

11 December 2009

Re: Vietnam – Human Rights Defender Ms Pham Thanh Nghien in prison for over one year after attempting to stage a peaceful protest

Human rights defender Ms **Pham Thanh Nghien** has been held in prison since she was arrested on 18 September 2008 for attempting to stage a peaceful protest. Her family has recently learned that her trial is expected to take place on 17 December 2009 in Hai Phong. Pham Thanh Nghien is a member of **Bloc 8406**, a pro-democracy network of human rights defenders and organisations which began working in 2006 by publishing a Manifesto on Freedom and Democracy in Vietnam. Pham Thanh Nghien is the 2009 recipient of the Human Rights Watch Hellman/Hammett Award.

On 17 June 2008, Pham Thanh Nghien applied for official permission to organise a protest, which was rejected by the authorities. As a result of the request, Pham Thanh Nghien and her family were harassed by public security police and placed under surveillance. On 4 July, Pham Thanh Nghien was attacked after visiting a fellow human rights defender, writer Nguyen Xuan Nghia. She was severely beaten by four plain-clothes police officers and told that if she did not stop her human rights activities, bad things would happen to her and her family. Pham Thanh Nghien attempted to organise a sit-in protest in her own home in response, and this led to her arrest on 18 September 2008. Approximately 20 police officers raided her house and took Pham Thanh Nghien into custody. She has been held in prison since then, and has been denied all visitation rights. Her family has not been informed about her condition in prison.

Pham Thanh Nghien had been targeted by the Vietnamese authorities also before June 2008. Earlier that year, in April 2008, Pham Thanh Nghien took part in a demonstration promoting civil action to coincide with the passage of the Beijing Olympic Torch through Hanoi. Along with several other activists, she was arrested and detained for several days without charges. In March 2008, Pham Thanh Nghien and a fellow human rights defender, Tran Duc Thach, travelled to Thanh Hoa city to support the families of eight fisherman arbitrarily shot dead by Chinese naval vessels in 2005. Pham Thanh Nghien had helped the families to raise awareness of the incident and called on the Vietnamese government to bring the perpetrators to justice.

Pham Thanh Nghien has been a vocal critic of the authorities in Vietnam, publishing several essays online and appearing frequently on Radio Free Asia to criticise government violations of human rights. She also promoted civil engagement in issues such as human rights, territorial sovereignty, and corruption. In early October 2009 other human rights defenders were tried on similar charges to Pham Thanh Nghien, and received sentences of between two and six years in prison. It is believed that Pham Thanh Nghien will face a similar sentence should she be found guilty during her court hearing.

Front Line believes that the charges pending against Pham Thanh Nghien are a direct result of her legitimate and peaceful work in the defence of human rights, and see them as forming part of an ongoing pattern of harassment against human rights defenders in Vietnam. Front Line is seriously concerned for the physical and psychological integrity of Pham Thanh Nghien and all pro-democracy activists in Vietnam.

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Front Line urges the Vietnamese authorities to:

1. Immediately drop all charges against Pham Thanh Nghien, as it is believed that they have been brought against her solely on account of her legitimate and peaceful work in the defence of human rights;
2. Take all necessary measures to guarantee the physical and psychological integrity of Pham Thanh Nghien and ensure that her treatment whilst in detention adheres to all those conditions set out in the *Basic Principles for the Treatment of Prisoners*, adopted by General Assembly Resolution 45/111 of 14 December 1990;
3. Take immediate measures to ensure that Pham Thanh Nghien has full access to her family and lawyers;
4. Ensure in all circumstances that human rights defenders in Vietnam are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions including judicial harassment.

Yours sincerely,



Mary Lawlor
Director