

JOINT OPEN LETTER

The Observatory & Vietnam Committee on Human Rights

Attn: President Truong Tan Sang, Prime Minister Nguyen Tan Dung and Communist Party Secretary-General Nguyen Phu Trong

January 30, 2013

Re: Arbitrary internment of Le Anh Hung in “Social Support Centre No 2” Ung Hoa, Hanoi, January 24, 2013

Your Excellencies,

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), together with the Vietnam Committee on Human Rights (VCHR), wish to draw your attention to the internment of blogger **Le Anh Hung**, engaged in the promotion of freedom of expression, good governance and democratic reforms.

Mr. Le Anh Hung was kidnapped at his work place in Hung Yen on January 24, 2013 by six secret security agents. They failed to provide any document and pretexted to his boss that they needed to see him about “*matters concerning temporary residence papers*”, before forcing him into their car. Later, his friends discovered that he had been interned in “Social Support Centre No. 2” in Ung Hoa, Hanoi, a mental health institution. They were told that his mother had requested Le Anh Hung’s internment, and were denied the right to visit him. It later turned out that his mother had never made a request for his internment.

This is not the first time that police have harassed Le Anh Hung, who has been subjected to repeated interrogations, threats and other acts of harassment to sanction

his human rights activities.

Our organisations fear that Le Anh Hung is detained under Ordinance 44 of 2002 on “Handling of Administrative Violations”. The ordinance provides that people who “commit acts of violating legislation on security, public order and safety, but not to the extent of penal liability” (Article 1.3) may be detained without trial for up to two years under house arrest (“probationary detention”), in “reformatories”, educational institutions, rehabilitation centres or “medical treatment establishments” (i.e. psychiatric hospitals). The United Nations has repeatedly called on Vietnam to abrogate Ordinance 44 on the grounds that it is inconsistent with the provisions of the UN International Covenant on Civil and Political Rights to which Vietnam is a state party. However, Vietnam has ignored these recommendations, and continues to implement it to detain peaceful activists. Blogger **Bui Thi Minh Hang** was detained for five months in an “education centre” in Thanh Hoa in 2011 under extremely harsh conditions. Pro-democracy activist **Nguyen Trung Linh** is interned in the Central Psychiatric Hospital in Hanoi.

Our organisations deplore that this internment takes place in the context of a crackdown targeting Internet activists since 2008, including arbitrary arrests and detentions, despite the fact that in June 2012, the UN Human Rights Council adopted a resolution affirming that the right to freedom of expression on-line must be protected, and called on States to “*promote and facilitate access to the Internet*”.

Therefore, the Observatory and VCHR respectfully ask your Excellencies to:

- Guarantee in all circumstances the physical and psychological integrity of Le Anh Hung as well as all human rights defenders in Vietnam;**
- Release Le Anh Hung immediately and unconditionally as his internment seems to merely sanction his human rights activities and is contrary to national and international law as well as all other human rights defenders;**
- Put an end to all acts harassment against Le Anh Hung as well as against all human rights defenders in Viet Nam;**
- Comply with the provisions of the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, in particular:**
 - its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms**

at the national and international levels”,

- **as well as Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;**

- More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with international and regional human rights instruments ratified by Viet Nam.

We thank you in advance for your attention on this situation of concern.

Sincerely yours,

Souhayr Belhassen

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International Federation for Human Rights (FIDH)

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