



30 June 2017

Prime Minister Nguyễn Xuân Phúc
Government of the Socialist Republic of Vietnam
Ba Dinh District
Hanoi
S.R. Vietnam

Re: Open Letter: calling on the government of Vietnam to immediately and unconditionally release Thích Quảng Độ, Nguyễn Văn Đài and Đỗ Thị Hồng

Dear Prime Minister,

As you prepare to join other world leaders at the G20 Summit in Hamburg, we, the undersigned individuals and civil society organisations, write to express our deep concern about the continued detention and ill-treatment of prisoners of conscience in Vietnam. We highlight the cases of three prominent human rights defenders from three different religious communities: the Most Venerable Thích Quảng Độ, Mr. Nguyễn Văn Đài and Ms. Đỗ Thị Hồng have been arbitrarily detained, without the due process protections afforded to them under international law. We consider them to have been deprived of liberty solely for exercising their human rights peacefully, and therefore request their immediate and unconditional release, and the release of all other prisoners of conscience detained in Vietnam.

Thích Quảng Độ, an 89 year-old Buddhist monk and leader of the independent Unified Buddhist Church of Vietnam (UBCV), is Vietnam's longest-detained human rights defender, having been deprived of liberty in various forms for over 30 years. He is currently under house arrest without charge. He is confined to his room and is being held under extreme restrictions in the Thanh Minh Zen Monastery in Ho Chi Minh City. He has no key to the iron gate that blocks the staircase to his upper-floor room, his communications are closely monitored and he is under constant police surveillance. He is not even allowed to preach in the monastery. Thích Quảng Độ nevertheless continues to speak out for human rights and in particular religious freedom, but these long years of isolation and lack of adequate medical care have taken a heavy toll on his health.

In May 2017, Thích Quảng Độ expressed his wish to move to the UBCV's Long Quang Pagoda in Hue so he can live beside his followers and receive the care and treatment that he badly needs. On 14 May 2017, he asked the UBCV's secretary-general Lê Công Cầu to accompany him there.

However, police intercepted the call and immediately placed Lê Công Cầu under house arrest. They told Cầu that Thích Quảng Độ was “not welcome” in Hue, and forbade him to assist the UBCV leader in any way. Lê Công Cầu held a hunger strike to protest this arbitrary police action. We urge you to ensure that Thích Quảng Độ be allowed to travel to Hue and reside there, without interference by the authorities.

Police arrested 49-year-old human rights lawyer **Nguyễn Văn Đài** in Hanoi on 16 December 2015, on the charge of “conducting propaganda against the Socialist State of Vietnam.” Since then he has been held incommunicado, without access to lawyers of his choosing. His commitment to human rights started in 2000 when he took on the defense of a Christian who was detained after she opposed the authorities’ attempts to dissolve her worship service. Lawyer Đài offered pro bono legal advice to religious communities, fellow human rights defenders, political groups, and independent labour unions until police arrested him in 2007. In that same year, authorities sentenced him to four years in prison. After his release in 2011, he was placed under house arrest until March 2015. Despite these restrictions, he has continued his advocacy for human rights. On 5 April 2017, the German Association of Judges awarded him its Human Rights Prize for 2017. Đài’s wife was stopped by authorities at the airport and prevented from travelling to Germany to receive the prize on his behalf. The authorities should drop all charges against Nguyễn Văn Đài, and release him immediately.

Ms. **Đỗ Thị Hồng**, 60 years old, is one of the leaders of the Buddhist sect Ân Đàn Đại Đạo that was founded in what was then South Vietnam in 1969 and outlawed after Communist forces took power in 1975. Police arrested Ms. Hồng in 2012 on the charge of “plotting to overthrow the government” and subsequently sentenced her to 13 years in prison, to be followed by 5 years of house arrest. She suffers from poor health in prison. In a closed trial in 2013, the sect’s founder Phan Văn Thu was given a life sentence and 21 other leaders were sentenced to a collective total of 299 years in prison and 105 years of house arrest. The authorities provided as “incriminating” evidence excerpts from a sermon by the founder which referenced human rights, protection of the environment, and international law. The government also confiscated an ecological tourism park of 48 hectares with temples and assets which the community had built. The Vietnamese government should immediately and unconditionally release Đỗ Thị Hồng, and other imprisoned members of the Ân Đàn Đại Đạo sect, return confiscated property, and end harassment of the group.

Concerns about these three human rights defenders have been repeatedly raised by international organisations, governments, and bodies. The UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein raised the case of Nguyễn Văn Đài in a [statement of concern](#) about the Vietnamese government’s crackdown on human rights defenders in 2016. In addition, [73 parliamentarians from 14 countries issued a call](#) for his release. ASEAN Parliamentarians for Human Rights (APHR) Chairperson Charles Santiago, a member of the Malaysian parliament, who also signed the letter, said that the continued detention of Nguyễn Văn Đài and his assistant Lê Thu Hà “*constitutes a black mark on Vietnam’s human rights record and its international credibility.*”

Ninety international personalities, including Nobel Peace Prize laureates, religious leaders and parliamentarians called for the release of Thích Quảng Độ in a [joint letter](#) on 12 November 2015. More recently, the European Union (EU) called for the release of Thích Quảng Độ and Nguyễn Văn Đài during the [6th EU-Vietnam Human Rights Dialogue](#) in December 2016, emphasizing that “*all persons detained for peacefully exercising their freedom of expression should be released*”.

Moreover, we are also extremely concerned that these persons have been deprived of liberty under vaguely-worded “national security” clauses in Vietnam’s Penal Code that are clearly inconsistent with international human rights treaties ratified by Vietnam. This includes Articles 79, 88 and 258 of the Penal Code. These articles contradict provisions in the International Covenant on Civil and Political Rights (ICCPR), to which Vietnam is a state party, including Article 9 (1), which prohibits arbitrary deprivation of liberty; Article 18, which provides for the right to freedom of thought, conscience and religion; and Article 19, which provides for freedom of expression, respectively. While under the ICCPR the latter rights may be restricted, such restrictions are narrowly defined. The overbroad and vague “national security” clauses in Vietnam’s Penal Code, and the arbitrary way by which they are applied, clearly do not meet the requirements for restrictions under these Articles.

Despite recommendations by the international community, including at the Universal Periodic Review session on Vietnam in 2014, the government has not only failed to review these restrictive “national security” clauses, but has incorporated similar language into the newly-adopted Law on Belief and Religion that will come into force in January 2018.

Lawyers, activists, and religious or community leaders play a vital role in protecting and promoting human rights, including the right to freedom of religion or belief. State-sponsored human rights abuses limit peaceful exercise of civil and political rights, restrict the space for civil society groups to operate, and leave religious and other minorities vulnerable to violations.

We call on the government of Vietnam to immediately and unconditionally release Thích Quảng Độ, Nguyễn Văn Đài, and Đỗ Thị Hồng and all other prisoners of conscience. Furthermore, we strongly urge the authorities in Vietnam revoke articles of the Penal Code under which the arbitrary deprivation of liberty of religious leaders and human rights defenders have been authorized, and amend the Law on Belief and Religion and other relevant legislation to bring them into line with international human rights law.

We look forward to receiving your reply on these important matters. Please reply to Penelope Faulkner at Vietnam Committee on Human Rights, who can be reached at pfaulkner.vchr@gmail.com and fax number (+33.1.) 45 98 32 61.

Sincerely and respectfully yours,

Amnesty International
ASEAN Parliamentarians for Human Rights
Christian Solidarity Worldwide
Front Line Defenders
Human Rights Watch
FIDH
Quê Me: Vietnam Committee on Human Rights
VETO! Human Rights Defenders’ Network - Germany

Additional signatories:

Asma Jahangir, former UN Special Rapporteur on Religious Intolerance
Giulio Terzi, former Minister of Foreign Affairs, Italy
Agir Ensemble pour les Droits de l’Homme (AEDH)
ALTSEAN, Burma
Amnesty International USA, Group 524, Pittsburg, Pennsylvania

Amnesty International USA, Group 56, Lexington, Massachusetts
Armanshahr/OPEN ASIA, Afghanistan
Boat People SOS
Buddhist Youth Movement of Vietnam (GDPTVN), Vietnam
Cambodian Human Rights and Development Association (ADHOC)
Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
Center for Prisoners' Rights, Japan
Centre to Combat Corruption and Cronyism (C4CENTER), Malaysia
ChinaAid
Commonwealth Human Rights Initiative, India
Freedom House, USA
Gerard Noodt Foundation for Freedom of Religion or Belief
Global Committee for the Rule of Law – “Marco Pannella”
Human Rights Commission of Pakistan
Human Rights in China (HRIC)
Human Rights Without Frontiers International
Hudson Institute, Center for Religious Freedom
International Buddhist Information Bureau, Paris
Internet Law Reform Dialogue (iLaw), Thailand
Jubilee Campaign, USA
League for the Defence of Human Rights in Iran (LDDHI)
Mouvement Lao pour les Droits de l'Homme
Odhikar, Bangladesh
Philippine Alliance of Human Rights Advocates (PAHRA)
Rafto Foundation for Human Rights, Norway
Stefanus Alliance International
Taiwan Association for Human Rights
Unified Buddhist Church of Vietnam, Viện Hóa Đạo, Vietnam
Unified Buddhist Church of Vietnam Overseas in the USA
World Movement for Democracy, USA