

February 7, 2008: Vietnam: Commission Urges U.S. Government Action for Unconditional Release of Prisoners and Inquiry into Prison Conditions for Rights Lawyer Li Thi Cong Nhan

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WASHINGTON-The United States Commission on International Religious Freedom urges the U.S. government to make the immediate and unconditional release of individuals imprisoned or detained for their human rights advocacy a top diplomatic priority with the government of Vietnam. Vietnam continues to imprison peaceful advocates for religious freedom and other human rights, including as many as 30 individuals arrested after Vietnam joined the World Trade Organization (WTO) in January 2007. Last fall, a Commission delegation traveled to Vietnam to voice concern over these detentions and more widely examine the current status of the freedom of thought, conscience, and religion or belief and associated human rights.

The Vietnamese government regularly uses the Tet Lunar New Year holiday to proclaim a piecemeal amnesty for some prisoners. The Commission urges the U.S. government to advocate for the release of all those who have been put behind bars or otherwise detained for the peaceful exercise of their human rights.

"The detention of peaceful advocates for free speech, religious freedom, and other human rights advocates indicates that the Vietnamese government does not yet fully respect internationally guaranteed human rights" said Michael Cromartie,

chair of the Commission. "We hope the New Year will bring a resolution to what has become a continuing source of tension in U.S.-Vietnamese relations."

The Commission is particularly concerned about reports that human rights advocate Le Thi Cong Nhan faces difficult prison conditions. Along with fellow lawyer and human rights advocate Nguyen Van Dai, Le Thi Cong Nhan was sentenced under Article 88 of the Vietnamese Criminal Code for "conducting propaganda against the Socialist Republic of Vietnam." The charges were applied because of their peaceful exercise of the freedoms of expression, association, and thought, conscience, and religion or belief. The alleged crimes included sending human rights organizations abroad information on the status of respect for these fundamental freedoms.

An Appeals Court decision reduced the sentences of both Le Thi Cong Nhan and Nguyen Van Dai, but upheld their convictions. The Commission expressed its disappointment with the Appeals Court decision, noting that overturning the convictions would have been evidence that Vietnam's legal system was committed to upholding international human rights obligations, particularly given Vietnam's newly elected position on the UN Security Council.

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"The Commission is convinced that Le Thi Cong Nhan and Nguyen Van Dai were jailed for peaceful advocacy of their internationally guaranteed human rights. They should be immediately and unconditionally released," said Cromartie.

During its trip to Vietnam, the Commission raised concern about the unlawful imprisonment of Nguyen Van Dai and Le Thi Cong Nhan, as well as the state of their prison conditions. As a result, the two prisoners were able to receive needed medical supplies and religious materials. However, in early January, Cong Nhan conducted a brief hunger strike to protest treatment by other prisoners at the Cau Dien temporary detention facility outside Hanoi. She was transferred to a different prison in Thanh Hoa province.

Her transfer was accompanied by disturbing, though as yet unconfirmed, reports that prison officials at the Thanh Hoa prison confiscated religious materials and punished Le Thi Cong Nhan for sharing a blanket with a fellow prisoner.

The Commission also expresses its concern about others who remain persecuted for the peaceful exercise of their right to freedom of religion, including the Most Venerable Thich Quang Do and Father Phan Van Loi, as well as other individuals met by the Commission during its trip. These include Hoa Hao, Cao Dai, members of the Protestant ethnic minorities, Khmer Buddhists, and Father Nguyen Van Ly.

The Commission urges the U.S. government to:

instruct the U.S. Embassy in Vietnam to investigate these reports, register concern about the treatment of Le Thi Cong Nhan, and seek a meeting with her to assess her condition; and

issue a directive to U.S. government officials traveling to Vietnam to raise the cases of Nguyen Van Dai and Le Thi Cong Nhan and call for the release of all Vietnamese religious freedom and other human rights advocates jailed or detained under similar circumstances.

"The Vietnamese government should understand that U.S.-Vietnamese relations can never fully be normalized until Vietnam respects, in law and practice, internationally guaranteed human rights, including religious freedom," Cromartie said.