



Vietnamese Women for Human Rights

Protect Freedom and Dignity for All Women in Vietnam

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Open Letter

Vietnam must immediately release prisoner of conscience Pastor Nguyen Cong Chinh and end harassment of his family

May 23, 2017

To: President Tran Dai Quang,
Prime Minister Nguyen Xuan Phuc, and
National Assembly Chair Nguyen Thi Kim Ngan
of the Socialist Republic of Vietnam

We, the undersigned organizations and individuals, call on the authorities of the Socialist Republic of Vietnam to: release Pastor Nguyen Cong Chinh unconditionally and immediately; carry out a prompt, impartial, independent and effective investigation into allegations of his mistreatment while in prison and allegations that his wife, Mrs. Tran Thi Hong, was tortured by the local authorities of Hoa Lu Ward, Pleiku City, Gia Lai Province, while in custody in 2016; bring any identified perpetrators to justice in fair trials; and provide reparations to Pastor Chinh and Mrs. Tran Thi Hong in accordance with Vietnam's obligations under the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

Lutheran Pastor Nguyen Cong Chinh was sentenced to 11 years of imprisonment in 2012 after having been convicted of “undermining national unity policy” under Article 87 of Vietnam's Penal Code, “by maintaining ties with the dissident groups and distributing material deemed to have slandered government authorities”. He was arbitrarily detained and jailed solely for peacefully practicing his faith and exercising his human rights to freedom of thought, conscience and religion and freedom of expression. His non-violent activities in criticizing government policies cannot justify his imprisonment and the abusive treatment and denial of his rights by prison authorities. These include verbal and physical abuse from other prisoners in collusion with or without intervention of prison officials, denial of medical treatment, detention in solitary confinement for a prolonged period, and denial of the rights to practice his religion and to buy additional food from the canteen to supplement the poor prison diet. Cumulatively, his alleged treatment in prison would constitute torture or other cruel, inhuman or degrading treatment or punishment as prohibited under the ICCPR, the CAT and the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules).

Additionally, Pastor Chinh's family members, including his wife Mrs. Hong Tran, have also been the alleged victims of harassment which may amount to torture or ill-treatment. On 14 April 2016 at the Hoa Lu Ward, Pleiku City, Gia Lai Province, Vietnam, Mrs. Hong alleges that several unidentified men – whom she believes were undercover public security agents - forced her into a vehicle and took her to the People's Committee Office where she says she was violently assaulted for more than three hours while being asked about her meeting with a US delegation on International Religious Freedom held on 30 March 2016. She also alleges she was the victim of several other violent incidents perpetrated by State authorities in May of the same year while being questioned about her activism.

Under international treaties binding the state, torture and other cruel, inhuman or degrading treatment or punishment is prohibited in all circumstances and torture is a crime under international law. According to the most recent Constitution (2013), the state "*acknowledges, respects, protects and guarantees human rights*"¹, guarantees that "*the citizen shall enjoy the right to freedom of opinion and speech, freedom of the press, to access to information, to assembly, form associations and hold demonstrations*"², whereas Article 24 guarantees "*freedom of belief and religion*" and the equality of all religions before the law.

As government leaders of the Socialist Republic of Vietnam, you are in the position to take steps to ensure that national laws and Constitutional provisions which comply with Vietnam's international obligations are properly enforced.

We respectfully urge that your government immediately and unconditionally release Pastor Nguyen Cong Chinh and fully restore his legal rights; carry out prompt, impartial, independent and effective investigations into the allegations of torture and other ill-treatment made by Pastor Chinh and his wife Mrs. Hong and bring any identified perpetrators to justice following fair trials and provide reparations to Pastor Chinh and Mrs. Tran Thi Hong in accordance with Vietnam's obligations under the ICCPR and CAT; respect international human rights laws and standards generally including the rights to freedom of thought, conscience and religion, speech, peaceful assembly and association in particular.

The community of civil society organizations and human rights advocates in Southeast Asia and around the world continue to monitor closely the situation of Mrs. Tran Thi Hong and Pastor Nguyen Cong Chinh, and we will continue to do so until he is released and the criminal conviction is expunged through appropriate legal processes.

SIGNED:

1. Vietnamese Women for Human Rights (*Hội Phụ Nữ Nhân Quyền Việt Nam*) – VIET NAM
2. Amnesty International – UNITED KINGDOM
3. Anushani Alagarajah, Researcher and Activist – SRI LANKA
4. Aravinth. S, Activist – SRI LANKA
5. Bàn Tròn Đa Tôn Giáo Việt Nam (*Vietnam Multi-Faith Roundtable*) – VIET NAM
6. Bhawana Bhatta, Women Dialogue Forum – NEPAL
7. Boat People SOS – UNITED STATES OF AMERICA
8. C. Nasser Ahmad – UNITED STATES OF AMERICA
9. Campaign to Abolish Torture in Vietnam – UNITED STATES OF AMERICA
10. Center for Inquiry – UNITED STATES OF AMERICA
11. Chihiro Muranaka – JAPAN

¹ Article 3 of the 2013 Constitution.

²Article 25 of the 2013 Constitution.

12. Christian Solidarity Worldwide – UNITED KINGDOM
13. Church of Scientology National Affairs Office – WASHINGTON, DC
14. Civil Rights Defenders – SWEDEN
15. Coalition for a Free and Democratic Vietnam – UNITED STATES OF AMERICA
16. Committee for Religious Freedom in Vietnam – UNITED STATES OF AMERICA
17. Con Dau Parishioners Association – VIET NAM
18. Dhruva Basu, Participatory Research in Asia – INDIA
19. Dr. Aurora Parong, Medical Action Group – PHILIPPINES
20. Đinh Đức Long, Hội Hỗ Trợ Nạn Nhân Bạo Hành Việt Nam (*Association for Support Victims of Torture*) – VIET NAM
21. Freedom House – UNITED STATES OF AMERICA
22. Gerelee Odonchimed – MONGOLIA
23. Greg Mitchell, Co-Chair, International Religious Freedom Roundtable; President, The Mitchell Firm – UNITED STATES OF AMERICA
24. Hội Cựu Tù Nhân Chính Trị và Tôn Giáo (*Vietnamese Political & Religious Prisoners Friendship Association*) – VIET NAM
25. Hội Phát Huy Tự Do Tôn Giáo hay Niềm Tin Việt Nam (*Association to Freedom of Religion or Belief in Vietnam*) – VIET NAM
26. Hội Thánh Tin Lành Đấng Christ Tây Nguyên (*Central High Montagnard Evangelical Church Of Christ*) – VIET NAM
27. International Commission of Jurists – GENEVA, SWITZERLAND
28. International Institute for Religious Freedom – (BONN - BRASILIA - CAPE TOWN - COLOMBO)
29. Jinshiro Motoyama – JAPAN
30. Jubilee Campaign USA – UNITED STATES OF AMERICA
31. Khối Nhơn Sanh Đạo Cao Đài (*Popular Council of Cao Dai Religion*) – VIET NAM
32. Lester Shum – HONG-KONG
33. Liên Minh Chống Tra Tấn (*Vietnam – Coalition Against Torture (VN-CAT)*) – VIET NAM
34. Montagnard Human Rights Organization – NC, UNITED STATES OF AMERICA
35. Mory Sar, Cambodia Youth Network – CAMBODIA
36. Nguyễn Đan Quế, Hội Cựu Tù Nhân Lương Tâm (*Former Vietnamese Prisoners of Conscience*) – VIET NAM
37. Nhóm Linh Mục Nguyễn Kim Điền (*The Nguyen Kim Dien Priests Group - Linh Mục Phan Văn Lợi*) – VIET NAM
38. Nhóm Người Bảo Vệ Nhân quyền (*Defend the Defenders*) – VIET NAM
39. Norwegian Helsinki Committee – NORWAY
40. Quê Mẹ: Vietnam Committee on Human Rights – FRANCE
41. Quỹ Tù Nhân Lương Tâm Úc Châu (*Prisoners Of Conscience Fund*) – AUSTRALIA
42. Religious Freedom Institute – UNITED STATES OF AMERICA
43. Shreen Abdul Saroor, Activist – SRI LANKA
44. Shui Meng Ng, Sombath Initiative – LAOS
45. Tanathorn Tananont, Human Rights Lawyer – THAILAND
46. The Russian Orthodox Church of America – UNITED STATES OF AMERICA
47. Việt Thức Foundation – UNITED STATES OF AMERICA
48. Vietnamese Unified Buddhist Sangha – VIET NAM

49. Vũ Quốc Ngữ & Huỳnh Thục Vy, Mạng Lưới Các Tổ Chức Xã Hội Dân Sự Độc Lập Việt Nam – (*Vietnamese Independent Civil Society Network (VICSON)*) – VIETNAM
50. William Nicholas Gomes, Human Rights Defender and Freelance Journalist – UNITED KINGDOM