

United States Congress  
Tom Lantos Human Rights Commission Hearing on  
Vietnam: Continuing Abuses of Human Rights and Religious Freedom

# Arbitrary Detention In the Socialist Republic of Vietnam



Testimony by  
VO VAN AI

President of Quê Me: Action for Democracy in Vietnam

*Washington D.C., 15 May 2012*



*Freedom of Expression in the Socialist Republic of Vietnam*

QUÊ ME: ACTION FOR DEMOCRACY IN VIETNAM &  
VIETNAM COMMITTEE ON HUMAN RIGHTS

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**Tom Lantos Human Rights Commission (TLHRC)  
Hearing**

**Vietnam: Continuing Abuse of Human Rights and Religious Freedom**

**Tuesday, May 15, 2012  
10:00 AM – 12:00 PM  
340 Cannon**

Please join the Tom Lantos Human Rights Commission for a hearing on the status of human rights in Vietnam.

At a time when security and economic interests are driving the United States and Vietnam to strengthen relations in many areas, Vietnam continues to abuse the human rights and religious freedom of its own citizens. The Vietnamese government has increasingly used vague national security laws to target peaceful pro-democracy and religious activists as well as human rights lawyers and citizen journalists who dare to expose the government's violations of basic freedoms. Just last month, an American citizen, Dr. Nguyen Quoc Quan – a pro-democracy activist – was arrested upon arrival in Vietnam and accused of terrorism. In addition, while the Vietnamese Constitution provides for freedom of religion, activities of religious organizations are strictly regulated and disputes have been growing in recent years over the seizure of church and temple land by local governments.

This hearing will explore the challenges faced by democracy activists and religious organizations in Vietnam.

**The following witnesses will testify:**

**Panel 1:** Michael H. Posner, Assistant Secretary of State for Democracy, Human Rights and Labor

**Panel 2:** - Dr. Robert George, Commissioner, United States Commission on International Religious Freedom

**Panel 3:** - Vo Van Ai, Founder and President of Quê Me: Action for Democracy in Vietnam

- Mai Huong Ngo, wife of imprisoned Vietnamese-American Dr. Nguyen Quoc Quan

If you have any questions, please contact the Tom Lantos Human Rights Commission at 202-225-3599 or [tlhrc@mail.house.gov](mailto:tlhrc@mail.house.gov).

James P. McGovern  
Member of Congress  
Co-Chair, TLHRC

Frank R. Wolf  
Member of Congress  
Co-Chair, TLHRC

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Freedom of Expression in the Socialist Republic of Vietnam  
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## ARBITRARY DETENTION OF PRO-DEMOCRACY AND RELIGIOUS ACTIVISTS IN VIETNAM

Testimony by VO VAN AI

President, Quê Me: Action for Democracy in Vietnam &  
Vietnam Committee on Human Rights

Honorable Chairman,  
Distinguished Members of Congress,

Thank you for giving me this opportunity to testify at this important hearing and express my concerns on continuing abuse of human rights and religious freedom in Vietnam. Today, many Americans believe that the strengthening of US relations with Hanoi means that human rights are improving in Vietnam. But this is far from the case. After a brief period of respite in 2006, when Vietnam campaigned for membership of the World Trade Organisation, the government has pursued a systematic crack-down on freedom of opinion, expression, religion and assembly. Arbitrary detention, torture and harassments are the daily lot of citizens who express opinions in contradiction with the ruling Communist Party of Vietnam.

The United Nations defines arbitrary detention as the deprivation of freedom of people who have simply exercised the rights enshrined in the UN Charter, or are imprisoned without due process of law. Vietnam ratified the UN International Covenant on Civil and Political Rights in 1982, exactly thirty years ago, and its Constitution guarantees the respect of basic rights. But there is a huge gap between rhetoric and reality in Vietnam. In a series of political trials since the beginning of last year alone, the government has sentenced at least 45 peaceful activists to a total of 231 years in prison and 103 years probationary detention. Just this week, former political prisoners in Vietnam sent me a list of 177 prisoners currently detained for their peaceful opinions and beliefs. I submit this list for entry in the Congressional record.

As this Hearing takes place, arbitrary arrests continue unabated. I cite some random cases, which are by no means exhaustive, to illustrate the Orwellian nature of the legal system in Vietnam today:

- For the crime of peaceful advocacy, blogger Dieu Cay (Nguyen Van Hai), whom President Obama mentioned in his speech on Press Freedom Day earlier this month, is arbitrarily detained. Founder of the Club of Free Journalists, he was sentenced to 30 months in prison on trumped-up charges of "tax evasion" after staging anti-China protests during the Olympic torch relay in 2008. Alerted to his plight by my Committee, the UN Working Group on Arbitrary Detention declared his imprisonment a violation of international law. On the day of his release in October 2010, he was re-arrested on new charges of "spreading anti-socialist propaganda" (Article 88 of the Penal Code). He has been

Dieu Cay stages anti-China demonstration in 2008



detained incommunicado for the past 17 months. Dieu Cay should have stood trial today, 15<sup>th</sup> May, along with two other bloggers, Phan Thanh Hai and Ta Phong Tan. But Hanoi postponed the trial only hours after President Obama's statement. In Vietnam, prison sentences are fixed in advance. Dieu Cay has been pressured to plead guilty to seek a lighter sentence, but he has refused. He risks a prison term of up to 20 years. International pressure may help to reduce his sentence. But the truth is that he should never have been arrested at all.

- For the "crime" of distributing leaflets protesting land rights abuses and supporting dispossessed farmers known as the "Victims of Injustice" (*Dan Oan*), Nguyen Ngoc Cuong and his son Nguyen Ngoc Tuong Thi are serving a total of 9 years in prison. They were charged with "*spreading propaganda against the Socialist Republic of Vietnam*" (Article 88 of the Penal Code) at an unfair trial in Dong Nai in October 2011. The sentence was confirmed on appeal.

- For founding an unofficial think-tank and writing articles on the Internet calling for democratic reforms, Tran Huynh Duy Thuc was sentenced to 16 years in prison in January 2010 on charges of subversion ("*activities aimed at overthrowing the people's administration*", Article 79 of the Penal Code). Whereas other activists at the same trial, including human rights lawyer Le Cong Dinh and engineer Nguyen Tien Trung pleaded guilty and received sentences of three-and-a-half to seven years, Tran Huynh Duy Thuc denied that he had committed any crime. He received an extremely harsh sentence as punishment for his "stubborn attitude".



Tran Huynh Duy Thuc at his trial in 2010

- For the "crime" of writing protest songs which are currently chanted by millions of young people inside and outside Vietnam, singer and composer Viet Khang (Vo Minh Tri), 34, was arrested on 23 December 2011 and is awaiting trial in the Security Investigation Office in Ho Chi Minh City. His mother has brought food parcels to the prison, but has not been allowed to see her son since his arrest. Another singer, Tran Vu An Binh, detained since September 2011, is awaiting trial in the same prison.

- For exposing Police corruption, journalist Nguyen Van Khuong, pen name Hoang Khuong, is detained in Ho Chi Minh City charged with "*professional shortcomings*". A reporter on the official *Tuoi Tre* (Youth) newspaper, Hoang Khuong wrote a series of articles revealing bribes received by traffic police. Although his articles proved to be true and led to the arrest of one policeman, *Tuoi Tre* suspended Hoang Khuong and withdrew his press card after complaints from the Police. He was arrested on January 2, 2012 and is awaiting trial.

- For helping to organize a strike in a shoe factory in Tra Vinh and distributing leaflets advocating worker rights and denouncing sweat-shop working conditions, young labour activist Do Thi Minh Hanh, 27, is serving a 7-year prison sentence on charges of "*disrupting security and order against the people's administration*" (Article 89 of the Penal Code). She has lost her hearing on one ear, and suffers from swelling of the joints and a stomach ailment. Two other worker-rights activists condemned at the same trial in 26 October 2010, Nguyen Hoang Quoc Hung and Doan Duy Chuong were sentenced respectively to nine and seven years. None of them had access to defense counsel, and were not allowed to speak out in their own defense.



- For seeking to use the legal system to demand accountability and justice for victims of human rights abuses, legal expert Cu Huy Ha Vu was sentenced to seven years prison and three years house arrest at an unfair trial on 4 April 2011 at the Hanoi People's Court on charges of *"anti-socialist propaganda"*. Lawyer Huynh Van Dong was disbarred from the Dak Lak Bar Association on 12 August 2011 for (sic) *"advocating for the behavior of accused individuals"*. He had defended seven land-rights activists at a trial in Ben Tre in May 2011, and protested against being denied access to vital legal documents. The prisoners, including Tran Thi Thuy, "Cattle shed" house church Pastor Duong Kim Khai, and Pham Van Thong received prison terms from two to eight years.

Arbitrary arrest of religious activists is widespread. Despite Vietnam's claims to respect religious freedom, its aim to control and regulate religions is underscored by the appointment of Major-general Pham Dung, one of Vietnam's top Public Security officials, as head of the Government Religious Board in February 2012;



Thich Quang Do speaks to farmers demonstrating in Ho Chi Minh City in July 2007

- Buddhists belonging to the outlawed Unified Buddhist Church of Vietnam (UBCV) are routinely detained under "pagoda arrest". Vietnam's most prominent religious dissident Thich Quang Do, 84, Patriarch of the Unified Buddhist Church of Vietnam and Nobel Peace Prize nominee, is under house arrest without charge at the Thanh Minh Zen Monastery. He is forbidden to travel or communicate freely and denied the right even to preach within his monastery. Thich Quang Do has spent almost 30 years in prison, internal exile and house arrest for his nonviolent advocacy of religious freedom, democracy and human rights;

- At least 250 Christians Montagnards and many ethnic Hmongs are serving harsh sentences for participating in peaceful demonstrations or practicing their faith in "unrecognized" house churches. Many have been brutally beaten in prison, and at least 25 have died in prison from beatings and lack of medical care. Just last week, on 9 May 2012, three Christian Montagnards were arrested in the Central Highlands for "anti-state activities". The official press reported that Security forces had seized weapons that the "reactionary organization" was using "to oppose authorities" – they consisted of home-made bows, arrows and swords;

- Roman Catholic Priest Father Nguyen Van Ly, prominent religious freedom advocate, is in very poor health after suffering a stroke in prison.

Montagnard Siu Thai at a mobile trial in Chu Se District,  
Photo Báo Gia Lai Online



Released on compassionate leave in March 2010, he has now returned to Ha Nam prison to continue his 8-year sentence. Many Catholic bloggers and activists, mostly from the Redemptorist Congregation were detained in a wave of arrests in July-August 2011. At least twelve remain in custody, including Catholic bloggers Le Van Son and Ta Phong Tan, Ho Duc Hoa, Dang Xuan Dieu and Nguyen Van Duyet. Ten have been charged under article 79 of the Criminal Code for *"activities aimed at subverting the people's power"*. Moreover, on 2 December 2011, 20

Catholics, including one priest, Father Nguyen Van Phuong, were arrested in Hanoi after they submitted a petition to the authorities demanding the return of Church lands.

- Nguyen Van Lia, 72, a dignitary of the Hoa Hao sect was sentenced to five years in prison on 13 December 2011, on charges of *"abusing democratic freedoms to infringe upon the interests of the state"* (Article 258 of the Criminal Code). He is detained in section K4 of Xuan Loc prison camp in Dong Nai. During interrogations, he was beaten, then detained in solitary confinement, and is now in very poor health. At least sixteen Hoa Hao dignitaries and followers are serving prison sentences from five years to life in prison for peacefully practicing their faith.

Vietnam is increasingly using "administrative measures" such as heavy fines to punish dissidents and human rights defenders without any process of law. On 8 November 2011, hundreds of Security Police broke into the home of writer Huynh Ngoc Tuan in Quang Nam, confiscating his laptop, printer, cell phone and other personal effects. They returned on 2<sup>nd</sup> December 2011, beat him and other members of his family, and read out an order condemning him, his daughter Huynh Thuc Vy and his nephew Huynh Trong Hieu to heavy fines for *"spreading anti-socialist propaganda"*. Huynh Ngoc Tuan previously spent 10 years in prison (1992-2002) for writing articles for democratic reform.

Vietnam frequently states in international forums that there are *"no political prisoners in Vietnam"*. However, many former political prisoners including lawyer Nguyen Bac Truyen, detained from 2006-2010 unequivocally deny this claim. Religious and political dissidents, they report, are detained in special sections of prisons, sometimes detained together with common criminals but always subjected to a particularly harsh regime. All their clothes and utensils are stamped with the letters C.T. (*chính trị* – "political" in Vietnamese). They are not allowed to use pens and paper, nor receive regular visits from their families.



Prison camp T5, Thanh Cam district in Thanh Hoa province

All inmates, whether political prisoners or common criminals, must pay for basic necessities out of their own pockets, including supplements their starvation rations. But whereas common criminals are allowed to receive at least 2 million dong (about \$96) each month from their families, bloggers Dieu Cay, Phan Thanh Hai and Ta Phong Tan have been allowed no more than 500,000 dong per month. This is barely enough for minimal survival. The police-set prices in prison canteens run to 400,000 dongs for a kilo of sugar, 25,000 for a can of condensed milk or 300,000 dong for a pound of pork sausage. In the Security Investigations Office in Ho Chi Minh City where the three bloggers are detained, many political prisoners are detained in solitary confinement in tiny cells without ventilation or light. Dieu Cay's glasses were confiscated by Police on his arrest.



Prisoners perform hard labour in Z30A  
Xuan Loc camp

Political prisoners who refuse to confess their "crimes" are often punished by being moved to jails far away from their homes. Since prison camps are usually situated in remote, isolated areas with very limited access, this makes it extremely difficult for families to pay visits. In March 2012, pro-democracy activists Tran Kim Anh,



Nguyen Xuan Nghia and Pham Van Troi were sent from Nam Ha camp in Ha Nam province, south of Hanoi, to Camp No. 6 in Thanh Chuong district in the central province of Nghe An. Hanoi-based dissident Cu Huy Ha Vu was moved from Hoa Lo Prison in Hanoi to Prison Camp No. 5 in Thanh Hoa province in March 2012. The camp is in the depths of a mountainous, forest region some 200 kilometres south of Hanoi, and is notorious for holding violent common criminals. His family was given no explanation for this sudden transfer.



Nguyen Huu Cau

Lack of medical care and overcrowded, unhygienic detention conditions have broken the health of many political prisoners. Hoa Hao follower Mai Thi Dung, who is serving an 11-year sentence in Section K5 of Xuan Loc Camp, is paralyzed in both legs, yet she has been denied treatment in the prison hospital. Political prisoner Do Van Thai is suffering from HIV-AIDS after being forced to shave with the camp's sole razor blade used by all the prisoners. He is detained in Section K2 of Xuan Loc Camp in Dong Nai. Poet Nguyen Huu Cau, who has spent 35 years in detention since 1975 —from 1975-1980 in re-education camp, then 1982 until today for exposing official corruption — is virtually blind and almost completely deaf after suffering severe conditions in Xuan Loc prison camp. He has written 500 letters to the authorities claiming his innocence, but has never received a single reply.

Protests on issues of land rights have led to widespread arbitrary arrests. Under Vietnam's socialist system, *"the land is the property of the people"* but it is *"managed by the State"*. Peasants and farmers do not own their land, but are issued with "Land User Certificates", which the authorities can withdraw at will, with little or no compensation. This has sparked off a massive rural protest movement known as the Victims of Injustice" (*Dân Oan*) involving hundreds of thousands of dispossessed farmers. Police regularly crush their protests with extreme violence, resulting in deaths and widespread arrests.

Since the beginning of this year, three incidents of state "land grabbing" have resulted in extreme violence. In January, in Tiên Lang, near Haiphong, farmer Doan Van Vuon resisted attempts to forcibly evict him from lands he had spent 18 years transforming from useless swamplands into a viable aquaculture farm. In desperation, he shot at the Police, wounding six officers. On 24 April, In Van Giang, in Hung Yen province, 3,000 Security Police and riot forces attempted to forcibly evict 166 families from their lands to build a massive development project (Ecopark), wounding and arresting many villagers. On 9 May 2012, in Vu Ban, Nam Dinh province, hundreds of riot police armed with electric truncheons sought to evict local farmers from their lands. The farmers, mostly women and

Farmers in Vu Ban resist Police forces attempting to evict them from their lands, May 2012.



elderly people, donned mourning turbans and staged a peaceful sit down. Many were wounded and other arrested as Police brutally disbanded their peaceful protests.

Vietnam's political and religious prisoners are mostly detained on the basis of vaguely defined "national security" provisions in the Vietnamese Criminal Code, seven of which carry the death penalty. They include ambiguous offenses such as *"undermining national solidarity, sowing divisions between religious and non-religious people"*, (article 87), *"conducting propaganda against the Socialist Republic of Vietnam"* (Article 88), *"abusing democratic freedoms to encroach on the interests of the state"* (article 258), *"espionage"* (Article 80), *"disrupting security"* (article 89), *"fleeing abroad or staying abroad to oppose the people's government"* (article 91). In recent years, Vietnam has increasingly detained dissidents under Article 79 on *"subversion"* or *"activities aimed at subverting the people's power"* (article 79), which carries the death penalty. These "national security" provisions, which make no distinction between violent acts such as terrorism and the peaceful exercise of freedom of expression, are totally inconsistent with the UN International Covenant on Civil and Political Rights (ICCPR) to which Vietnam acceded in 1982.

Other restrictive legislation includes Article 4 of the Constitution which enshrines the political monopoly of the Communist Party, thus excluding political pluralism and the creation of free trade unions or independent civil society; Ordinance 44 (2002) which empowers local police to detain critics under house arrest, in psychiatric institutions or in rehabilitation camps for up to two years without any process of law; Decree 38/2005 which bans demonstrations outside government buildings, and the Directions for Implementing Decree 38 (2006), which prohibit gatherings of more than 5 people without authorisation from the authorities; Media Decree 2 (2011), which imposes drastic restrictions on journalists. The draft of a new 60-article decree on online activity is now in circulation. If passed in its present form, the decree will impose more stringent restrictions on Vietnam's "blogosphere" and community of internet users, which represents some 13% of the 89 million population in Vietnam today.

## Recommendations

- Human rights are meaningless if human rights defenders are not free. Democracy cannot develop if democratic voices are stifled. It is therefore an urgent priority to press for the release of peaceful political and religious prisoners and foster the emergence of a vibrant civil society in Vietnam. To achieve this, both public and private diplomacy is needed. Public statements, such as the one made by President Obama this month are most important, not only as strong reminders to the Vietnamese authorities, but as a sign of encouragement and recognition for human rights defenders in Vietnam.
- The release of prisoners is only meaningful if it is protected by legal safeguards and the rule of law. Vietnam is currently receiving millions of dollars from donor countries, including the United States, to reform its legal system. Yet these funds are used to adopt new, restrictive laws which criminalize religious and political dissent and reinforce the control of the one-Party state. The United States should urgently press Vietnam to repeal all legislation which impedes the exercise of rights enshrined in its Constitution and in the UN Charter.
- In the absence of a pluralist society in Vietnam, religious movements are the true voices of civil society and they are actively defending the people's freedoms and rights. Buddhism, Vietnam's majority religion is a philosophy of peace, tolerance and compassion. It has vast human resources and is strongly committed to its people's welfare. By repressing the Unified Buddhist Church of Vietnam (UBCV) and all other "non-recognized" religions, Hanoi is crushing true civil society and stifling the people's development for generations to come. To



promote the emergence of civil society, the United States should urge Hanoi to re-establish the legitimate status of the UBCV and other non-recognised religious bodies, free its leaders and allow it full freedom of religious activity.

- In this regard, I urge the United States to heed the recommendations of the US Commission on International Religious Freedom and re-designate Vietnam as a Country of Particular Concern (CPC) for its egregious violations of religious freedom and human rights. Following CPC designation in 2004 and 2005, Vietnam made some minimal steps towards releasing religious prisoners and improving protection of religious freedom. This stopped outright when President Bush removed Vietnam from this list in 2006.
- The United States has a bilateral human rights dialogue with Vietnam. This dialogue is a useful tool. But it must not become an end in itself. Disturbingly, Vietnam told the United Nations at its Universal Periodic Review in 2009 that its engagement in dialogue with the US, the EU and other countries “proves” that Vietnam respects human rights. This is surely not America’s view. The dialogue should lead to substantive progress. The United States should set benchmarks and a concrete time-frame for human rights improvements wherever possible, and ensure that Vietnam does not use the human rights dialogue as shield to deflect international scrutiny from its egregious violations of religious freedom and human rights.
- Vietnam rejected many concrete recommendations made by the United States at its Universal Periodic Review in May 2009, and it has failed to uphold its binding commitments to respect UN standards and norms. Unless there are swift and measurable improvements in Vietnam in the immediate future, the United States should not support Vietnam’s stand for membership of the UN Human Rights Council for 2014-2016.
- Promoting religious freedom, human rights and democracy should be inscribed in legislation regarding the US-Vietnam trade relationship. Congress should adopt legislation such as the Vietnam Human Rights Act of 2012 (H.R. 1410) to link trade relations to the respect of religious freedoms and human rights.

### Recommended benchmarks for human rights progress in Vietnam

Specifically, I urge the United States to press Vietnam to:

- cease persecution against the religious communities, re-establish the legitimate status of the Unified Buddhist Church of Vietnam and all other non-recognized religious bodies, and release all religious prisoners, including UBCV leader Thich Quang Do;
- release all dissidents, bloggers, lawyers, citizen journalists and human rights defenders detained for the peaceful exercise of their basic human rights (*see list in annex*);
- improve detention conditions in prisons and camps, and allow US diplomatic observers to visit prisons, notably K2 Section of Z30A Camp in Xuan Loc, Dong Nai;
- authorize the publication of private newspapers and media as a podium for democratic debate, and the creation of independent associations such as free trade unions and non-governmental organizations to foster the emergence of a vibrant and dynamic civil society in Vietnam;
- foster development of the rule law by repealing or amending all legislation that restricts the exercise of human rights and religious freedom, including Article 4 of the Constitution (on the

mastery of the Vietnamese Communist Party); Ordinance 44 on “administrative detention”; Decree 38/2005/ND-CP on demonstrations; “national security” provisions in the Vietnamese Penal Code; Ordinance 21 on Beliefs and Religions (2004) which places tight controls on religious freedom in Vietnam;

- extend an invitation to the UN Representative on Human Rights Defenders and the UN Rapporteur on Freedom of Expression to visit Vietnam, and invite the UN Special Rapporteur on Religious Freedom and the UN Working Group on Arbitrary Detention to make follow-up visits to monitor the situation of human rights defenders and prisoners of conscience in Vietnam.

Vo Van Ai  
*Washington D.C., 15 May, 2012*

## List of Prisoners of Conscience in Vietnam

*Compiled in April 2012 (non-exhaustive)*

1. **Amlinh (Bà Blung)**, born 1943; Ethnic Christian Montagnard; sentenced on 8/9/2009 to 8 years in prison for *"undermining the unity policy"* (article 87 of the Penal Code); detained in Gia Lai prison camp.
2. **Bùi Đăng Thủy**, Born: unknown; arrested in 1996; sentenced to 18 years in prison for *"fleeing abroad or defecting to stay overseas with a view to opposing the people's administration"* (article 91 of the Penal Code); detained in Section K2 of Z30A Xuan Loc prison camp, Dong Nai; seriously ill with pulmonary tuberculosis.
3. **Cao Văn Tinh**, born 1974; arrested in 2010; sentenced on 30/5/2011 (confirmed in appeal on 18/8/2011) to 4 years-and-a-half in prison and 5 years of house arrest for *"carrying out activities aimed at overthrowing the people's administration"* (article 79 of the Penal Code); detained in Z30A Xuan Loc prison camp, Dong Nai.
4. **Chang A Dơ**, born 1979; Ethnic Hmong Christian; arrested in April 2011; sentenced on 13/3/2012 to 2 years in prison and 2 years of house arrest for *"disrupting security"* (article 89 of the Penal Code); detained for participating in peaceful demonstrations in Muong Nhe, Dien Bien province.
5. **Chau Henh**, born 1954; sentenced on 31/3/2011 to 2 years in prison for *"destroying or deliberately damaging property"* (article 143 of the Penal Code) and *"causing public disorder"* (article 245 of the Penal Code); detained in Tri Tôn prison camp in An Giang province.
6. **Chu Mạnh Sơn**, born 1989; arrested on 3/8/2011; detained pending trial in B14 prison, Hanoi for *"carrying out activities aimed at overthrowing the people's administration"* (article 79 of the Penal Code). Member of the *Hội đồng công luật công án Bia Sơn* sect.
7. **Cư Bảo**, born 1976; arrested on April 2011; sentenced on 13/3/2012 to 2 years in prison and 2 years of house arrest for *"disrupting security"* (article 89 of the Penal Code) for participating in demonstrations at Muong Nhe in Dien Bien province.
8. **Cù Huy Hà Vũ**, born 1957; arrested on 5/11/2010; sentenced on 4/4/2011 (confirmed in appeal on 2/8/2011) to 7 years in prison and three years "probationary detention" (house arrest) for *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code); detained in prison camp No. 5, Thanh Hóa. He suffers from a heart condition.
9. **Đặng Xuân Diệu**, born 1977; arrested on 30/7/2011 for *"carrying out activities aimed at overthrowing the people's administration"* (article 79 of the Penal Code); detained pending trial in B14 prison, Hanoi. Member of the *Hội đồng công luật công án Bia Sơn* sect.
10. **Danh Hương** : Born 1960. Arrested in 1999 and sentenced to 17 years prison on charges of *"terrorism"* (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
11. **Đậu Văn Dương**, born 1986; arrested on 2/8/2011 for *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code); detained pending trial in Nghệ An province.
12. **Điều Loai (Điều Quay)**, born 1983; sentenced on 6/8/2010 to 5 years in prison and 3 years of house arrest for *"undermining the unity policy"* (article 87 of the Penal Code) and *"organizing and/or coercing other persons to flee abroad or to stay abroad illegally"* (article 275 of the Penal Code); detained in Daknong.
13. **Đinh Đăng Định**, born 1963; former teacher; arrested on 21/10/2011 for *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code); detained pending trial in Daknong.
14. **Đỗ Thanh Nhân** : Born: Unknown. Arrested in 1993 and sentenced to 20 years prison on charges of *"fleeing abroad with a view to oppose the people's administration"* (Article 91 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
15. **Đỗ Thị Hồng**, born 1951 or 1957; arrested on 14/2/2012 for *"carrying out activities aimed at overthrowing the people's administration"* (article 79 of the Penal Code); detained in Phú Yên province. Member of the *Hội đồng công luật công án Bia Sơn* sect.
16. **Đỗ Thị Minh Hạnh**, born 1985; arrested on 23/2/2010; sentenced on 26/10/2010 (confirmed in appeal on 18/3/2011) to 7 years in prison for *"disrupting security"* (article 89 of the Penal Code); labour rights



activist; detained in Section 2 of Thủ Đức Prison. Suffered torture in detention; has lost her hearing on one ear, and suffers from swelling of the joints and a stomach ailment.

17. **Đỗ Văn Thái** : Born 1960. Arrested in 2000 and sentenced to 17 years prison on charges of “terrorism” (Article 84 of the Penal Code) and “anti-state propaganda” (Article 88 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai; he is suffering from HIV-AI(DS after being forced to shave with sole razor used by all the other prisoners.
18. **Đoàn Đình Nam**, born 1951; arrested on 6/2/2012 for “carrying out activities aimed at overthrowing the people’s administration” (article 79 of the Penal Code); detained in Phú Yên province. Member of the *Hội đồng công luật công án Bia Sơn* sect.
19. **Đoàn Huy Chương**, born 1985; arrested on 12/22/2010; sentenced on 26/10/2010 (confirmed in appeal on 18/3/2011) to 7 years in prison for “disrupting security” (article 89 of the Penal Code); detained in Section 2 of Thủ Đức Prison. Suffered leg wound during torture in prison.
20. **Đoàn Văn Cư**, born 1966; arrested on 12/2/2012 for “carrying out activities aimed at overthrowing the people’s administration” (article 79 of the Penal Code); detained in Phú Yên province. Member of the *Hội đồng công luật công án Bia Sơn* sect.
21. **Đoàn Văn Vươn**, Born: unknown; arrested on 6/1/2012 for killing a Police officer whilst seeking to prevent armed police forcibly seizing his lands; awaiting trial in Hai Phong prison.
22. **Dương Âu**, born 1955; arrested in 2009; sentenced on 20/4/2010 to 5 years in prison and 5 years of house arrest for “fleeing abroad or defecting to stay overseas with a view to opposing the people’s administration” (article 91 of the Penal Code); detained in Section K3 of Z30 Xuan Loc prison camp, Dong Nai.
23. **Dương Kim Khải**, born 1958; Mennonite pastor; arrested in 2010; sentenced on 30/5/2011 (confirmed in appeal on 18/8/2011) to 5 years in prison and 5 years of house arrest for “carrying out activities aimed at overthrowing the people’s administration” (article 79 of the Penal Code); detained in Z30A Xuan Loc prison camp, Dong Nai.
24. **Dương Thị Tròn**, born 1947; Hoa Hao follower; arrested in 2005; sentenced on 19/9/2007 to a total of 9 years in prison (1<sup>st</sup> sentence 4 years, 2<sup>nd</sup> term of 5 years imposed during detention) for “causing public disorder” (article 245 of the Penal Code); detained in Section K4 of Z30A Xuan Loc prison camp, Dong Nai
25. **Giàng A Si**, born 1979; arrested in April 2011; sentenced on 13/3/2012 to 30 months in prison and 2 years of house arrest for “disrupting security” (article 89 of the Penal Code) for participating in Hmong demonstrations in Muong Nhe, Dong Nai.
26. **Hà Thế Nga**, born 1984; sentenced on 9/9/2011 to 9 months in prison for “causing public disorder” (article 245 of the Penal Code); detained in Đồng Nai.
27. **Hồ Đức Hòa**, born 1974; Catholic activist; arrested on 30/7/2011 for “carrying out activities aimed at overthrowing the people’s administration” (article 79 of the Penal Code); detained pending trial in B14 prison, Hanoi.
28. **Hồ Long Đức** : Born 1957. Arrested in 1999 and sentenced to 20 years prison on charges of “terrorism” (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
29. **Hồ Thị Bích Khương**, born 1967; land rights activist; arrested on 15/1/2011; sentenced on 29/12/2011 to 5 years in prison and 3 years of house arrest for “propaganda against the Socialist Republic of Vietnam” (article 88 of the Penal Code); detained in Hà Tĩnh prison camp.
30. **Hồ Văn Oanh**, born 1985; Catholic activist; arrested on 16/8/2011 for “carrying out activities aimed at overthrowing the people’s administration” (article 79 of the Penal Code); detained pending trial in B14 prison, Thanh Liet, Hanoi.
31. **Hoàng Khương (Nguyễn Văn Khương)**, Born: 1972; journalist on the official daily “Tuoi Tre” Youth; arrested on 3/1/2012 on charges of “professional shortcomings” for exposing corruption of traffic police; detained pending trial in Chí Hòa prison, Ho Chi Minh City.
32. **Hoàng Phong**, born 1985; Catholic activist; arrested on 29/12/2011 in Nghệ An for “propaganda against the Socialist Republic of Vietnam” (article 88 of the Penal Code); detained pending trial; current whereabouts unknown.

33. **Huỳnh Anh**, Born: 1975; arrested in 2005; sentenced to 8 years in prison for *“fleeing abroad or defecting to stay overseas with a view to opposing the people’s administration”* (article 91 of the Penal Code); detained in Section K2 of Z30A Xuan Loc prison camp in Dong Nai.
34. **Huỳnh Anh Trí** : Born 1972. Arrested in 2000 and sentenced to 13 years prison on charges of *“terrorism”* (Article 84 of the Penal Code). Currently detained in Section 4 of Xuan Loc prison camp in Dong Nai.
35. **Huỳnh Anh Tú** : Born 1968. Arrested in 2000 and sentenced to 13 years prison on charges of *“terrorism”* (Article 84 of the Penal Code). Currently detained in Phú Giáo prison camp, Bình Dương province.
36. **Kpă Sinh**, born 1959; Ethnic Christian Montagnard; sentenced on 5/4/2011 to 8 years in prison and 3 years of house arrest for *“undermining the unity policy”* (article 87 of the Penal Code); detained in Gia Lai.
37. **Kpăy Cồ**, born 1980; Ethnic Christian Montagnard; sentenced on 15/11/2010 to 4 years in prison and 2 years of house arrest for *“undermining the unity policy”* (article 87 of the Penal Code); detained in Phu Yên.
38. **Ksor Y Dú**, born 1963; Ethnic Christian Montagnard; sentenced on 15/11/2010 to 6 years in prison and 3 years of house arrest for *“undermining the unity policy”* (article 87 of the Penal Code); detained in Phu Yên.
39. **Lê Công Định**, born 1968; human rights lawyer, former Vice-President of the Ho Chi Minh City Bar Association; arrested in 2009; sentenced on 20/1/2010 to 5 years in prison and 3 years of house arrest for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); sentence confirmed on appeal on 11/5/2010; detained in Chí Hòa Prison, Ho Chi Minh City.
40. **Lê Đức Động**, born 1983; arrested on 5/2/2012 for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained in Phú Yên prison; Member of the *Hội đồng công luật công án Bia Sơn* sect.
41. **Lê Kim Hùng** ; Born 1968. Arrested in 1999 and sentenced to 20 years prison on charges of *“terrorism”* (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
42. **Lê Duy Lộc**, born 1956; arrested on 5/2/2012 for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained in Phu Yên prison; Member of the *Hội đồng công luật công án Bia Sơn* sect.
43. **Lê Phúc**, born 1951; arrested on 5/2/2012 for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained in Phu Yên prison; Member of the *Hội đồng công luật công án Bia Sơn* sect.
44. **Lê Thăng Long**, born 1967; arrested in 2009; sentenced on 20/1/2010 to 5 years in prison and 3 years house arrest (reduced on appeal to 3-and-a-half years prison on 11/5/2010) for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained in Section K1, Z30A Xuan Loc prison camp in Dong Nai.
45. **Lê Thanh Tùng**, born 1968; freelance journalist; arrested on 1/12/2011 for *“propaganda against the Socialist Republic of Vietnam”* (article 88 of the Penal Code); detained pending trial, reportedly in B14 Prison, Hanoi.
46. **Lê Trí Tuệ**, born 1979; pro-democracy activist; fled to Cambodia to seek political asylum in April; granted Person of Concern Certificate by the UN High Commission on Refugees in Phnom Penh; 2/5/2007 Hai Phong Public Security published search warrant for his arrest; disappeared on 6/5/2007. Whereabouts still unknown.
47. **Lê Trọng Cự**, born 1966; arrested on 5/2/2012 for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained in Phu Yên prison; Member of the *Hội đồng công luật công án Bia Sơn* sect.
48. **Lê Văn Sốc**, Born: unknown; arrested in 2006; sentenced to 6 years in prison for *“causing public disorder”* (article 245 of the Penal Code); detained in Section 5 of Z30A Xuan Loc Prison Camp in Dong Nai.

49. **Lê Văn Sơn**, born 1985; Catholic blogger; arrested on 3/8/2011 for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained pending trial in B14 Prison, Hanoi.
50. **Lê Văn Thành**, born 1975; member of Falun Gong; arrested on 11/6/2010; sentenced on 10/11/2011 to 2 years in prison for *“illegally using information in computer networks”* (article 226 of the Penal Code) for broadcasting Falun Gong radio into China; detained in B14 Prison, Thanh Liet, Hanoi.
51. **Lê Văn Tính**: Born: unknown; former Member of the National Assembly, Republic of (South) Vietnam; arrested in 1996; sentenced to 20 years in prison for *“fleeing abroad or defecting to stay overseas with a view to opposing the people’s administration”* (article 91 of the Penal Code); detained in Section K2, Z30A Xuan Loc prison camp, Dong Nai.
52. **Lô Thanh Thảo**, born 1977; arrested on 26/3/2012 for *“propaganda against the Socialist Republic of Vietnam”* (article 88 of the Penal Code); detained in the Security Investigations Office, 4 Phan Dang Luu Street, Ho Chi Minh City.
53. **Lư Văn Bảy**, born 1952; Cyber-dissident; arrested in May 2011; sentenced on 22/8/2011 by the People’s Court in Kiên Giang province to 4 years in prison and 3 years of house arrest for *“propaganda against the Socialist Republic of Vietnam”* (article 88 of the Penal Code); detained in Kiên Giang province.
54. **Mai Thị Dung**, born 1969; Hoa Hao follower; arrested in 2005; sentenced on 19/9/2007 to 11 years in prison for *“causing public disorder”* (article 245 of the Penal Code); detained in Section K5 of Z30, Xuan Loc, Dong Nai; suffers paralysis in both legs and is in very poor health.
55. **Mùa A Thắng**, born 1980; Hmong Christian; arrested in April 2011; sentenced on 13/3/2012 to 2 years in prison and 2 years of house arrest for *“disrupting security”* (article 89 of the Penal Code) for participating in peaceful demonstrations in Muong Nhe, Dien Bien.
56. **Nguyễn Bá Đăng**, born 1965; arrested in January 2010; sentenced in March 2011 to 3 years in prison for *“propaganda against the Socialist Republic of Vietnam”* (article 88 of the Penal Code); detained in Hải Dương prison.
57. **Nguyễn Chí Thành**, born 1973; arrested in 2010; sentenced on 30/5/2011 to 2 years in prison and 3 years of house arrest for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained in Z30A Xuan Loc prison camp, Dong Nai.
58. **Nguyễn Công Chính**, born 1969; Protestant Pastor; arrested on 28/4/2011; sentenced on 26/3/2012 to 11 years in prison for *“undermining the unity policy”* (article 87 of the Penal Code); detained in Gia Lai province.
59. **Nguyễn Đình Cường**, born 1981; Catholic activist; arrested on 24/12/2011 for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained pending trial in B14 prison, Thanh Liet, Hanoi.
60. **Nguyễn Hoàng Quốc Hùng**, born 1981; labour rights activist; arrested in February 2010; sentenced on 26/10/2010 (confirmed in appeal on 18/3/2011) to 9 years in prison for *“disrupting security”* (article 89 of the Penal Code); detained in Section K1 of Z30 Xuan Loc prison Camp, Dong Nai.
61. **Nguyễn Hữu Cầu** : Born 1947; poet and former officer in the army of the Republic of (South) Vietnam; spent 6 years in reeducation camp after 1975; re-arrested in 1982 for writing poems about corruption and power abuse; sentenced to life imprisonment on 19/5/1983 for *“undermining the unity policy”* (article 87 of the Penal Code) on 19/5/1983 (sentence confirmed on appeal on 25/5/1985); detained in Section K3, Z30A Xuan Loc prison camp in Dong Nai; is almost blind, very deaf and extremely thin and weak; has sent 500 letters to the authorities claiming his innocence but has never received any reply
62. **Nguyễn Kim Nhân**, born 1949; arrested on 7/6/2011 for *“propaganda against the Socialist Republic of Vietnam”* (article 88 of the Penal Code); detained in Bắc Giang prison camp.
63. **Nguyễn Kim Lạc**, born 1951; arrested on 7/2/2012 for *“carrying out activities aimed at overthrowing the people’s administration”* (article 79 of the Penal Code); detained in Phú Yên prison; member of the *Hội đồng công luật công án Bía Sơn* sect.
64. **Nguyễn Long Hội** : Born: Unknown. Date of arrest unknown. Sentenced to life imprisonment (reduced to 20 years) for *“carrying out activities aimed at overthrowing the people’s administration”* (Article 79 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.



65. **Nguyễn Mạnh Sơn**, born 1943; arrested in 2008; sentenced on 9/10/2009 to 3 years and 6 months in prison and 3 years house arrest for *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code); detained in Ba Sao prison, Nam Ha.
66. **Nguyễn Ngọc Cường**, born 1956; land rights activist; arrested in September 2010; sentenced on 21/10/2011 to 7 years in prison for *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code) for distributing leaflets supporting the "Victims of Injustice" (*Dân Oan*); detained in B5 Prison in Dong Nai.
67. **Nguyễn Ngọc Phương** : Born 1976. Arrested in 2000 and sentenced to 12 years prison on charges of *"terrorism"* (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
68. **Nguyễn Ngọc Tường Thi**; born 1986; land rights activist (son of Nguyễn Ngọc Cường); arrested in September 2010; sentenced on 21/10/2011 to 2 years in prison for *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code) for ; detained in B5 prison, Dong Nai.
69. **Nguyễn Phong**, born 1975; arrested in 2007; sentenced on 30/3/2007 to 6 years in prison and 3 years of house arrest for *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code); detained in Thanh Hoa province.
70. **Nguyễn Quốc Quân**, born 1953; a US citizen; arrested at Tan Son Nhut Airport on 14/4/2012 on charges of *"terrorism"* (article 84 of the Penal Code); detained pending trial at B34 prison, 237 Nguyen Van Cuu St. Ho Chi Minh City.
71. **Nguyễn Thành Tâm**, born 1953; Protestant, land rights activist; arrested in 2010; sentenced on 30/5/2011 to 2 years in prison and 3 years of house arrest for *"carrying out activities aimed at overthrowing the people's administration"* (article 79 of the Penal Code); detained in Z30 Xuan Loc prison camp in Dong Nai
72. **Nguyễn Tiến Trung**, born 1983; Pro-democracy activist; arrested in 2009; sentenced on 20/1/2010 to 7 years in prison and 3 years of house arrest for *"carrying out activities aimed at overthrowing the people's administration"* (article 79 of the Penal Code); detained in PA 24 Prison, Ho Chi Minh City.
73. **Nguyễn Trung Lĩnh**, Born: 1967; pro-democracy activist; arrested in April 2012 under Ordinance 44 and detained in No. 1 Central Psychiatric Hospital, Hanoi.
74. **Nguyễn Trung Tôn**, born 1971; arrested in January 2011; sentenced on 29/12/2011 to 2 years in prison and 2 years of house arrest for *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code); detained in Ha Tinh Prison camp.
75. **Nguyễn Tuấn Nam**, Born: unknown; arrested in 1996; sentenced to 19 years in prison for *"fleeing abroad or defecting to stay overseas with a view to opposing the people's administration"* (article 91 of the Penal Code); detained in Section K2 of Z30A Xuan Loc prison camp in Dong Nai.
76. **Nguyễn Văn Cảnh**, Born: 1095; arrested in 2005; sentenced to 13 years in prison for *"fleeing abroad or defecting to stay overseas with a view to opposing the people's administration"* (article 91 of the Penal Code); detained in Section K2 of Z30A Xuan Loc prison camp in Dong Nai.
77. **Nguyễn Văn Chung** : Born: Unknown. Date of arrest unknown. Sentenced to 20 years in prison for *"carrying out activities aimed at overthrowing the people's administration"* (Article 79 of the Penal Code) and *"destroying detention camps"* (Article 90). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
78. **Nguyễn Văn Duyệt**, born 1980; Catholic activist; arrested on 7/8/2011 for *"carrying out activities aimed at overthrowing the people's administration"* (article 79 of the Penal Code); detained pending trial in B14 prison, Hanoi.
79. **Nguyễn Văn Hải (Điều Cày)**, born 1952; blogger and pro-democracy activist; arrested in 2008 and sentenced to 30 months prison for *"tax evasion"*, maintained in prison in October 2010 after completing his sentence on new charges of *"propaganda against the Socialist Republic of Vietnam"* (article 88 of the Penal Code); detained incommunicado for 17 months in violation of the Vietnamese Criminal Procedures Code; awaiting trial in the Security Investigation Office, 4 Phan Dang Luu Street, Ho Chi Minh City; adopted as a victim of arbitrary arrest by the UN Working Group on Arbitrary Detention (Opinion 1/2009).
80. **Nguyễn Văn Lía**, born 1940; Hoa Hao dignitary; arrested in April 2011; sentenced on 13/12/2011 (confirmed in appeal on 2/3/2012) to 4 years and 6 months in prison and 3 years of house arrest for *"abusing democratic freedoms to infringe upon the interests of the State"* (article 258 of the Penal

Code); detained in Z30A Xuan Loc prison camp in Dong Nai. Was tortured in detention, and is in very poor health.

81. **Nguyễn Văn Lý**, born 1946; Roman Catholic Priest, arrested several times for advocating religious freedom; sentenced on 30/3/2007 to 8 years in prison for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); suffered a stroke in prison, temporarily released for medical care in March 2010, now returned to prison; detained in Ba Sao Prison in Nam Ha Province.
82. **Nguyễn Văn Oai**, born 1980; Catholic activist; arrested on 30/7/2011 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained pending trial in B14 Prison, Thanh Liet, Hanoi.
83. **Nguyễn Văn Phương**, Born: Unknown. Arrested in 1999 and sentenced to 17 years prison on charges of “*terrorism*” (Article 84 of the Penal Code). Currently detained in Section 1 of Xuan Loc prison camp in Dong Nai.
84. **Nguyễn Văn Thanh**, born 1984; Catholic activist; arrested in 2011; sentenced on 6/3/2012 to 3 years in prison for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code). Place of detention unknown.
85. **Nguyễn Văn Thơ**, born 1939; Hoa Hao follower; arrested in 2006; sentenced on 3/5/2007 to 6 years in prison for “*causing public disorder*” (article 245 of the Penal Code); detained in Section K1, Z30A Xuan Loc prison camp in Dong Nai.
86. **Nguyễn Văn Tư (Tư Hồng)**, born 1949; land rights activists; sentenced on 17/4/2012 to 2 years and 6 months in prison for “*abusing democratic freedoms to infringe upon the interests of the State*” (article 258 of the Penal Code); detained pending trial in Cần Thơ province; member of the “Victims of Injustice” movement of dispossessed farmers.
87. **Nguyễn Văn Túc**, born 1964; arrested in 2008; sentenced on 9/10/2009 to 4 years in prison and 3 years of house arrest for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); detained in Ba Sao Prison, Nam Ha province.
88. **Nguyễn Xuân Anh**, born 1982; Catholic activist; arrested on 7/8/2011 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained pending trial in B14 prison Thanh Liet, Hanoi.
89. **Nguyễn Xuân Nghĩa**, born 1949; writer and pro-democracy activist; arrested in 2008; sentenced on 9/10/2009 to 6 years in prison and 3 years of house arrest for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); detained in Camp No. 6 in Thanh Chuong district, Nghe An; adopted as a victim of arbitrary arrest by the UN Working Group on Arbitrary Detention (Opinion 1/2009).
90. **Nguyễn Xuân Nô**, Born: 1945; Cao Dai follower; arrested in 2005; sentenced to 9 years in prison for “*fleeing abroad or defecting to stay overseas with a view to opposing the people’s administration*” (article 91 of the Penal Code); detained in Section K2 of Z30A Xuan Loc prison camp, Dong Nai.
91. **Nhi (Bă Tiêm)**, born 1958; member of ethnic minority group; sentenced on 8/9/2009 to 10 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
92. **Nôh**, born 1959; member of ethnic minority group; sentenced on 9/4/2009 to 12 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
93. **Nông Hùng Anh**, born 1988; Protestant; arrested on 5/8/2011 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained pending trial in B14 prison, Thanh Liet, Hanoi.
94. **Phạm Ngọc Hoa**, born 1954; arrested in 2010; sentenced on 30/5/2011 to 2 years in prison and 3 years of house arrest for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Z30A Xuan Loc prison camp, Dong Nai.
95. **Phạm Thanh Nghiê**, born 1977; arrested in 2008 in Hai Phong; sentenced on 29/1/2010 to 4 years in prison and 3 years of house arrest for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); detained in B14, Thanh Liet, Hanoi; adopted as a victim of arbitrary arrest by the UN Working Group on Arbitrary Detention (Opinion 1/2009).
96. **Phạm Thị Bích Chi**, born 1983; land rights activist; arrested in September 2010 for distributing human rights leaflets; sentenced on 21/10/2011 to 1-and-a-half years prison for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code), reduced to a suspended sentence on appeal.

97. **Phạm Thị Phượng**, born 1945; arrested in April 2010; sentenced on 21/9/2011 to 11 years in prison for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in B34 Prison, 237 Nguyen Van Cu Street, Ho Chi Minh City.
98. **Phạm Văn Thông**, born 1962; arrested in 2010; sentenced on 30/5/2011 to 7 years in prison and 5 years of house arrest for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Z30A Xuan Loc prison camp, Dong Nai.
99. **Phạm Văn Trội**, born 1972; arrested in 2008; sentenced on 8/10/2009 to 4 years in prison and 4 years of house arrest for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); detained in Prison camp No. 6, Thanh Chương district in Nghệ An province.
100. **Phạm Văn Viêm**, Born: unknown; arrested in 1990 in Bulgaria by Vietnamese Secret Police for translating prodemocracy material; escaped and went into hiding, then re-arrested in 1997 and deported to Vietnam; detained in zone B15 Prison in Kim Giang-Thanh Xuan district, Ha Noi. Prison term unknown.
101. **Phạm Xuân Thân**, Born: Unknown. Arrested in 1994 and sentenced to life imprisonment on charges of “*terrorism*” (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
102. **Phan Thanh Hải**, born 1969; Blogger, pen name Anh Ba SG; arrested on 18/10/2010 for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); trial scheduled for April 17<sup>th</sup>, then delayed; will stand trial together with Nguyen Van Hai (Dieu cay) and Ta Phong Tan; detained pending trial in the Security Investigation Office at 4 Phan Dang Luu Street in Ho Chi Minh City.
103. **Phan Thanh Tường**, born 1987; arrested on 8/3/2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yen; member of the *Hội đồng công luật công án Bia Sơn* sect.
104. **Phan Thanh Ý**, born 1951; detained in Phu Yên province for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); member of the *Hội đồng công luật công án Bia Sơn* sect.
105. **Phan Thanh Thu (Trần Công)**, born 1948; arrested on 5/2/2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yên; member of the *Hội đồng công luật công án Bia Sơn* sect.
106. **Phùng Lâm**, born 1966; sentenced on 18/1/2011 to 7 years in prison for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); detained in Bình Phước.
107. **Phùng Quang Quyền**, born 1956; arrested in 2009; sentenced on 20/4/2010 to 4 years in prison and 4 years of house arrest for “*fleeing abroad or defecting to stay overseas with a view to opposing the people’s administration*” (article 91 of the Penal Code); detained in Section K2 of Z30A Xuan Loc prison camp, Dong Nai.
108. **Pinh**, born 1967; member of ethnic minority group; sentenced on 9/4/2009 to 9 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
109. **Rah Lan Blom**, born 1976; ethnic Christian Montagnard; sentenced on 5/4/2011 to 9 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
110. **Rah Lan Mlih**, born 1966; ethnic Christian Montagnard; sentenced on 5/4/2011 to 9 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
111. **Rmah Hlach**, born 1968; ethnic Christian Montagnard; sentenced on 14/1/2010 to 12 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
112. **Ro Lan Ju (Ama Suit)**, Born: unknown; ethnic Christian Montagnard; sentenced on 21/7/2009 to 9 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
113. **Ro Mah Klit**, born 1946; sentenced on 5/4/2011 to 8 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
114. **Rơ Mah Pôl**, born 1953; ethnic Christian Montagnard; sentenced on 27/3/2009 to 7 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.



115. **Rơ Mah Pró**, born 1964; ethnic Christian Montagnard; sentenced on 5/4/2011 to 9 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
116. **Rơ Mah Then**, born 1985; ethnic Christian Montagnard; sentenced on 27/3/2009 to 8 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
117. **Rồh**, born 1962; ethnic Christian Montagnard; sentenced on 9/4/2009 to 10 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
118. **Siu Ben (Ama Yon)**, Born: unknown; ethnic Christian Montagnard; sentenced on 21/7/2009 to 12 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
119. **Siu Brôm**, born 1967; ethnic Christian Montagnard; sentenced on 5/4/2011 to 10 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
120. **Siu Hlom**, born 1967; ethnic Christian Montagnard; sentenced on 5/4/2011 to 12 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
121. **Siu Jă (Ama Hyen)**, Born: unknown; ethnic Christian Montagnard; sentenced on 21/7/2009 to 7 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
122. **Siu Koch**, born 1985; ethnic Christian Montagnard; sentenced on 14/1/2010 to 9 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
123. **Siu Nheo**, born 1955; ethnic Christian Montagnard; sentenced on 5/4/2011 to 10 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
124. **Siu Thái**, born 1978; ethnic Christian Montagnard; sentenced on 19/12/2011 to 10 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.
125. **Sơn Nguyễn Thanh Điền**, Born: Unknown. Arrested in 2000 and sentenced to 17 years prison on charges of “*terrorism*” (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
126. **Tạ Khu**, born 1947; arrested in February 2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yên; member of the *Hội đồng công luật công án Bia Sơn* sect.
127. **Tạ Phong Tàn**, born 1968; Catholic blogger, former Police officer and member of the Communist Party; arrested on 5/9/2011 for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); detained pending trial in the Security Investigations Office, 4 Phan Dang Luu Street, Ho Chi Minh City; trial is imminent.
128. **Thái Văn Dung**, born 1988; Catholic activist; arrested on 19/8/2011 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained pending trial in B14 Prison, Hanoi.
129. **Thào A Khay**, born 1986; Ethnic Christian from the Hmong tribe; arrested in April 2011; sentenced on 13/3/2012 to 2 years in prison and 2 years of house arrest for “*disrupting security*” (article 89 of the Penal Code) for participating in peaceful demonstrations in Muong Nhe, Bien Dien.
130. **Thào A Lâu**, born 1978; Ethnic Christian from the Hmong tribe; arrested in April 2011; sentenced on 13/3/2012 to 2 years in prison and 2 years of house arrest for “*disrupting security*” (article 89 of the Penal Code); for participating in peaceful demonstrations in Muong Nhe, Bien Dien.
131. **Tô Văn Hồng**, Born: Unknown. Arrested in 1999 and sentenced to 13 years prison on charges of “*terrorism*” (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
132. **Trần Anh Kim**, born 1949; pro-democracy activist, former officer in the People’s Army; arrested on 7/7/2009 in Haiphong; sentenced on 28/12/2009 to 5-and-a-half years in prison and 3 years of house arrest for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Prison No. 6, Thanh Chương, Nghệ An province.

133. **Trần Hoài Ân**, born 1951; Hoa Hao activist; arrested in July 2011; sentenced on 13/12/2011 to 3 years in prison and 2 years of house arrest for “*abusing democratic freedoms to infringe upon the interests of the State*” (article 258 of the Penal Code); detained in Dong Thap prison.
134. **Trần Hoàng Giang**, Born 1980. Arrested in 2000 and sentenced to 15 years prison on charges of “*terrorism*” (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
135. **Trần Hữu Đức**, born 1988; Catholic activist; arrested on 2/8/2011; detained pending trial in Nghi Kim prison in Nghe An province.
136. **Trần Huỳnh Duy Thức**, born 1966; arrested in 2009; sentenced on 20/1/2010 to 16 years in prison and 5 years of house arrest for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); sentence upheld on appeal on 11 May 2010; detained in Section K1 Z30A Xuan Loc prison camp in Dong Nai.
137. **Trần Minh Nhật**, born 1988; Catholic activist; arrested on 27/8/2011 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained pending trial in B14 Prison, Thanh Liet, Hanoi.
138. **Trần Phi Dũng**, born 1966; arrested on 12/2/2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yen; member of the *Hội đồng công luật công án Bia Sơn* sect.
139. **Trần Quân**, born 1984; arrested on 12/2/2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yen; member of the *Hội đồng công luật công án Bia Sơn* sect.
140. **Trần Thị Thúy**, born 1971; arrested in 2010; sentenced on 30/5/2011 to 8 years in prison and 5 years of house arrest for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Section K4, Z30A Xuân Lộc prison camp, Dong Nai; currently in very poor health – Police kicked her in the stomach during interrogations, causing internal injuries.
141. **Trần Tư**, Born: Unknown. A US citizen. Sentenced to life imprisonment on 28.3.199 on charges of “*carrying out activities aimed at overthrowing the people’s administration*” (Article 79 of the Penal Code). Currently detained in Nam Ha prison camp in Ha Nam province.
142. **Trần Vũ Anh Bình (Hoàng Nhật Thông)**, born 1974; arrested on 19/9/2011 for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code) for writing and singing protest songs; detained pending trial in PA24 Security Investigations Office, 4 Phan Dang Luu Street, Ho Chi Minh City.
143. **Trương Ngọc Quang**, Born: unknown; arrested in March 2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yen; member of the *Hội đồng công luật công án Bia Sơn* sect.
144. **Trương Thị Tám**, born 1963; arrested in 2009; sentenced on 20/4/2010 to 3 years in prison and 3 years of house arrest for “*fleeing abroad or defecting to stay overseas with a view to opposing the people’s administration*” (article 91 of the Penal Code); detained in Section K4 of Z30A Xuan Loc prison camp, Dong Nai.
145. **Trương Văn Duy** : Born 1960. Arrested in 1994 and sentenced to life imprisonment (reduced to 20 years) on charges of “*terrorism*” (Article 84 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.
146. **Trương Văn Kim**, born 1951; arrested in 2009; sentenced on 20/4/2010 to 3 years in prison and 3 years of house arrest for “*fleeing abroad or defecting to stay overseas with a view to opposing the people’s administration*” (article 91 of the Penal Code); detained in Section K2 of Z30A Xuan Loc prison camp, Dong Nai.
147. **Vàng A Giàng**, born 1980; Hmong Christian; arrested in April 2011; sentenced on 13/3/2012 to 30 months in prison and 2 years of house arrest for “*disrupting security*” (article 89 of the Penal Code) for participating in peaceful demonstrations in Muong Nhe, Dien Bien.
148. **Vàng Seo Phừ**, born 1978; Hmong Christian; arrested in April 2011; sentenced on 13/3/2012 to 2 years in prison and 2 years of house arrest for “*disrupting security*” (article 89 of the Penal Code) for participating in peaceful demonstrations in Muong Nhe, Dien Bien.
149. **Văn Ngọc Hiếu** : Born 1961. Arrested in 2000 and sentenced to 20 years prison on charges of “*terrorism*” (Article 84 of the Penal Code), “*destroying detention camps*” (Article 90) and “*circulating*

propaganda against the Socialist Republic of Vietnam (Article 88 of the Penal Code). Currently detained in Section 2 of Xuan Loc prison camp in Dong Nai.

150. **Vi Đức Hồi**, born 1956; former Communist Party member; arrested in 2010; sentenced on 26/1/2011 (confirmed in appeal on 26/4/2011) to 5 years in prison and 3 years of house arrest for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); detained in Lạng Sơn province.
151. **Võ Minh Trí (Việt Khang)**, born 1978; song writer and composer; arrested on 23/12/2011 for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); detained pending trial at the Security Investigations Office, PA 24, at 4 Phan Dang Luu Street, Ho Chi Minh City; his mother has not been allowed to see her son since his arrest;
152. **Võ Ngọc Cư**, born 1951; arrested on 6/2/2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yên; member of the *Hội đồng công luật công án Bia Sơn* sect.
153. **Võ Thành Lê**, born 1955; arrested on 5/2/2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yên; member of the *Hội đồng công luật công án Bia Sơn* sect.
154. **Võ Thị Thu Thủy**, born 1962; Catholic activist; arrested in 2011; sentenced on 6/3/2012 to 5 years in prison for “*propaganda against the Socialist Republic of Vietnam*” (article 88 of the Penal Code); place of detention unknown.
155. **Võ Văn Bửu**, Born: unknown; Hoa Hao follower; arrested in 2005; sentenced to 7 years in prison for “*causing public disorder*” (article 245 of the Penal Code); detained in Z30A Xuan Loc Prison Camp, Dong Nai; his wife, Mai Thi Dung (see above) is also detained in the camp.
156. **Võ Viết Diễm**, born 1971; arrested in April 2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in B34 Prison, 237 Nguyen Van Cuu Street, Ho Chi Minh City.
157. **Vũ Đức Trung**, born 1980; Falun Gong practitioner; arrested in June 2009; sentenced on 10/11/2011 to 3 years in prison for “*illegally using information in computer networks*” (article 226 of the Penal Code) for broadcasting Falun Gong radio to China; also a member of the “Victims of Injustice” movement; detained in Hanoi.
158. **Vũ Quang Thuận**, born 1966; escaped from Vietnam to Malaysia to seek political asylum in May 2009; deported from Malaysia and arrested at Tan Son Nhut Airport on 28/1/2011 for “*fleeing abroad or defecting to stay overseas with a view to opposing the people’s administration*” (article 91 of the Penal Code); detained in northern Vietnam.
159. **Vương Tấn Sơn**, born 1953; arrested on 12/2/2012 for “*carrying out activities aimed at overthrowing the people’s administration*” (article 79 of the Penal Code); detained in Phu Yên; member of the *Hội đồng công luật công án Bia Sơn* sect.
160. **Y Nghenh (Ma Đem)**, born 1974; member of ethnic minority; sentenced on 6/8/2010 to 6 years in prison and 3 years of house arrest for “*undermining the unity policy*” (article 87 of the Penal Code) and “*organizing and/or coercing other persons to flee abroad or to stay abroad illegally*” (article 275 of the Penal Code); detained in Daknong.
161. **Y Tinh**, born 1986; member of ethnic minority; sentenced on 6/8/2010 to 3 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code) and “*organizing and/or coercing other persons to flee abroad or to stay abroad illegally*” (article 275 of the Penal Code); detained in Daknong.
162. **Y Wang**, born 1987; member of ethnic minority; sentenced on 6/8/2010 to 2 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code) and “*organizing and/or coercing other persons to flee abroad or to stay abroad illegally*” (article 275 of the Penal Code); detained in Daknong.
163. **Yuh (Bă Nar)**, born 1962; Ethnic Christian Montagnard; sentenced on 8/9/2009 to 8 years in prison for “*undermining the unity policy*” (article 87 of the Penal Code); detained in Gia Lai.

**N.B.** On 8-9 March 2012, the Military Court in Zone 1 handed down prison sentences ranging from 12-58 months to **eleven members of the Nong ethnic minority** who were arrested in August 2011 in Phong Van hamlet, Bac Giang Province. They were charged with “*resisting persons in the performance of their official*”

duties (article 257 of the Penal Code). No information is available on their names, sentences and current whereabouts.

#### **Prisoners under house arrest without charge (quản thúc):**

1. **Thích Quảng Độ:** Born 1928. Secular name Dang Phuc Tue. Buddhist monk, Patriarch of the Unified Buddhist Church of Vietnam (UBCV). 2012 Nobel Peace Prize nominee. Sentenced to 20 months in prison in April 1977. Rearrested on 25.2.1982 and detained in internal exile in Vu Doai village, Thai Binh in northern Vietnam. Broke out of internal exile in March 1992 and returned to Saigon. Arrested on 4.1.1995 for organizing a UBCV Rescue Mission for flood victims and writing a document on the Communist Party's persecution of the UBCV, and sentenced to 5 years in prison and three years house arrest on 15.8.1995 for *"abusing democratic freedoms to harm the interests of the State"* (Article 258). Released in a government amnesty in September 1998 following international pressure. Sentenced to 2 years house arrest in 2001. Detained without charge since 2003 until today at the Thanh Minh Zen Monastery in Saigon.
2. **Nguyễn Đan Quế:** Born 1942. Endocrinologist, founder of the Nonviolent Movement for Human Rights in Vietnam. Arrested in 1978 and detained in reeducation camp for 10 years. Arrested again in 1991 and sentenced to 20 years prison and 5 years house arrest on charges of *"attempting to overthrow the people's administration"* (article 79 of the Penal Code) for circulating a petition calling for peaceful democratic reform. Released in a government amnesty in 1998 on condition he emigrates. He stayed in Vietnam. Arrested again in 2003 and sentenced to 30 months in prison. Released in 2005. Under effective house arrest without charge since then.

#### **Prisoners under probationary detention (quản chế - Article 38 of the Penal Code):**

1. **Lê Thị Công Nhân:** Born 1979. Human rights lawyer. Member of Nguyen Van Dai's Vietnam Human Rights Committee. Arrested on 6.3.2007 in Hanoi. Sentenced to 4 years in prison and 3 years house arrest on 11.5.2007 for *"conducting propaganda against the Socialist Republic of Vietnam"* (Article 88 of the Penal Code). The sentence was reduced on appeal to 3 years in prison and 3 years house arrest. Released in March 2010.
2. **Ngô Quỳnh:** Born: 1984. Student activist, organized peaceful anti-China demonstrations during the Olympic relay in Saigon in 2008. Sentenced in September 2009 to 3 years in prison and 3 years house arrest. Recognized as a victim of arbitrary detention by the UN Working Group on Arbitrary Detention. Released 1.7.2011.
3. **Nguyễn Bắc Truyển:** 44 years old. Lawyer and businessman. Struck of the Bar Association for his pro-democracy activities. Arrested in 2006. Sentenced to 4 years in prison and two years house arrest on 10.5.2007 for *"conducting propaganda against the Socialist Republic of Vietnam"* (Article 88 of the Penal Code). The sentence was reduced to 3-and-a-half years in August 2007. Released on 6.3.2010.
4. **Nguyễn Văn Đài:** Born 1969. Human rights lawyer and founder of the Vietnam Human Rights Committee in Hanoi. Arrested on 6.3.2007 and sentenced on 11.5.2007 to Five years in prison and four years house arrest for *"conducting propaganda against the Socialist Republic of Vietnam"* (Article 88 of the Penal Code). The sentence was reduced to 4 years prison and four years house arrest on appeal. Released in March 2011, now serving house arrest.
5. **Phạm Bá Hải:** 44 years old. Founded the Bach Dang Giang Foundation after returning to Vietnam from studies in New Delhi. Arrested on 25.4.2006 and sentenced on 7.9.2008 to 5 years prison and 2 years for *"conducting propaganda against the Socialist Republic of Vietnam"* (Article 88 of the Penal Code). Released on 7.9.201, now serving house arrest.
6. **Trần Quốc Hiền:** Born 1965. Human rights lawyer and Internet writer. Arrested on 12.2.2007 and sentenced on 15.5.2007 to 5 years prison and 2 years house arrest at an unfair trial in Ho Chi Minh City charged with *"conducting propaganda against the Socialist Republic of Vietnam"* (Article 88 of the Penal Code). Released on 11 January 2012, now serving house arrest.



7. **Trần Văn Thiêng:** 76 years old. Former officer in the army of the Republic of (South) Vietnam. Arrested on 14.2.1991 and sentenced to 20 years in prison and 5 years house arrest for *“activities aimed at overthrowing the people’s administration”* (Article 79 of the Penal Code) Released on 14.2.2011, now serving house arrest. He is in very poor health after harsh treatment in the camps.
8. **Vũ Hùng:** Born: 1966. Teacher, arrested on 9.18.2008, sentenced in Hanoi on 10.07.2009 to 3 years in prison and 3 years of house arrest for *“conducting propaganda against the Socialist Republic of Vietnam”* (Article 88 of the Penal Code). Currently under house arrest. His detention was deemed arbitrary by the UN Working Group on Arbitrary Detention.
9. **Phạm Minh Hoàng:** Born 1955. Blogger and lecturer in mathematics. He has dual French and Vietnamese nationality. Arrested in August 2010. Sentenced to 3 years prison and 3 years house arrest in August 2011. Sentence reduced on appeal to 17 months. Released on 13 January, he is currently serving 3 years house arrest.

## OPINION

## Reading Orwell in Hanoi

By VO VAN AI

In further proof that irony is alive and well, Vietnam is a candidate for a seat on the U.N. Human Rights Council in 2014-2016. What sort of human-rights watchdog would the government in Hanoi be? For a hint, consider the ongoing cases of three activist bloggers now facing a trial that harks back to an earlier, Orwellian century.

Nguyen Van Hai (who blogs under the pen name Dieu Cay), Phan Thanh Hai (who blogs as Anh Ba Saigon) and Ta Phong Tan (a former police officer and Communist Party member who wrote a blog entitled "Justice and Truth") will soon face trial for "crimes against national security." They are all members of the Club of Free Journalists, a group founded in 2008 to call for the right to create private media outlets and promote freedom of expression and independent journalism in Vietnam. In Hanoi's authoritarian one-party system, such peaceful activism earns a charge of "spreading propaganda against the Socialist Republic of Vietnam" under Article 88 of the penal code.

The charges are unfortunately not so far out of the ordinary. Dozens of activists and bloggers have been imprisoned on similar charges in recent years. But these cases are notable for the revealingly turn they took recently.

A judge in Ho Chi Minh City closely following the case (although not presiding over it) told members of the local legal community last week that the defendants would be wise to plead

guilty if they wish to avoid harsh prison sentences. While he was not speaking directly to the defendants or their lawyers, he seems to have intended for the message to get back to them, and to other potential activists, on behalf of the regime. While there is reason to believe police frequently exert similar pressure on political de-

A judge reminds bloggers how Vietnamese 'justice' really works.

tainees, this appears to be the first time someone in the judiciary has adopted the same line.

If the bloggers truly were guilty, and were being tried in a fair and transparent judicial system, that would be good advice—criminal defendants often plead guilty in exchange for lighter sentences. But neither of these conditions is true in this case. Under Vietnamese law, the judge has warned, innocence will not be enough to protect the defendants if they plead not guilty and go to trial. Any defendant "stubbornly" protesting his or her innocence will bring down a longer sentence.

The judge's explanation for the delay in starting the bloggers' trial—it was originally supposed to have opened last week—is equally revealing. The judge suggested the delay arose because the Public Security Bureau, the People's Procuracy (prosecutorial service) and the court haven't yet agreed on sentences for the "offenders." The PSB is seeking ex-

tremely harsh terms of 14-16 years for Dieu Cay, 12-14 years for Ms. Tan, and seven to nine years for the other Mr. Hai. The other branches of the "troika" are seeking lighter terms. Guilty verdicts are a foregone conclusion.

The three bloggers can see examples of what will happen if they don't follow the judge's advice. Pro-democracy activist Tran Huynh Duy Thuc was sentenced to 16 years in Jan. 2010 for crimes against the state—among other things, he wrote articles on the Internet calling for political reforms—after pleading not guilty. At the same trial, other activists who pleaded guilty, including human rights lawyer Le Cong Dinh, received terms of three-and-a-half to seven years.

If the fix is in anyway, why is the regime keen to encourage guilty pleas? Hanoi apparently believes that guilty pleas bolster its claim that there are no "political prisoners" in Vietnam since, as Hanoi argues, the defendants have admitted their guilt to serious charges.

This disparity in sentences would be no light matter in any circumstances, but the consequences are especially severe in Vietnam given the way the regime treats such political prisoners after they're in jail. All inmates, whether political prisoners or common criminals, must pay for many basic necessities out of their own pockets, including supplements to their starvation rations. But whereas common criminals are allowed to receive at least 2 million Vietnamese dong (around \$96) each month from their fami-

lies, these three bloggers have been allowed no more than 500,000 dong.

That's barely enough for minimal survival. The police-set prices in prison canteens run to 400,000 dong for a kilo of sugar, 25,000 dong for a can of condensed milk, or 300,000 dong for a pound of pork sausage.

This disparate financial treatment further undermines Hanoi's claim that there are no political prisoners in Vietnam. In reality, everyone knows exactly why people like Dieu Cay are in jail: His activism embarrassed Hanoi and its patrons in Beijing. He was first arrested in Ho Chi Minh City in 2008 after staging an anti-China demonstration during the Olympic torch relay. After imprisoning him for 30 months on trumped-up charges of tax evasion, he was re-arrested on the day of his release in October 2010 on charges of "spreading anti-socialist propaganda." He has been detained incommunicado for the past 17 months.

Dieu Cai and the other bloggers are not guilty of any "crime" that would be recognized as such in a truly modern state. They have simply claimed the rights enshrined in Articles 69 and 53 of Vietnam's Constitution, which guarantee freedom of expression and the right to petition the government. Hanoi should set them free. Other governments should insist Hanoi do so if it wants to assume any high-profile human-rights post at the U.N.

*Mr. Ai is president of Quê Me: Action for Democracy in Vietnam.*

QUÊ ME: ACTION FOR DEMOCRACY IN VIETNAM &  
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The **Vietnam Committee on Human Rights (VCHR)** is the international organ of **Quê Me : Action for Democracy in Vietnam**, a non-profit organization founded in Paris in October 1975. Its aims are to increase international awareness of the human rights situation, mobilize support for victims of human rights abuses and promote efforts for democracy in Vietnam. It has published *Quê Me* (Homeland), a Vietnamese-language magazine since February 1976. Vo Van Ai is the VCHR President, Penelope Faulkner is Vice-President and Vo Tran Nhat is Executive Secretary. The VCHR's board of Advisers include : Marc Blondel (*France*), Vladimir Boukowsky (*Russia*), Bill Bradley (*former Senator, USA*), Larry Diamond (*Hoover Institution, USA*), Paul Goma (*Roumania*), Charles D. Gray (*former Head, International Dept., AFL-CIO, USA*), Senator Orrin G. Hatch (*USA*), David Kilgour (*former Deputy Speaker of the Canadian Parliament*), Congressman Christopher Smith (*Honorary, USA*), Stephen Nedzynski (*Poland*), Leonid Plyush (*Ukraine*). Other founder members are: Milovan Djilas (*Writer, former Yugoslavia*), Eugene Ionesco (*Playwright, Member of French Academy*), Lane Kirkland (*Former President, AFL-CIO, USA*), Douglas Pike (*Vietnam Center, University of Texas, USA*), Jean-Francois Revel (*France*). The VCHR is a member organization of the Paris-based **International Federation for Human Rights (FIDH)** founded in 1922. The FIDH has observer or consultative status at the UN, UNESCO, ECOSOC, the Council of Europe, the ILO, the Commonwealth, the African Commission on Human and Peoples' Rights, the Organisation of American States and the Organisation Internationale de la Francophonie.