Please organize up to 10 appeals per section.

UA 275/87 Legal Concern 9 October 1987

SOCIALIST REPUBLIC OF VIET NAM: Pastor Ho Hieu Ha
Nguyen Van Tuoi, a protestant layman
Pastor Nguyen Huu Cuong
Pastor Le Thien Dung

Amnesty International has received reports that Evangelical pastors Ho Hieu Ha and Nguyen Huu Cuong were brought to trial in Ho Chi Minh City on 27 August 1987 and sentenced to eight years' imprisonment. Two other men were reportedly tried on the same day: Nguyen Van Tuoi, a protestant layman working with Pastor Ha, was sentenced to five years' imprisonment and another pastor, Le Thien Dung, who had been Pastor Cuong's assistant, was given a four year sentence. All four had been held in detention since 1983 and are believed to be imprisoned in Chi Hoa Prison in Ho Chi Minh City. Amnesty International regards all four as prisoners of conscience and believes that they are detained solely for the peaceful exercise of their internationally guaranteed rights to freedom of expression and association, and appeals for their immediate and unconditional release.

Pastor Cuong, who is said to be 47 years old, founded the An Dong Church in Cholon in 1975. In June 1983 the church premises were confiscated by the authorities and he and his assistant were arrested and accused of subversion. In December 1983 the influential Tran Cao Van Church of Pastor Ha was confiscated in turn, and he and Nguyen Van Tuoi were arrested and accused of “preaching against the revolution”. Amnesty International believes that the four men were detained because they were influential church leaders with an increasingly large following, and because of their non-violent resistance to an order authorizing the confiscation of the church premises, aimed at preventing them from exercising their ministry. Access to the detainees by their families has been extremely limited since their arrest and little is known about their circumstances in detention.

Amnesty International does not know the precise charges brought against the four in the trial, but is concerned that the trial may not have been conducted in accordance with internationally accepted human rights standards as laid down in the International Covenant on Civil and Political Rights to which the Socialist Republic of Viet Nam acceded in 1982. These include the right to be informed promptly and in detail of any charges, to be entitled to a fair and public hearing, to have adequate time and facilities for the preparation of the defence and to communicate with counsel of one's own choosing. Amnesty International believes that their continued detention also violates their internationally recognized right to freedom of thought, conscience and religion, including the right to express one's religion or belief in worship, observance, practice and teaching.
RECOMMENDED ACTION: Telegrams/airmail letters:

- urging that Pastors Ho Hieu Ha, Nguyen Huu Cuong, Le Thien Dung and the layman Nguyen Van Tuoi be released immediately and unconditionally;

- expressing Amnesty International's concern with the trial procedure and requesting full details of any criminal charges brought against them;

- requesting that they be allowed to receive regular visits from their families and legal representation of their own choosing;

- reiterating that the Socialist Republic of Viet Nam fulfil its obligations under the International Covenant on Civil and Political Rights.

APPEALS TO:

His Excellency Vo Chi Cong
Chu Tich Hoa Dong Nha Nuoc
Hoi Dong Nha Nuoc
Ha Noi
Socialist Republic of Viet Nam
(Chairman of the Council of State)

Telegrams: Vo Chi Cong,
Hoidong Nhanuoc, Hanoi, Vietnam

COPIES TO:

Phan Hien
Bo Truong Bo Tu Phap
5 Ong Ich Khiem St
Ha Noi
Socialist Republic of Viet Nam
(Minister of Justice)

Maitre Phan Anh
Hoi Luat Gia Viet Nam
4 Nguyen Thuong Hien St
Ha Noi
Socialist Republic of Viet Nam
(Viet Nam Lawyers' Association)

and to diplomatic representatives of Viet Nam in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 November 1987

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The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

Copies of appeals should be sent to relevant diplomatic representatives in your country.

In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.

---

Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended action. If possible, send a telegram or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

Telegram and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 - “Everyone has the right to life, liberty and security of person.”

Article 5 - “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Article 9 - “No one shall be subjected to arbitrary arrest, detention or exile.”
Mrs Khus Minh Tho, President  
Families of Vietnamese Political Prisoners Association  
7813 Marthas Lane  
Fall Church,  
Virginia  
USA  

Dear Mrs President,  

Amnesty International, group 98 in Denmark has since April 1983 been responsible for the dossier of Nguyen Kim Tuan, who has been undergoing re-education since June 1975.

Good contact have been established with his wife Mrs Thinh, and we have sent her parcels with silk, medicin as antibiotic, vitamins etc. In the letters, Mrs Thinh has repeatedly asked us to approach The Orderly Departure Program in Bangkok. I have recently received a copy of the questionnaire for ODP applicants, and I have passed it on to the office in Bangkok with a covering letter, asking what progress the ODP have made on Mrs Thinh’s application for resettlement in the USA. A copy of my letter was also sent to The Liaison Officer, UNHCR in Washington DC.

In her last letter, of which I enclose a copy, your name is mentioned. We have already had petitions from Danish Medical Groups sent on behalf of our prisoner, and the Pen Club also support us in the case. Being very engaged in our work for the prisoner and his family, I am now asking you if you are able to give us any further advise for our future activities.

It is very difficult to decipher Mrs Thinh’s writing, so I apologize if your name is not spelled correct, hope my letter nevertheless reach you and look forward for an hopefully early reply.

Yours faithfully

KIRSTEN GLASSOW NIELSEN  
Ringparken 10  
7323 Give  
Telf. 05-731975
Ho Chi Minh, June 1985.

Dear Mrs. Lillian,

I was very glad to receive your letter on 5 December, it has taken a long time too. Thank you very much about your children's picture, they are very nice, the hair pretty so that my second daughter would like to give her to show to her friend. One more thank you very much for your gift I was received on February (next time).

Now I repeat to you that I ask you to do for me so I was sent to you the time of receipt here I have been sending to you one questionnaire copy which I was mailed to OPP on Nov 30, 1983 and it's Avis of receipt you would able to send to The United Nations High Commissioner for Refugees (UNHCR) and the Director of Organize Department Program in Bangkok demand one IV number to the signee want to write to ask for one special interview on special occasion for the Middle of American and family.
You, under other ex. General, chair of staff.

was excellent secretary for theF. The

and the office. Dr. Pease, in 1943 on 17th March

in the War Department on 1943 on 17th March

rushed to the Scottish War Punt-

you know, and the morning of

And then Henry and Jane read to her.

reading. If I can also read. Her and she,

and a woman, and plants. This is you. She in all

our Calculus. Our second was 16, and our

we once bought. And older and younger

was born in 1938 and was born in 1938

body on the end of this year. My husband

my daughter, and she, too, from 1995 on, my

she graduated from School, and she,

my children. Could I get education by

you know, all my family came.
Amnesty International welcomes recent proposals by the government to reduce the number of capital offenses in Viet Nam. The death penalty is currently a discretionary punishment for a reported 44 offenses. These include treason, murder, rape, drug offenses and theft of state property and fraud. Proposed amendments to the Criminal Code would reduce the number of capital offenses to 30. Although such a reduction would be welcome, as are the discussions of this issue which are taking place among National Assembly members, Amnesty International is concerned that a wide range of offenses punishable by the death penalty will remain in force and executions will continue.

The Vietnamese authorities do not regularly make public full official statistics on the number of death sentences imposed and executions carried out, and only a limited number of cases are reported in the official media. However, Amnesty International is reliably informed that most people sentenced to death are executed once they have gone through the final appeals procedure. Executions are carried out by firing squad, apparently often in public, sometimes with more than a thousand people watching. One official has recently been quoted as saying that in 1998 around 30 people were executed, while Amnesty International recorded at least 52 death sentences, most of them for drug trafficking offenses. In 1999 so far four executions and 10 death sentences have been officially reported.

Amnesty International believes that the continuing use of the death penalty in Viet Nam is a breach of the fundamental right to life and that the conditions surrounding its application are in contravention of international human rights standards and United Nations recommendations. Routinely unfair trials in Viet Nam mean that the death penalty is imposed under conditions which may lead to irreversible miscarriages of justice.
Amnesty International has noted the reported views of senior Vietnamese officials wanting a reduction in the use of the death penalty. In particular Vu Mao, Head of the Office of the National Assembly, is reported as stating on 27 April 1999 that "We have found that the greater penalties punishable by death has not reduced the incidence of crime...We don't intend to abolish the death penalty but we will try to minimize it, for humanitarian considerations". The organization also appreciates that there are already some safeguards on its use in the current Criminal Code which should be retained. These include the inapplicability of the death penalty to minors or pregnant women, as well as the exclusion of people with mental illness from criminal liability if they commit socially dangerous acts.

Amnesty International welcomes this recognition that the death penalty has no uniquely deterrent effect on crime, and that it is an inhumane punishment. The organization hopes that there will be further debate and discussion of this issue within Viet Nam.

Amnesty International calls on the Vietnamese Government to immediately establish a moratorium on all executions, while taking steps towards total abolition of the death penalty in accordance with international standards and UN recommendations. The organization hopes the proposals currently before the National Assembly will be approved and implemented as soon as possible.

Amnesty International is unconditionally opposed to the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as upheld in the Universal Declaration of Human Rights (UDHR - Articles 3 and 5) and the International Covenant on Civil and Political Rights (ICCPR - Articles 6 and 7). The organization opposes the death penalty in all countries, from the United States to Japan, Afghanistan to Sierra Leone, and China to Rwanda.

**KEYWORDS:** DEATH PENALTY / EXECUTIONS / TRIALS / LEGISLATION / ICCPR / UN /

This report summarizes a 13-page document (4035 words), SOCIALIST REPUBLIC OF VIET NAM: New debate on death penalty? (AI Index: ASA 41104/99) issued by Amnesty International in July 1999. Anyone wishing further details or to take action on this issue should consult the full document.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM
SOCIALIST REPUBLIC OF VIET NAM
New debate on death penalty?

July 1999
AI Index: ASA 41/04/99
Distr: SC/C0

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM
SOCIALIST REPUBLIC OF VIET NAM
New debate on death penalty?

Introduction

Shortly before the opening of the fifth session of the 10th National Assembly meeting of the Socialist Republic of Viet Nam on 4 May 1999, the authorities announced that as part of the redrafting of the Criminal Code, National Assembly deputies would be discussing proposals to reduce the number of capital offences from 44 to 30. Amnesty International welcomes this development as an indication that the Vietnamese Government is joining a growing number of countries which recognize that the death penalty has no uniquely deterrent effect on crime, and is an inhumane punishment. The organization is encouraged that the problems raised by the death penalty are being discussed within Viet Nam. It also notes that there are already some safeguards on its use in the current Criminal Code which should be retained. These include the inapplicability of the death penalty to minors or pregnant women, as well as the exclusion of people with mental illness from criminal liability if they commit socially dangerous acts.

By the time of the closure of the National Assembly meeting on 12 June 1999 delegates had had time only to discuss and approve 165 articles of the draft Criminal Code. According to the official Viet Nam News of 13 June 1999 the draft Criminal Code consists of 335 articles in 24 chapters. A total of 170 articles in eight and a half chapters remain to be discussed and approved at the next meeting of the National Assembly in late 1999, including articles which provide for the death penalty as a punishment. Details of those articles which have been approved are not yet available. It is therefore not known if any of these relate to capital offences, or whether the death penalty as a punishment has been removed from any of them. Amnesty International hopes that proposals on reducing the number of capital offences will be approved by the next National Assembly meeting and put into effect as soon as possible.

Whilst reducing the number of capital offences would be a positive beginning, Amnesty International is concerned that this does not go far enough in addressing very serious concerns about the continuing use of the death penalty in Viet Nam. The retention of 30 capital offences, which the organization understands would include drug trafficking, smuggling and counterfeiting, amounts to state violence legally imposed in direct contravention of the fundamental human right to life.

Amnesty International is unconditionally opposed to the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as upheld in the Universal Declaration of Human Rights (UDHR - Articles...
3 and 5) and the International Covenant on Civil and Political Rights (ICCPR - Articles 6 and 7). The organization is gravely concerned at its continuing use in Viet Nam, and the conditions surrounding its application which appear to contravene international human rights standards. The wide range of crimes for which the death penalty may be imposed, including offences not involving violence, and serious concerns about the conduct and fairness of all trials in Viet Nam makes its use seriously alarming.

Recent information on executions and death sentences

The Vietnamese authorities do not regularly make public full official statistics on the number of death sentences imposed and executions which have been carried out, and only a limited number of cases are described in the official media. Amnesty International is reliably informed however that most people sentenced to death are executed once they have gone through the final appeals procedure. Available statistics on officially reported death sentences and executions during the last five years are given below. Those marked with an asterisk are officially reported totals. The other figures are taken from reports on individual cases in the media monitored by Amnesty International - these numbers are unlikely to reflect the true figures, which are believed to be higher.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total sentences</th>
<th>Executions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994</td>
<td>140*</td>
<td>150*</td>
</tr>
<tr>
<td>1995</td>
<td>11*</td>
<td>11</td>
</tr>
<tr>
<td>1996</td>
<td>10*</td>
<td>3</td>
</tr>
<tr>
<td>1997</td>
<td>4*</td>
<td>4</td>
</tr>
<tr>
<td>1998</td>
<td>6*</td>
<td>6</td>
</tr>
<tr>
<td>January to June 1999</td>
<td>11</td>
<td>4</td>
</tr>
</tbody>
</table>

In the first week of January 1999 two men, Tran Van Thuan and Huynh Te Cam, were executed by firing squad in front of thousands of people in a district of Ha Noi, Viet Nam's capital city. They were accused of being members of an illegal organization called the "National Resistance Front for the Restoration of Viet Nam" led by exiles abroad, which reportedly aimed to create instability through a "guerrilla" campaign targeting foreign investors. Tran Van Thuan was arrested in June 1996 while allegedly smuggling "subversive" documents from Cambodia into Viet Nam; it is not known when Huynh Te Cam was arrested. They were sentenced to death in July 1997 on charges of involvement...
Viet Nam: The death penalty

in subversive activities, including a grenade attack on a park in Ho Chi Minh City in October 1994 in which 18 people were injured, nine of them foreigners.

During the same week, it was reported in the official media that 49 people had been sentenced to death during 1998 for drug offences alone. Since then a Singaporean national has been executed and seven men and one woman sentenced to death for drug offences. Two men, one a senior customs official and the other a businessman, were sentenced to death at the end of April 1999 in a major smuggling trial involving 74 defendants. The trial was highly publicized with the two sentenced to death convicted respectively of accepting bribes and masterminding a smuggling ring worth US$ 77 million; six other defendants received life sentences, and the remainder were sentenced to between two years suspended and 20 years. Another major trial opened on 10 May 1999 at Ho Chi Minh City People’s Court in which 77 defendants face charges of fraud and corruption; it has been reported that the two main defendants in the trial may face the death penalty. The most recent reported execution was that of a 22-year-old woman, Le Thi Thuy, who was executed in public on the outskirts of Ha Noi on 4 May 1999 for the murder of a child. Her execution had been upheld by the President on 19 April 1999.

Legislation and the death penalty

According to the 1985 Criminal Code and subsequent amendments, the death penalty is currently an optional punishment for 44 offences in Viet Nam. Thirty-four of these are listed in Appendix 1. They include treason, murder, rape, drug offences and theft of state property and fraud. Amendments made in May 1997 increased the scope for imposing the death penalty to 44 offences. Amnesty International does not have copies of these amendments, but they are known to include for example: possession of five kgs of opium or 100 grams of heroin (quantity reduced from previously); embezzlement of US$ 45,000 or accepting a bribe worth US$ 4,500; and the rape of minors under 13.

Even if the number of capital offences is reduced to 30, this still constitutes a wide range of capital offences which is incompatible with international standards on the use of the death penalty, and with recommendations from UN bodies. Viet Nam has ratified a number of major human rights instruments, including the ICCPR, and has an obligation to implement their provisions. In his report to the National Assembly on 12 May 1999, Justice Minister Nguyen Ninh Loc is reported to have said that "the new criminal code would ensure Viet Nam’s respect of provisions of international treaties to which Viet Nam had

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1 Viet Nam News, 6 January 1999

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become a signatory or participant.\textsuperscript{2} International standards recommend at a minimum that the death penalty should only be imposed for the most serious of crimes, and favour states moving towards complete abolition.

In December 1998 the UN Special Rapporteur on extrajudicial, summary or arbitrary executions stated that "the death penalty should be abolished for offences such as economoc crimes and drug-related offences.\textsuperscript{4}

In April 1999 the United Nations Commission on Human Rights (UNCHRI) passed Resolution 1999/2 calling for states still retaining the death penalty:

\begin{itemize}
\item[(a)] Progressively to restrict the number of offences for which the death penalty may be imposed.
\item[(b)] To establish a moratorium on executions, with a view to completely abolishing the death penalty.
\item[(c)] To make available to the public information with regard to the imposition of the death penalty.
\end{itemize}

These recommendations were reinforced by a Resolution adopted by the UNCHR in April 1999. This resolution also urged all States that still maintain the death penalty:

\begin{itemize}
\item[(b)] To ensure that the notion of "most serious crimes" does not go beyond intentional crimes with actual or extremely grave consequences and that the death penalty is not imposed for non-violent financial crimes or for non-violent religious practice or expression of conscience.
\end{itemize}

\textsuperscript{2} Viet Nam News, 13 May 1999

\textsuperscript{3} General Comment 6 (article 6), HRI/GEN/1/Rev.3, 15 August 1997)

\textsuperscript{4} Extrajudicial, summary or arbitrary executions: Report by the Special Rapporteur, UN document No E/CN.4/1997/60, 24 December 1996, para 91

\textit{Amnesty International} July 1999
Unfair trials and the death penalty

Concern about the use of the death penalty in Viet Nam is compounded by the routine unfairness of trials which do not conform to international standards. Defendants do not have the right to appoint counsel of their own choice. A lawyer will be assigned to them, but often not until the very last moment before their case is heard. The defence is not allowed to call or question witnesses, and private consultation with counsel may be limited. In many cases all the defence counsel can do is plead for clemency on a defendant's behalf.

Amnesty International believes that trials in Viet Nam fall far short of these international standards, raising grave concerns that the death penalty is imposed under circumstances which may lead to irreversible miscarriages of justice.

One particularly shocking example of a badly conducted trial which resulted in imposition of the death penalty was that of 19-year-old Duong The Tung. He was sentenced to death in April 1996 for murdering a policeman during New Year celebrations earlier in February. The case received a lot of publicity in Viet Nam, and it was reported that 2000 people watched and applauded the trial proceedings from the grounds of Ha Noi People's Court. Duong The Tung was taken into an anteroom while waiting for the court verdict, where he was tortured by police armed with electric batons. Although in good health when he was removed from the courtroom, on his return he was clearly suffering from the physical effects of the electric shock torture. On imposing the death sentence, the Chief Judge said that he did so in order to avoid "indignation of the people and to preserve discipline and threaten the other criminals." Duong The Tung was executed on 24 April 1997.
Executions

After a person has been sentenced to death by a court, she or he has the right to appeal to the Appeals Court and then to the Supreme People’s Court. If the Supreme People’s Court upholds the death sentence, then the person may appeal to the President within seven days for commutation. If this appeal is rejected then the person will be executed. Commutations are rare. Lack of official information on individual cases makes it impossible to assess accurately how long prisoners are held on death row before execution. However, of 14 people known to have been sentenced to death between 1994 and 1997, the maximum time to go through the appeals process before their execution was 20 months and the minimum five months.

Executions are carried out by a firing squad of five people, apparently often in public, followed by quick burial. Relatives are not informed beforehand, but are asked to collect executed prisoners’ belongings two to three days afterwards. Other people are encouraged to attend. One witness of a public execution which took place in March 1998 described how six men and one woman convicted of drug trafficking were taken to a field on the outskirts of Hanoi at dawn, blindfolded and tied to wooden stakes. More than 1000 people are reported to have watched. The woman is reported to have been very distressed and fainted three times before execution. Five shots were fired at each of the prisoners’ bodies, with a final shot to the head. Other accounts of executions describe the victims being taken to the execution ground blindfolded and gagged with lemons in their mouths.

Recent official statements about the use of the death penalty

In the last few years the Vietnamese authorities have become increasingly concerned about rising crime and "social evils" - a term used to describe drug abuse, prostitution, and pornography. In particular, official reaction to a growing drug problem within the country, and to serious corruption and fraud within state and non-state enterprises, has been to step up use of the death penalty in punishing offenders. In November 1998 an unconfirmed report stated that one death sentence a week for corruption was being handed down by courts in Ho Chi Minh City; and another that one prison in northern Nghe An province with...
Viet Nam: The death penalty

16 cells for death row prisoners was overcrowded with 22 prisoners awaiting execution, 19 of them for drug offences.

There is no clear evidence that the death penalty has any identifiable effect in reducing crime, and Amnesty International believes that arguments against its use far outweigh any possible advantages. International opinion about the efficacy of the death penalty appears to be moving towards acceptance that this is a punishment imposed by the state which does not guarantee justice and is in direct contravention of international standards on human rights. Some Vietnamese officials appear to be recognizing that the death penalty does not in fact help to reduce crime, and it is hoped this will increasingly become the basis of discussion among legislators in Viet Nam.

While some of the comments made in recent months by senior officials are welcome, Amnesty International hopes that discussion about the death penalty in Viet Nam will be taken further.

■ In November 1998 Prime Minister Phan Van Khai is reported to have said that he did not want to have many executions; some members of the National Assembly were reported to have called for a reduction in the range of capital offences.

■ In January 1999 Prime Minister Phan Van Khai is reported to have said that he wanted fewer death penalties and that he disliked execution by firing squad.

■ At a three-day conference held between 22 and 24 March 1999 by the Internal Security Commission of the Communist Party of Viet Nam Central Committee, President Tran Duc Luong is reported to have said that he wanted the Criminal Code changed to limit the number of crimes carrying the death penalty, and a change in the method of execution6.

■ On 27 April 1999 Head of the Office of the National Assembly Vu Mao is reported to have said at a news conference that the forthcoming National Assembly session will discuss the reduction of the number of capital offences from 44 to 30. According to the report, Vu Mao stated "We have found that the greater penalties punishable by death has not reduced the incidence of crime...We don't intend to abolish the death penalty but we will try to minimize it, for humanitarian considerations."

6 Viet Nam News, 26 March 1999

7 Agence France Presse, Ha Noi, 27 April 1999
At the same press conference, Nguyen Dinh Quyen, deputy director of the Legislative Affairs Committee of the National Assembly is reported to have stated that they were calling for the number of offences punishable by death to be reduced from 44 to 30. If the recommendations were approved by the National Assembly, almost all economic crimes such as fraud and smuggling would no longer be capital offences. "The crime for production and trading of false food and veterinary and human medicines, which are very dangerous will be punished by death", he is reported to have said.8

At the opening of the National Assembly meeting on 4 May, National Assembly Chairman Nong Duc Manh is reported to have said that the proposed law will consider the death penalty for "certain cases of murder involving violent or extremely dangerous methods" and "eight crimes said to violate national security ...and four crimes against peace and war crimes". It was also reported that there is no provision for commutation of death sentences under proposed new legislation.

An illustration of the debate in the 10th National Assembly meeting about the proposed amendments to the Criminal Code, was reported in the official newspaper of the Communist Party of Viet Nam:

"In terms of the death sentence, many NA [National Assembly] deputies held that this is the most severe punishment, depriving the criminal of his right to live, so it is necessary to be very cautious when judging the danger the criminal poses to society. For this reason, when a death sentence is declared it must be a special court case punishment meted out against those who commit a particularly serious crime. In face of the socio-economic conditions of the country in the present time, the death sentence shall not be annulled, NA delegates affirmed, adding that the death sentence is necessary for certain kinds of particularly dangerous crimes. On the other hand, some NA deputies said out that it is not so good to have so many death sentences in an attempt to reduce crimes.

"Moreover, some NA deputies called for reducing a number of cases in the 30 cases of the death sentence in the draft law, for example the crime to misappropriate and embezzle public property in the article 137. Of this

8 Agence France Presse, Ha Noi, 27 April 1999
case, it is quite sufficient for criminals to serve life imprisonment, they said.9

A further indication of the debate around the issue of the death penalty, and conflicting views of delegates to the National Assembly is shown by an article in the Saigon Times Daily which is reported to have quoted Justice Minister Nguyen Dinh Loc "as saying it had originally been intended to remove the death penalty from all economic crimes, but it was later decided to retain the punishment for those convicted of fraud or misappropriation of property", and that it "would also be retained for certain instances of bribery".10

Further reports in the official media on the meeting indicate that the debate on appropriate punishments for offences, including imposition of the death penalty, was continuing as the meeting came to an end on 12 June 1999. Amnesty International hopes that the government will encourage this debate to continue, with a view to an eventual abolition of the death penalty in Viet Nam.

**Recommendations**

In its last three resolutions on the Question of the death penalty the UN Commission on Human Rights "expressed its conviction that abolition of the death penalty contributes to the enhancement of human dignity and to the progressive development of human rights".

Amnesty International believes that Viet Nam is failing to meet international standards and act on UN recommendations concerning the use of the death penalty. The organization welcomes proposals to reduce the number of capital crimes which are being discussed during the current National Assembly meeting. However, it believes that these proposals do not go far enough, and urges the government to take the following measures to move towards abolition of the death penalty in law:

- **in accordance with UNCHR Resolution on the Question of the death penalty, April 1999, establish a moratorium on executions**

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9 Nhan Dan, 15 May 1999

10 Reuters, 4 June 1999

Amnesty International July 1999

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Viet Nam: The death penalty

- encourage discussion amongst National Assembly members and other appropriate legislative institutions on the subject of complete abolition of the death penalty

- implement any approved legislation as soon as possible reducing the number of capital offences, with the aim of total abolition

- commute all remaining death sentences

- ratify the Second Optional Protocol to the ICCPR, which aims for worldwide abolition of the death penalty

- make publicly available all information about the imposition of the death penalty.
APPENDIX 1

**Crimes for which the death penalty is an optional punishment**
(June 1999)

<table>
<thead>
<tr>
<th>Crime</th>
<th>Legislation (Viet Nam Criminal Code, June 1999)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crimes against national security</td>
<td>Section 1 - Especially Dangerous Crimes</td>
</tr>
<tr>
<td>Treason</td>
<td>Article 72</td>
</tr>
<tr>
<td>Taking active part to invade the people’s power</td>
<td>Article 75</td>
</tr>
<tr>
<td>Espionage</td>
<td>Article 74</td>
</tr>
<tr>
<td>Violating national security</td>
<td>Article 75</td>
</tr>
<tr>
<td>Rebellion</td>
<td>Article 76</td>
</tr>
<tr>
<td>Banditry</td>
<td>Article 77</td>
</tr>
<tr>
<td>Terrorism</td>
<td>Article 79</td>
</tr>
<tr>
<td>Subverting social institutions of socialism</td>
<td>Article 79</td>
</tr>
<tr>
<td>Treason</td>
<td>Article 81</td>
</tr>
<tr>
<td>Striking or opposing function</td>
<td>Article 81</td>
</tr>
<tr>
<td>Crimes against national security</td>
<td>Section 8 - Other crimes</td>
</tr>
<tr>
<td>Receiving an amount on ship</td>
<td>Article 87</td>
</tr>
<tr>
<td>Destroying important national security project and property</td>
<td>Article 95</td>
</tr>
<tr>
<td>Illegally manufacturing, using, buying, selling or taking military weapons or military technical equipment</td>
<td>Article 95</td>
</tr>
<tr>
<td>Illegally manufacturing, possessing, trafficking in or transporting narcotic substances</td>
<td>Article 95a</td>
</tr>
<tr>
<td>Smuggling or illegal transporting goods or currencies across the border</td>
<td>Article 97 (amended December 1992 to include the death penalty)</td>
</tr>
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<td>Taking possession of social property through theft</td>
<td>Article 134 (amended August 1991 to include the death penalty)</td>
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<td>Obstructing a Citizen's Right of Ownership</td>
<td>Article 137</td>
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<td>Robbing a citizen's property</td>
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<tr>
<td>Taking possession of the property of a citizen through theft</td>
<td>Article 137 (amended August 1991 to include the death penalty)</td>
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<td>Kidnapping, kidnapping in state่'s service</td>
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<td>Accepting a bribe</td>
<td>Article 226 (amended August 1991 to include the death penalty)</td>
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<td>Crimes against the Obligation and Responsibility of Military Personnel</td>
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<td>Deserting one's service position</td>
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<td>Destroying weapons or military technical equipment</td>
<td>Article 269</td>
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<td>Crime of Endangering Peace, Crimes Against Humanity and War Crimes</td>
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<td>Undermining peace and provoking a war of aggression</td>
<td>Article 277</td>
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<td>Crimes against humanity</td>
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<td>Article 279</td>
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<tr>
<td>Receiving instructions and serving as a courier</td>
<td>Article 280</td>
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Please organize up to 10 appeals per section.

UA 275/87 Legal Concern

9 October 1987

SOCIALIST REPUBLIC OF VIET NAM: Pastor Ho Hieu Ha
Nguyen Van Tuoi, a protestant layman
Pastor Nguyen Huu Cuong
Pastor Le Thien Dung

Amnesty International has received reports that Evangelical pastors Ho Hieu Ha and Nguyen Huu Cuong were brought to trial in Ho Chi Minh City on 27 August 1987 and sentenced to eight years' imprisonment. Two other men were reportedly tried on the same day: Nguyen Van Tuoi, a protestant layman working with Pastor Ha, was sentenced to five years' imprisonment and another pastor, Le Thien Dung, who had been Pastor Cuong's assistant, was given a four year sentence. All four had been held in detention since 1983 and are believed to be imprisoned in Chi Hoa Prison in Ho Chi Minh City. Amnesty International regards all four as prisoners as conscience and believes that they are detained solely for the peaceful exercise of their internationally guaranteed rights to freedom of expression and association, and appeals for their immediate and unconditional release.

Pastor Cuong, who is said to be 47 years old, founded the An Oong Church in Cholon in 1975. In June 1983 the church premises were confiscated by the authorities and he and his assistant were arrested and accused of subversion. In December 1983 the influential Tran Cao Van Church of Pastor Ha was confiscated in turn, and he and Nguyen Van Tuoi were arrested and accused of "preaching against the revolution". Amnesty International believes that the four men were detained because they were influential church leaders with an increasingly large following, and because of their non-violent resistance to an order authorizing the confiscation of the church premises, aimed at preventing them from exercising their ministry. Access to the detainees by their families has been extremely limited since their arrest and little is known about their circumstances in detention.

Amnesty International does not know the precise charges brought against the four in the trial, but is concerned that the trial may not have been conducted in accordance with internationally accepted human rights standards as laid down in the International Covenant on Civil and Political Rights to which the Socialist Republic of Viet Nam acceded in 1982. These include the right to be informed promptly and in detail of any charges, to be entitled to a fair and public hearing, to have adequate time and facilities for the preparation of the defence and to communicate with counsel of one's own choosing. Amnesty International believes that their continued detention also violates their internationally recognized right to freedom of thought, conscience and religion, including the right to express one's religion or belief in worship, observance, practice and teaching.
RECOMMENDED ACTION. Telegrams/airmail letters:
- urging that Pastors Ho Hieu Ha, Nguyen Huu Cuong, Le Thien Dung and the layman Nguyen Van Tuoi be released immediately and unconditionally;
- expressing Amnesty International's concern with the trial procedure and requesting full details of any criminal charges brought against them;
- requesting that they be allowed to receive regular visits from their families and legal representation of their own choosing;
- reiterating that the Socialist Republic of Viet Nam fulfil its obligations under the International Covenant on Civil and Political Rights.

APPEALS TO:
His Excellency Vo Chi Cong
Chu Tich Hoi Dong Nha Nuoc
Hoi Dong Nha Nuoc
Ha Noi
Socialist Republic of Viet Nam
(Chairman of the Council of State)
Telegrams: Vo Chi Cong,
Hoidong Nhanuoc, Hanoi, Vietnam

COPIES TO:
Phan Hiem
Bo Truong Bo Tu Phap
5 Ong Ich Khiem St
Ha Noi
Socialist Republic of Viet Nam
(Minister of Justice)
Maitre Phan Anh
Hoi Luat Gia Viet Nam
4 Nguyen Thuong Hien St
Ha Noi
Socialist Republic of Viet Nam
(Viet Nam Lawyers' Association)
and to diplomatic representatives of Viet Nam in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 November 1987

The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

Copies of appeals should be sent to relevant diplomatic representatives in your country.

In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat, if appropriate. Thank the official who has replied and ask to be kept informed about the case.
Amnesty International is gravely concerned that, according to an official review of the People’s Supreme Court in Hanoi, over 100 people were sentenced to death during 1995. A report in the official newspaper Viet Nam News on 10 February 1996 states that 95 people were sentenced to death for “homicidal” cases, eight people for drug smuggling convictions and one person for rape. Despite the fact that only 11 executions were officially reported during the course of 1995, Amnesty International fears that most of the 104 death sentences may already have been carried out. It is believed that executions are carried out on a regular basis.

The death penalty in Vietnam is applicable for offenses ranging from treason and offenses violating “national security” to economic offenses such as manufacturing and selling counterfeit products. Altogether 34 articles in the Criminal Code stipulate the death penalty as an optional punishment.

According to the Law on Criminal Procedure defendants sentenced to death by a first court are allowed right of appeal to the People’s Supreme Court. The People’s Supreme Court and the Chief Procurator should make a decision on the case within two months. If the sentence is upheld by the Supreme People’s Court, defendants have the right to appeal to the President for clemency; this appeal must be lodged within seven days. Execution is by firing squad.

Amnesty International opposes the death penalty in all cases on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights (Articles 3 and 5) and the International Covenant on Civil and Political Rights (ICCPR - Articles 6 and 7). The Vietnamese Government ratified the ICCPR in 1982, and is therefore bound by its terms.
Amnesty International’s concern about the use of the death penalty in Viet Nam is heightened by serious concerns about the judicial system. Defendants do not receive a fair trial and their rights as suspects under the ICCPR are routinely ignored. People can be killed by the state in a country where due process of international law is not upheld.

Amnesty International is calling on the Vietnamese Government to commute all existing death sentences and to give full consideration to abolition of the death penalty as a punishment for all offenses in law. In addition, it urges the government to sign and ratify the Second Optional Protocol to the ICCPR, adopted by the United Nations General Assembly in December 1989, which entered into force in July 1991. This Optional Protocol aims for worldwide abolition of the death penalty.

**KEYWORDS:** DEATH PENALTY / DEATH SENTENCE / TRIALS / FOREIGN NATIONALS / LEGISLATION / DRUG TRAFFICKING /

This report summarizes a five-page document (1635 words), SOCIALIST REPUBLIC OF VIET NAM: The death penalty (AI Index: ASA 41/02/96) issued by Amnesty International in February 1996. Anyone wishing further details or to take action on this issue should consult the full document.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM
amnesty international

SOCIALIST REPUBLIC
OF VIET NAM
The death penalty

February 1996
AI Index: ASA 41/02/96
Distr: SC/CO/GR

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM
SOCIALIST REPUBLIC OF VIET NAM

The death penalty

Amnesty International is greatly concerned that, according to an official review of the People's Supreme Court in Hanoi, over 100 people were sentenced to death during 1995. A report in the official newspaper Viet Nam News on 10 February 1996 states that 95 people were sentenced to death for "homicidal" cases, eight people for drug smuggling convictions and one person for rape. Despite the fact that only 11 executions were officially reported during the course of 1995, Amnesty International fears that most of the 104 death sentences may already have been carried out. It is believed that executions are carried out on a regular basis.

Legislation

The death penalty in Viet Nam is applicable for a wide range of offenses. Altogether 34 articles in the Criminal Code stipulate the death penalty as an optional punishment. Offenses for which the death penalty may be applied include:

♦ treason and offenses classified in the 1986 Criminal Code as a "Grave violation of national security" such as espionage, rebellion, terrorism, banditry, sabotage, and attempted prison escapes;

♦ other offenses classified as "involving violation of national security" such as hijacking, destruction of state property, manufacture and trafficking of weapons, smuggling, and forgery;

♦ offenses classified as against "Human life, health and dignity" such as murder and rape;

♦ offenses classified as crimes against "Socialist property" such as armed robbery, theft, misappropriation, embezzlement and damage of state property;

♦ offenses classified as against "Private property rights" such as armed robbery and misappropriation of an individual's property;

♦ "Economic offenses" such as manufacturing and selling counterfeit products;

♦ offenses against "Official powers" such as accepting bribes;

♦ offenses against the "Duties and obligations of military personnel" such as refusing orders, surrendering to the enemy, abandoning battle position, and destroying military equipment;

♦ offenses "Undermining peace, crimes against humanity, war crimes"
in addition, the manufacture and trafficking of narcotics was made a capital offense in December 1992.

According to the Law on Criminal Procedure defendants sentenced to death by a first court are allowed right of appeal to the People’s Supreme Court. The People’s Supreme Court and the Chief Procurator should make a decision on the case within two months. If the sentence is upheld by the Supreme People’s Court, defendants have the right to appeal to the President for clemency; this appeal must be lodged within seven days. Execution is by firing squad.

Amnesty International has long been concerned that defendants in Viet Nam may not receive fair trials. This concern is heightened when the death penalty is applicable as a punishment and therefore any risk of error is irreversible. For example, it appears that in some cases defendants are not assigned a defender until just before a case is going to trial, leaving insufficient time for adequate preparation of a defence. It also appears that defenders may not communicate with their clients during the course of a trial and that they are not given the right to call and examine witnesses for or against the defendant, a right upheld in international standards for fair trial.

Death sentences in 1995

Amnesty International is aware of only three cases in 1995 where it was officially reported at the time that the death penalty had been imposed.

One case concerned Nguyen Van Quang, who was sentenced to death by a court in Son La province in March for trafficking 227 kilos of opium. He had been arrested on 24 January 1995. Another case concerned Sieng Pheng, a 36-year-old Lao national, who was sentenced to death in June after being found guilty of drug trafficking. He had been arrested in January while allegedly driving to Ha Noi with 15.5 kilos of heroin hidden in his car. The third case concerned Dinh Van Phat and Hoang Bich Hai who were sentenced to death by Lai Chau People’s Court in October. They were convicted of misappropriating money from the state budget to buy narcotics and hire a pickup truck to transport the illegal drugs. They had reportedly been arrested in December 1993.

Executions in 1995

Contrary to previous practice of not publicizing executions, Amnesty International is aware of 11 cases reported in the official media during 1995. It believes that this change in policy reflects an attempt by the government to crack down on perceived rising crime. The first official confirmation of a death sentence having been carried out since 1985 occurred in March 1995 with the execution of a 37-year-old policeman, Nguyen Tung Duong. He was
Socialist Republic of Viet Nam: The death penalty

sentenced to death for murder on 21 October 1994 after a three-day trial at the People's Court in Ha Noi. His appeal was heard at the People's Supreme Court in December 1994. Thousands of people demonstrated outside the court in support of the death sentence. In upholding the sentence, the Supreme Court said that the murder had damaged police credibility "thus causing bad political and social consequences". His appeal to the President was rejected in early 1995. Nguyen Tung Duong was convicted for the murder and robbery in 1993 of a 21-year-old man whom he had stopped for a traffic violation.

Four other people were executed later in the same month. Duong Van Than and Nguyen Si Tuan had been sentenced to death in August 1994 for drug trafficking offenses. They were executed after their appeal was rejected by the President; two unnamed people were executed in Ha Noi and Danang after convictions for murder.

Wong Chi-Shing. a 34-year-old Hong Kong British national. was sentenced to death in May 1993. The President rejected his appeal in September 1993 and despite appeals for clemency from the British Government his execution was carried out in June 1995. In July Do Thai Binh. Nguyen Nhung. Nguyen Thanh Phuong and Ho Thanh Son were executed following rejection of their appeals. They had been sentenced to death in November 1994 by a court in Danang for carrying out a series of armed robberies over a period of two years. In September Bui Thi Biet, a 25-year-old woman, was executed after being sentenced to death for murder in September 1994 by a court in Tien Giang province. Her appeal for clemency to the President had also been rejected.

An Australian Parliamentary delegation visited Viet Nam in April 1995 to engage in a dialogue with the Vietnamese authorities on a number of issues including the legal system and the human rights situation. A published report on the visit stated that a Supreme Court Official told the delegation that about 100 people were sentenced to death during 1994. of whom 90 had been executed. Amnesty International cannot confirm these figures. However, given this report and unofficial evidence. Amnesty International is concerned that executions have been taking place regularly whether publicised or not, and that it is therefore possible that many of the 104 people sentenced to death during 1995 have already been executed.

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Conclusions

Amnesty International opposes the death penalty in all cases on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights (Articles 3 and 5) and the International Covenant on Civil and Political Rights (ICCPR - Articles 6 and 7). The Vietnamese Government ratified the ICCPR in 1982, and is therefore bound by its terms. Articles 6 and 7 of the ICCPR state:

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1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

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“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Amnesty International has long had serious concerns about the judicial system in Viet Nam, in particular that defendants do not receive a fair trial and that their rights as suspects under the ICCPR are routinely ignored. In cases where the death penalty may be applied this becomes a matter of heightened concern to the organization. People can be killed by the state in a country where due process of international law is not upheld.

Amnesty International also believes that available studies on the subject result in an overwhelming conclusion that there is no reliable evidence that the death penalty acts as a deterrent against the serious crimes for which it is applied.

Amnesty International is calling on the Vietnamese Government to commute all existing death sentences and to give full consideration to abolition of the death penalty as a punishment for all offenses in law. In addition, it urges the government to sign and ratify the Second Optional Protocol to the ICCPR, adopted by the United Nations General Assembly in December 1989, which entered into force in July 1991. This Optional Protocol aims for worldwide abolition of the death penalty. Article 1 states:

“1) No one within the jurisdiction of a State party to the present Optional Protocol shall be executed.”
(2) Each State party shall take all necessary measures to abolish the death penalty within its jurisdiction."

Amnesty International notes that signing of the Second Optional Protocol was a subject of discussion during the Australian Parliamentary delegation visit to Viet Nam in April. The organization hopes that a positive decision on this will be taken in order to uphold the basic right to life of all individuals in Viet Nam.
Amnesty International is gravely concerned that, according to an official review of the People’s Supreme Court in Hanoi, over 100 people were sentenced to death during 1995. A report in the official newspaper Viet Nam News on 10 February 1996 states that 95 people were sentenced to death for “homicidal” cases, eight people for drug smuggling convictions and one person for rape. Despite the fact that only 11 executions were officially reported during the course of 1995, Amnesty International fears that most of the 104 death sentences may already have been carried out. It is believed that executions are carried out on a regular basis.

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Amnesty International has long had serious concerns about the judicial system in Viet Nam, in particular that defendants do not receive a fair trial and that their rights as suspects under the ICCPR are routinely ignored. In cases where the death penalty may be applied this becomes a matter of heightened concern to the organization. People can be killed by the state in a country where due process of international law is not upheld.

Amnesty International also believes that available studies on the subject result in an overwhelming conclusion that there is no reliable evidence that the death penalty acts as a deterrent against the serious crimes for which it is applied.

Amnesty International is calling on the Vietnamese Government to commute all existing death sentences and to give full consideration to abolition of the death penalty as a punishment for all offenses in law. In addition, it urges the government to sign and ratify the Second Optional Protocol to the ICCPR, adopted by the United Nations General Assembly in December 1989, which entered into force in July 1991. This Optional Protocol aims for worldwide abolition of the death penalty. Article 1 states:

“1) No one within the jurisdiction of a State party to the present Optional Protocol shall be executed.

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(2) Each State party shall take all necessary measures to abolish the death penalty within its jurisdiction.

Amnesty International notes that signing of the Second Optional Protocol was a subject of discussion during the Australian Parliamentary delegation visit to Viet Nam in April. The organization hopes that a positive decision on this will be taken in order to uphold the basic right to life of all individuals in Viet Nam.
AMNESTY ACTION
We Have Always Lived Here
ASIA: DOCTOR DETAINED AFTER LETTER INTERCEPTED

Despite some recent prisoner releases, thousands of prisoners of conscience and political prisoners are still locked away in Syrian jails. Many were routinely tortured during their detention. Almost all are held without any recourse to justice.

Tawfiq Draz al-Sibaa, a 46-year-old medical doctor, was detained in Homs in May 1980 after Syrian censors intercepted a letter from relatives expressing concerns about the political situation in Syria. For six years, Syrian authorities denied any knowledge of his whereabouts. Finally, in November 1986, Amnesty learned he was detained in al-Mezze Military Prison, reportedly accused of involvement in matters affecting state security.

Dr. al-Sibaa is married and has five children. He studied medicine at Damascus University and in 1973 went to Montreal, Canada to undertake graduate studies in neurology. He opened a medical clinic in Homs upon his return to Syria.

FOR YOUR ACTION: Please write courteously letters expressing concern at Dr. al-Sibaa's being held in uncharged detention since 1980. Urge his immediate and unconditional release as a prisoner of conscience.

Write to: President Hafez al-Assad/Presidential Palace/Alb Rubmanneh/Al Rashid St/Damascus/Syrian Arab Republic.

VIETNAM: WRITER IN RE-EDUCATION

Vietnamese authorities arrested Nguyen Khac Chinh, a writer and former member of the Nationalist Party of Vietnam, in December 1973. He has been in detention since in solitary confinement part of the time—and in "re-education" camp at other times. He has never been charged with or tried for any crime. During his early confinement he was reportedly tortured.

In full of the South Vietnamese Government in April 1975 and the assumption of power of the provisional Revolutionary Government, soldiers and officials of the former South Vietnamese Government and real or suspected critics of the new government were either rounded up or ordered to report for "re-education." Many were released shortly after, but others have been held for up to 17 years.

The Communist Government also launched a "purification campaign" against what it perceived as the "decadent and reactionary" culture of South Vietnam.

A Serbian policeman shoots a suspected Muslim sniper in the back.

This page offers you the opportunity to become directly involved in Amnesty International's ongoing work. The men and women whose stories are told here all need your immediate help. The special action requests appearing here address all further the goals of protecting human rights. Please take the time to read this page and to take the actions indicated at the bottom of each story. Letter-writing suggestions appear at the end of the appeal. An hour of your time can make a huge difference.

All writers, artists and intellectuals were ordered to register with the authorities and many literary works were banned. Nguyen was among a group of Catholic intellectuals reportedly arrested because they opposed Communist rule.

At the time he was arrested, he was a practicing lawyer and a member of the Pen writers’ club. He has published 19 novels, two plays, a few volumes of poetry and political articles. He is now 70 years old.

Amnesty International considers this writer a prisoner of conscience, imprisoned solely for his beliefs.

FOR YOUR ACTION: Please send courteous letters expressing concern about the death penalty imposed on Martin Sabljic, Zoran Sipos and Nikola Cibaric, and regret that the death penalty has been re-introduced in Yugoslavia after a break of two years. Express concern about allegations that Martin Sabljic was tortured and that his confession obtained under duress.

Write to: President of the Federal Republic of Yugoslavia/Dr. Vojislav Kosic/Presednik SFRJ/Srbija/Beograd/Ljubница 2/11070 Beograd Yugoslavia.

ZAIRE: MOBUTU OPPOSED IN INCOMMUNICADO DETENTION

Lieutenant Colonel Luc Mayolo Muka-koua, is a military dentist who has been held in incommunicado detention since July 1991 without charge or trial.

Colonel Mayolo was arrested on July 21, 1991, along with 10 other officers of the Zairian Armed Forces, by members of the Military Action and Intelligence Service. The officers were reportedly suspected of links with the Sacred Union, a coalition of political parties working for the peaceful replacement of President Mobutu.

According to unofficial sources, Colonel Mayolo was accused of plotting against the government, but no evidence has been made public to substantiate this accusation.

Following their arrest, the officers were held at military intelligence headquarters at Kinshasa, where they were reportedly tortured. Colonel Mayolo was transferred to Niola Military Prison, where he is still reportedly held. He has never been charged.

Since President Mobutu came to power in 1966, hundreds of soldiers and civilians opposed to his rule have suffered gross human rights violations including public and secret executions, disappearances, torture and internal displacements.

FOR YOUR ACTION: Please send courteous letters urging the government to release Lieutenant Colonel Mayolo and the other officers without delay if they are not to be brought to trial promptly and fairly on recognizably criminal charges.

Write to: President Mobutu Sese Seko President de la République/Président de la République/République de la République/kinshasa-Département/ Zaire.

OCTOBER 12TH: Amnesty's Day of Action

You read our cover story about what is happening to indigenous people in Colombia. Imagine waking up each morning to this reality: that you too might "disappear" into an unknown fate of torture, detention, and imprisonment.

Now you and your community can act to stop these kinds of violence against them. On October 12th, Amnesty's Day of Action, you can write letters to Colombia's government and sign a petition calling for the Colombian government to respect the human rights of indigenous people.

The Indigenous People's Task Force of AIUSA has prepared lots of letters which are a great help to everyone.

For our Day of Action "Remembering the Past, Committing to the Future" you can write letters to the Colombian government and sign a petition calling for the Colombian government to respect the human rights of indigenous people.

The Day of Action has been prepared by Amnesti's Day of Action. You can send the letter, your name, address, phone number, and the number of people you are writing to to AIUSA.

On October 12th, every person connected with AIUSA will be able to share in a simple half-hour of letter writing, music and action. Our day of action "Remembering the Past, Committing to the Future" gives every community in the United States with even one Amnesty member the opportunity to help.

The Indigenous People's Task Force of AIUSA has prepared a lot of letters which you will send to the Colombian government and sign a petition calling for the Colombian government to respect the human rights of indigenous people.

For our Day of Action "Remembering the Past, Committing to the Future" you can write letters to the Colombian government and sign a petition calling for the Colombian government to respect the human rights of indigenous people.

Yes, please send the letter to the address on this page. AIUSA for $3.50.

From: [Your Name]
To: [Your Name]

Address: [Your Address]

City: [Your City]

Country: [Your Country]

Amnesty International USA is a tax-exempt public charity under Section 501(c)(4) of the Internal Revenue Code. Contributions are deductible to the fullest extent provided by law.

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[Address: 328 Eighth Avenue, New York, NY 10001]