



Chris Hayes MP



FEDERAL MEMBER FOR FOWLER

Ref: CH
26 June 2016

The Hon. Julie Bishop MP
Minister for Foreign Affairs
PO Box 6022
House of Representatives
Parliament House
CANBERRA ACT 2600

Dear Minister

I write regarding the upcoming Australia-Vietnam Human Rights Dialogue which I understand is to be held in Vietnam in the coming month. This Dialogue is an important aspect of our bilateral relations and a crucial forum for the Australian government to express our human rights concerns with Vietnam, particularly in respect to matters covered by international legal obligations.

Despite being a member of the United Nations Human Rights Council and having ratified several relevant international conventions, Vietnam continues to suppress the rights of its citizens to freedom of expression, association and peaceful assembly.

Human rights activists, lawyers and bloggers live under constant harassment and intimidation by the authorities.

The Australian Government has taken an active approach in monitoring many of these matters and I thank efforts of our Embassy in Hanoi. Nevertheless, Vietnam's human rights record remains alarmingly poor.

I raise the following cases and request that urgent consideration be given to their inclusion on the agenda for the Human Rights Dialogue:

- **Nguyen Van Dai**

Nguyen Van Dai is a prominent human rights lawyer based in Hanoi who was arrested on December 16, 2015 while on his way to meet with European Union representatives who were involved in the bilateral human rights dialogue the previous day.

Dai was physically attacked the previous week, while conducting training on human rights in Nghe An. Since his arrest, Dai has been held incommunicado. Neither his wife, nor his lawyers have been granted access to him.

I had the opportunity of speaking to his wife, Vu Minh Khanh, during her recent visit to Australia. She spoke of her grief of not being able to visit her husband and holds real concerns as to his physical and psychological welfare. While in Australia, Mrs Vu spoke extensively to our media regarding the plight of her husband and other human rights activists in Vietnam.

- **Can Thi Theu**

Can Thi Theu is a former prisoner of conscience and vocal land rights activist. She was arrested on June 10, 2016 for "disturbing public order" under Article 245 of the Penal Code. She has been active in mobilising women in farming communities. She was previously detained for 15 months in 2014 for her advocacy against unjust land acquisition.

Her son advises that more than 50 police arrived at their home to conduct a search before serving her with an arrest warrant. She was taken to police headquarters in Yên Thủy in Hòa Bình Province. Her arrest warrant reportedly designated a 60-day temporary arrest.

- **-Tran Huynh Duy Thuc**
 - Dang Xuan Dieu
 - Ho Duc Hoa
 - Nguyen Dang Minh Man

These prisoners of conscience have been sentenced to lengthy prison terms for their work in promoting democracy and human rights in Vietnam. Thuc is a human rights activist who co-wrote "The Path of Viet Nam", a book regarding the current situation in Vietnam. He was arrested in 2009 and sentenced to 16 years prison and 5 years house arrest. Most recently, he went on a hunger strike in defence of human rights.

Dang Xuan Dieu, Ho Duc Hoa and Nguyen Dang Minh Man were arrested during July 2011 for their involvement in community activities, blogging and photojournalism. They were arrested with 12 others and detained for close to two years under unspecified charges before being sentenced in January 2013 under Article 79 of the Penal Code for "attempting to overthrow the state."

They were sentenced from 3-13 years imprisonment with Dieu and Hoa receiving 13 years and Man receiving an 8 year term. Since their arrest, I am advised they have been subjected to ongoing mistreatment and

harsh prison conditions. It has also been reported that Man has significant health issues which, I am advised have not been treated.

- **Tran Thi Thuy**

Tran Thi Thuy, a Hoa Hao Buddhist and land rights activist who is currently serving an eight year sentence after being convicted under Article 79 of the Penal Code for activities aimed at “overthrowing the state.”

I am advised she has been repeatedly denied medical treatment by the Vietnamese authorities. Thuy has been diagnosed with a tumour on her uterus and is in severe pain. She is unable to walk without assistance. Notwithstanding her conviction, she has been told to “confess” to her crimes before she can receive any medical treatment.

Her family has reported that her condition has significantly deteriorated. Despite ratifying the Convention against Torture, this is an example where the Vietnamese authorities continue to inflict pain and suffering as a means to extract a confession.

- **Tran Minh Nhat and Do Thi Minh Hanh**

Several cases of police brutality have been reported over the past year.

Tran Minh Nhat, a journalist and a blogger who has been repeatedly harassed and his family intimidated. He is a former prisoner of conscience who was released from prison in August last year. Since his release he has been physically attacked on a number of occasions and his family has been intimidated by local authorities and their crops were poisoned.

Tran Minh Nhat was threatened by local authorities on February 22, 2016 and physically injured. His family was prevented from taking him to the local hospital. Local authorities also prevented Nhat from meeting with diplomats from the United States Consulate.

In November last year, I was also made aware of Do Thi Minh Hanh's arbitrary detention and physical assault made on her. I had the opportunity to meet Miss Hanh when she visited Australia. Miss Hanh a labour rights activist was meeting with workers from Yupoong company, a company which had sacked nearly 2000 employees.

Miss Hanh was detained for several hours in Bien Hoa City, Dong Nai Province. Previously, for helping workers at the My Phong shoe factory in the Tra Vinh provinces, she was sentenced to seven years prison under Article 89 of the Vietnamese Criminal Code. However she was

released after 4 years, coinciding with the TPP trade negotiations between Vietnam and the United States.

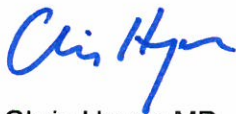
These cases are just a few of the more prominent matters that are of concern to my Vietnamese community, and those who value human rights. However these cases clearly demonstrate the continuation of an appalling human rights record in Vietnam.

As Australians, we believe that an individual's human rights must be respected and protected. It is therefore crucial that our representatives take the opportunity of the Australian Vietnam Human Rights Dialogue, to not only promote good bilateral relations, within the region, but we must be open and forthright when it comes to the overt violation of Human Rights.

As Vietnam is a country we enjoy good diplomatic and growing trade relations, we must demonstrate that we are committed to human rights as a reflection of our national values and those we value as friends.

With Australia's increasing role and participation within the Asia-Pacific region, it would be greatly appreciated if you can ensure these individual cases are discussed during the forthcoming Human Rights Dialogue.

Yours sincerely



Chris Hayes MP
Federal Member for Fowler
Chief Opposition Whip