 31/12A, Thong Nhat Quarter 2, Di An ward, town of Di An, Binh Duong Province; education level: 12/12; profession before arrest: Freelance.

Nationality: Vietnamese Ethnicity: Kinh Religion: Catholic

Father: Nguyen Van Thong, born 1944 (deceased).

Mother: Tran Thi Lieu, born 1947.

Past Activity: From 1981 to 2000, lived with his family and studied in Quynh Luu District, Nghe An Province; from 2000 to 2002, farmed in Quynh Vinh village, Quynh Luu District, Nghe An Province; from 2002 to 2007, was a student of the Hanoi University of Science - Vietnam National University (opened in the city of Vinh, Nghe An Province); from 2008 to July 2010, worked at the President Company in the Song Than Industrial Zone, town of Di An, Binh Duong Province; from July 2010 to February 2011 worked as a stockbroker for the Tran Dinh Investment and Trade Joint Stock Company, city of Vinh, Nghe An Province; from February 2011 until the time of arrest, was job-seeking in the town of Di An, Binh Duong Province.

Arrested on August 2, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" and was admitted to this organization on November 26, 2010 at Hai Au hotel, town of Cua Lo, Nghe An Province with Nguyen Xuan Anh; travelled abroad 4 times to meet a number of core leaders of the "Viet Tan" organization and participated in the training workshops organized by "Viet Tan" (in Thailand: 3 times; in the Philippines: 1 time); directly followed the situation of the protests related to the islands issues to report to "Viet Tan"; was assigned by "Viet Tan" the task to recruit members among University students and intelligentsia, and was equipped with 1 camera, 1 lighter-shaped camera, \$800 USD to carry out criminal activities.

9. Nong Hung Anh, born on February 26 1983 in Lang Son; registered permanent residence: 16 10A Lane, Bac Son Road, Hoang Van Thu ward, city of Lang Son, Lang Son Province; current residence: 18, Thanh Nhan Road, Thanh Nhan Ward, Hai Ba Trung District, Hanoi; education level: 12/12; profession before arrest: Student.

Nationality: Vietnamese Ethnicity: Nung Religion: None

Father: Nong Van Khoa, was born in 1956.

Mother: Hoang Thi Hoa, was born in 1958.

Past activity: From 1983 to 2002, lived with family and studied in the city of Lang Son, Lang Son Province; from 2002 and 2005, student at South China University, Guangzhou, China; from 2005 to 2008, worked as a freelance in Lang Son; was a student at Hanoi University from 2008 until the time of arrest.

Arrested on August 5, 2011, by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" and was admitted to the organization on July 25, 2011 in Thailand with Nguyen Dang Vinh Phuc; travelled abroad 3 times to meet with core leaders of "Viet Tan" and participated in the training workshops organized by "Viet Tan" (in Thailand: 2 times; in the Philippines: 1 time); was assigned by "Viet Tan" the task to recruit members; wrote and disseminated on the Internet 1 article with propaganda content that distorted the guidelines and policies of the State during the National Assembly election and called for multi-party pluralism; was provided by "Viet Tan" \$1,500 USD and 3,000,000 VND to carry out criminal activities.

10. Nguyen Xuan Anh, born September 14, 1982 in Nghe An; registered permanent residence and current residence: Hamlet 4, Nghi Phu village, city of Vinh, Nghe An Province; education level: 12/12; profession before arrest: Freelance.

Nationality: Vietnamese Ethnicity: Kinh Religion: Catholic

Father: Nguyen Xuan Hien, born 1939 (deceased).

Mother: Nguyen Thi Thiem, was born 1960.

Wife: Dinh Thi Oanh, born 1982, profession: Housewife.

2 children: older son born 2008, younger child born 2010.

Past activity: From 1982 to 2002, lived with family and studied in the city of Vinh, Nghe An Province; from 2002 to the time of arrest, did local freelance labor work.

Arrested on August 7, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" and was admitted to the organization on November 26, 2010 at Hai Au hotel, town of Cua Lo, Nghe An with Nguyen Van Oai; travelled abroad twice to meet a number of core leaders of "Viet Tan" and participated in training workshops organized by "Viet Tan" (in Thailand: 1 time; Laos: 1 time); held the flag of "Viet Tan" along with Le Van Son to assist in the admission ceremony of Nong Hung Anh and Nguyen Dang Vinh Phuc; was assigned by "Viet Tan" the task of recruiting members, collecting news and information.

11. Ho Van Oanh, born on August 9, 1985 in Nghe An; registered permanent residence: Hamlet 4, Quynh Vinh village, Quynh Luu District, Nghe An Province; current residence: 115/12D, Nguyen Kiem, Ward 3, Go Vap District, Ho Chi Minh City; education level: 12/12; occupation before arrest: Student.

Nationality: Vietnamese Ethnicity: Kinh Religion: Catholic

Father: Ho Huan, born 1940 (deceased).

Mother: Vu Thi Loan, born 1945.

Past activity: From 1985 to 2004, lived with family and studied in Quynh Vinh village, Quynh Luu District, Nghe An Province; from 2004 to 2006, worked as a farmer in Quynh Vinh village, Quynh Luu District, Nghe An Province; from 2006 until the time of arrest, was studying as a fourth year student majoring in graphic design at Bach Viet College, Ho Chi Minh City.

Arrested on August 16, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" to overthrow the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" on July 1, 2010 in Thailand; went to Thailand 2 times to meet a number of core members of "Viet Tan" and participated in training workshops organized by "Viet Tan"; early August 2011 collected and reported information to Nguyen Kim and Nguyen Thi Thanh Van regarding to the arrest of Ho Duc Hoa, Dang Xuan Dieu, and Nguyen Van Oai; was assigned by "Viet Tan" the task of recruiting members.

12. Thai Van Dung, born on June 3, 1988 in Nghe An; registered permanent residence and current residence: Hamlet 4, Dien Hanh village, Dien Chau District, Nghe An Province; education level: 12/12; profession before arrest: Farmer.

Nationality: Vietnamese Ethnicity: Kinh Religion: Catholic.

Father: Thai Van An, born 1958 (deceased).

Mother: Han Thi Phu, born 1960.

Past activity: From 1988 to 2008, lived with family and studied in Dien Chau District, Nghe An Province; from 2008 to June 2011, lived at home and worked on the family farm; from June 2011 until the time of arrest, was learning English in Hanoi.

Arrested on August 19, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" organization and was admitted to the organization on July 10, 2011 in Thailand; went abroad to Thailand once to meet a number of core leaders of "Viet Tan" and participated in the training workshops organized by "Viet Tan"; joined protests on the island issues 4 times, caused a disturbance to security forces, was provided by "Viet Tan" \$250 USD for criminal activities.

13. Tran Minh Nhat, born on January 1, 1988 in Nghe An; registered permanent residence: Thon Yen Thanh, Da Don village, Lam Ha District, Lam Dong Province; education level: 12/12; profession before arrest: Student.

Nationality: Vietnamese Ethnicity: Kinh Religion: Catholic.

Father: Tran Khac Chin, born 1951.

Mother: Nguyen Thi Huong, born 1954.

Past activity: From 1988 to 2008, lived with family and studied in Lam Ha District, Lam Dong Province; from 2008 until the time of arrest, was studying at the Ho Chi Minh City University of Foreign Languages and Information Technology.

Arrested on August 27, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" with activities aimed at overthrowing the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" on July 11, 2011 in Thailand; went to Thailand 1 time to meet a number of core leaders of "Viet Tan" and participated in training workshops organized by "Viet Tan"; was assigned by "Viet Tan" the task of recruiting members and was provided with \$200 USD, 2,000 baht (Thai currency) to carry out the criminal activities.

14. Nguyen Vinh Phuc Dang, born on February 2, 1980 in Vinh Long; registered permanent residence and current residence: 511, Kien Thi Nhan Road, Hamlet 3, Ward 7, the city of Tra Vinh, Tra Vinh Province; education level: 12/12; profession before arrest: Worker.

Nationality: Vietnamese Ethnicity: Kinh Religion: None.

Father: Nguyen Van Loi, born 1955.

Mother: Dang Ngoc Minh, born 1957 (the accused in the same case).

Past activity: From 1980 to 1989, lived with family in Vung Liem District, Vinh Long Province; from April 1989 to October 1996, fled with parents by boat to Thailand, stayed in a refugee camp run by the United Nations High Commission for Refugees in Thailand; October 1996, returned to Vietnam with parents; from October 1996 to the time of arrest, studied cultural enrichment, was trained and worked as a welder in the city of Tra Vinh, Tra Vinh Province.

Arrested on August 2, 2011 by the Investigation Department of the Ministry of Public Security and charged with participation in "Viet Tan" to overthrow the people's administration, currently detained.

Previous criminal record: None.

Criminal activity: Participated in "Viet Tan" and was admitted to this organization on July 25, 2011 in Thailand; travelled abroad 2 times to meet a number of core leaders of "Viet Tan" and participated in training workshops organized by "Viet Tan" (in Cambodia: 1 time; in Thailand: 1 time); was assigned by "Viet Tan" the task of recruiting members and was provided \$192.67 USD to carry out criminal activities.

The actions listed above of the accused Ho Duc Hoa, Dang Xuan Dieu, Le Van Son and Nguyen Dang Minh Man, who participated in the reactionary organization "Viet Tan" with the roles of active participants aiming to overthrow the people's administration, have committed "*Criminal activities aimed at overthrowing the people's administration*", Clause 1, Article 79 of the Criminal Code of the Socialist Republic of Vietnam; the actions of the accused **Nguyen Dinh Cuong, Dang Ngoc Minh, Nguyen Van Duyet, Nguyen Van Oai, Nong Hung Anh, Nguyen Xuan Anh, Ho Van Oanh, Thai Van Dung, Tran Minh Nhat, and Nguyen Dang Vinh**

Phuc, who participated in "Viet Tan" as an accomplice actively aiming to overthrow the people's administration, have committed the "*Criminal activities aimed at overthrowing the people's administration*", Clause 2, Article 79 of the Criminal Code of the Socialist Republic of Vietnam. Article 79 of the Penal Code provides: "*Criminal activities aimed at overthrowing the people's administration*"

1. Organizers, instigators, active participants or those who cause grave consequences, shall be sentenced to between twelve and twenty years, life imprisonment or the death penalty;

2. Other accomplices shall be sentenced to between five and fifteen years.

In this case, the accused Nguyen Xuan Kim, Thai Van Tu and Le Sy Sang are prosecuted for "*Crime of activities aimed at overthrowing the people's administration*," under Article 79 of the Penal Code, but the accused had fled before being detected. Therefore, the Investigation Department of the Ministry of Public Security issued a Decision to suspend the investigation against the accused, and when they are caught the investigation will resume, followed by a trial.

Regarding the related subjects, including:

- The core leaders of "Viet Tan" currently living overseas whose actions have included the distribution of propaganda, recruitment, initiation and direct training of the accused in the case, as the Investigation Department of the Ministry of Public Security does not yet have the means to verify, all related documents will be transferred to expert units of the Ministry of Public Security to continue the investigation process.
- Nguyen Quoc Quan, a core member of "Viet Tan" has directly trained the accused Nguyen Van Oai, Nong Hung Anh, Ho Van Oanh and Le Sy Sang in the period between June 28 to July 3, 2010 in Thailand; currently, Nguyen Quoc Quan is being investigated by the Investigation Department and is being prosecuted by the Ministry of Public Security and held in detention for a separate case of "*Crime of terrorism against the people's government*." Therefore, the Investigation Department of the Ministry of Public

Security has transferred all documents and evidence relating to the offense of Nguyen Quoc Quan to investigate and try in the above case.

- Regarding Le Hai Chau and Le Dinh Luong (both residing in neighborhood 9, Hop Thanh village, Yen Thanh District, Nghe An Province), the Investigation Department of the Ministry of Public Security has transferred related documents to functional units to continue to resolve.

Due to the reasons above,

DECISION

1. Prosecute the accused **Ho Duc Hoa, Dang Xuan Dieu, Le Van Son and Nguyen Dang Minh Man** before the Nghe An Province People's Court for the "*Crime of activities aimed at overthrowing the people's administration*" under Clause 1 of Article 79 of the Penal Code of the Socialist Republic of Vietnam; **Nguyen Dinh Cuong, Dang Ngoc Minh, Nguyen Van Duyet, Nguyen Van Oai, Nong Hung Anh, Nguyen Xuan Anh, Ho Van Oanh, Thai Van Dung, Tran Minh Nhat and Nguyen Dang Vinh Phuc** for the "*Crime of activities aimed at overthrowing the people's administration,*" under Clause 2 of Article 79 of the Penal Code of the Socialist Republic of Vietnam.

2. Authorize the Nghe An Province People's Procuracy to exercise the right to prosecute and supervise the initial trial of the case.

Attached to the indictment includes:

- The case file, including the book of records numbered from 01 to ...
- Exhibits bulletin.
- List of the individuals summoned to Court.

Recipients:

SIG. CHIEF PROSECUTOR
PROCURATOR - DIRECTOR

- Nghe An Province People's Court;
- Nghe An Province People's Procuracy;
- The Capital Security Agency-Ministry of Public Security; Nguyen Hong Vinh
- The defendants;
- The case file;
- Profile KSDT;
- Save Service 2.