

# **An appeal for the United Nations and concerned countries to help end the Government of Vietnam's arbitrary legal practices**

Vietnam, October 15, 2009

To: United Nations Secretary-General Ban Ki-moon  
Leaders of democratic nations  
Chairs of international human rights organizations

We, the undersigned, are relatives of the following Vietnamese patriots:

- Writer Nguyen Xuan Nghia
- Teacher Vu Hung
- Engineer Pham Van Troi
- University student Ngo Quynh
- Mr. Nguyen Van Tinh
- Mr. Nguyen Van Tuc
- Mr. Nguyen Kim Nhan

Our relatives were arrested in September 2008 simply for speaking up for Vietnamese territorial sovereignty, anti-corruption and democracy and human rights. Over four days recently, from October 6 to 10, 2009, they were tried and convicted for "propaganda against the socialist state" under Article 88 of the Vietnamese penal code and sentenced to harsh prison terms.

With this letter, we sincerely thank the countries and organizations that have shown concern for our relatives, inquired about their situation, and sent representatives to witness and understand first-hand how the courts in Vietnam currently operate. With this letter, we also denounce the arbitrary and anti-humanitarian detainment and legal mechanisms of the Government of Vietnam.

## **1. The anti-humanitarian nature of the detention and trial procedures in Vietnam.**

Throughout the detention period of our relatives, the authorities created all sorts of difficulties against visiting and caregiving. In the case of teacher Vu Hung, his family was prevented from visiting him for the entire year plus time he has been imprisoned. With respect to Nguyen Van Tinh, his family was forbidden from visiting even after there was news that he was gravely ill.

The proceedings were said to be open trials with public attendance. For the Hanoi trials of Vu Hung and Pham Van Troi, however, only two family members were allowed to be present. At the Hai Phong trial of the six individuals, each defendant was only allowed one family member to attend. Yet the courtrooms were full of people whom we firmly believe were plainclothes police pretending to be normal citizens. Meanwhile, outside the courts, around a hundred supporters and friends were not only denied entry, but were also intimidated and dispersed by public security forces.

## **2. The arbitrary reasons given by the court to convict our relatives are not stipulated anywhere in Vietnamese law.**

During the trials, the Vietnamese court produced the following evidence to convict our relatives:

- Banners claiming Hoang Sa (Paracels) and Truong Sa (Spratlys) as Vietnamese territory, calling on all citizens to oppose corruption and requesting democracy and human rights for Vietnam.

- Articles distributed on the internet criticizing corruption and demanding justice for victims of physical assaults which security forces in Vietnam not only failed to prevent but have consciously covered up.

Based on the above, we earnestly appeal for your support and ask you to call on the government and courts of Vietnam to clarify the following matters:

- Is patriotism and highlighting territorial sovereignty a crime and, if so, under which provisions of the Vietnamese constitution and legal code?
- Is protesting corruption and speaking on behalf of the disadvantaged a crime and, if so, under which provisions of the Vietnamese constitution and legal code?
- Is using the internet to distribute and receive information a crime and, if so, under which provisions of the Vietnamese constitution and legal code?

By voluntarily becoming a member of the United Nations and WTO, Vietnam must abide by basic human rights laws. In particular, Article 19 of the Universal Declaration of Human Rights declares that citizens of all countries have **“the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”**; and Article 9 of the Declaration affirms that: **“No one shall be subjected to arbitrary arrest, detention or exile.”**

We condemn the unjust verdicts imposed by the Vietnamese court on our relatives. We urgently request the UN Secretary-General and heads of state to intervene directly with Nguyen Minh Triet, state president of the Socialist Republic of Vietnam, and call on the Vietnamese government to respect human rights, end the arbitrary legal practices, and immediately free our relatives.

Thank you for your attention.

Signed jointly,

- 1- Nguyen Thi Nga, wife of Nguyen Xuan Nghia, Hai Phong, Viet Nam
- 2- Ly Thi Tuyet Mai, wife of Vu Hung, Ha Tay, Viet Nam
- 3- Nguyen Thi Huyen Trang, wife of Pham Van Troi, Ha Tay, Viet Nam
- 4- Ngo Quyen, brother of Ngo Quynh, Bac Giang, Viet Nam
- 5- Duong Thi Hai, wife of Nguyen Van Tinh, Hai Phong, Viet Nam
- 6- Bui Thi Re, wife of Nguyen Van Tuc, Thai Binh, Viet Nam
- 7- Ngo Thi Loc, wife of Nguyen Kim Nhan, Bac Giang, Viet Nam