

21 August 2018

## Vietnam: Allegations of torture and forced confession concerning wrongly imprisoned Nguyen Viet Dung and Nguyen Van Hoa

On 16 August 2018, at the hearing of Vietnamese human rights defender [Le Dinh Luong](#), Vietnamese human rights defenders **Nguyen Viet Dung** and **Nguyen Van Hoa** (Vietnamese: Nguyễn Viết Dũng, Nguyễn Văn Hóa) informed the presiding Judge that their written confessions against Le Dinh Luong had been obtained through torture.

[Nguyen Viet Dung](#) is a pro-democracy activist and environmental rights defender. He has campaigned for greater governmental accountability in Vietnam and participated in political protests. He also participated in multiple protests in the aftermath of the Formosa toxic waste spill in 2016, which seriously affected the rights of fishermen and others in the region and cost thousands of people their livelihoods along the central coast of Vietnam. Nguyen Viet Dung has previously campaigned for the freedom of fellow human rights defenders [Nguyen Van Dai](#) and [Le Thu Ha](#).

[Nguyen Van Hoa](#) is a blogger, activist and IT trainer from Vietnam. He also reports for Radio Free Asia, a media organisation which champions freedom of expression and provides independent news and information to Asian countries in which governments prohibit access to free press. In 2016, the human rights defender shared information online through photos, videos and articles about the Taiwan-owned Formosa Plastics Group's toxic chemical spill in Ha Tinh Province, Vietnam, one of the country's worst environmental disasters. He was [sentenced](#) to seven years in prison in November 2017.

On 16 August 2018, the People's Court of Nghe An province tried human rights defender Le Dinh Luong on charges of membership in the US-based Vietnamese organisation Vietnam Reform Party (Viet Tan), a pro-democracy group which Vietnamese authorities consider to be a terrorist organisation. Among the evidence cited was a signed statement by Nguyen Viet Dung and Nguyen Van Hoa, which stated that Le Dinh Luong had been present at Nguyen Van Hoa's official induction into the organisation. During their address before the court, both Nguyen Viet Dung and Nguyen Van Hoa informed the judge that the confession had been extracted through torture. Following this announcement, the two defenders were forcibly removed from the courtroom back to their places of detention. When Le Dinh Luong's lawyers asked to meet the defenders for further questioning, police informed the lawyers that the defenders were ill and unfit for questioning. On 21 August, detention facility officers refused to allow Nguyen Viet Dung's father to see his son, on the basis that he had failed to cooperate with authorities at the trial of Le Dinh Luong.

On 27 September 2017, Nguyen Viet Dung was arrested for disseminating anti-state propaganda under Article 88 of the 1999 Vietnamese Penal Code. According to the police, he was charged with posting "anti-state propaganda" on his Facebook account that distorted state and party policies and defamed state leaders. On 12 April 2018, a provincial court of Nghe An found him guilty and sentenced him to seven years' imprisonment. Following an appeal hearing on 15 August 2018, the People's Court of Nghe An province reduced this sentence to six years in prison followed by five years of house arrest.

Front Line Defenders demands that Vietnamese authorities conduct an impartial, immediate and thorough investigation into the torture allegations of Nguyen Viet Dung and Nguyen Van Hoa, as well as grant them full access to their families and legal representation. Front Line Defenders believes that the imprisonment and mistreatment of Nguyen Viet Dung and Nguyen Van Hoa is an

attempt to disrupt their and others' work promoting democratic reform and propagation of human rights in Vietnam.


**Front Line Defenders urges the authorities in Vietnam to:**

1. Carry out an immediate, impartial and thorough investigation into the claims of forced confession and torture made by Nguyen Viet Dung and Nguyen Van Hoa, with a view to publishing the results and bringing the alleged perpetrators to justice;
2. Quash the convictions against and immediately and unconditionally release Nguyen Viet Dung and Nguyen Van Hoa, as it believes that they have been convicted solely on the basis of their legitimate and peaceful work in defence of human rights;
3. Quash the conviction of Le Dinh Luong and immediately and unconditionally release him as it believes that he has been convicted solely on the basis of his legitimate and peaceful work in defence of human rights;
4. Ensure that the treatment of Nguyen Viet Dung and Nguyen Van Hoa, while in detention, adheres to the conditions set out in the "*Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*", adopted by UN General Assembly resolution 43/173 of 9 December 1988;
5. Allow Nguyen Viet Dung and Nguyen Van Hoa immediate and unfettered access to their families and lawyers;
6. Cease targeting all human rights defenders in Vietnam and guarantee in all circumstances that they are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw your attention to Article 6 (b and c): "*Everyone has the right, individually and in association with others: (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters*", to Article 8 (2): "*Everyone has the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms*" and to Article 12 (2): "*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.*"

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,

A handwritten signature in blue ink that reads "Andrew Anderson".

Andrew Anderson  
Executive Director