

January 24, 2023

Prime Minister Pham Minh Chinh
Socialist Republic of Vietnam
16 Le Hong Phong Street
Ba Dinh District
Ha Noi, Viet Nam

Re: Calling for the release of Mr. Chau Van Kham

Dear Prime Minister Pham Minh Chinh:

We are writing to express our grave concern over the arbitrary detention of Chau Van Kham, an Australian citizen imprisoned in Vietnam for the last four years.

Mr. Kham was arrested on January 13, 2019 while in Vietnam, where he had traveled to meet with local civil society. His arrest occurred only days before the UN Human Rights Council held its Universal Periodic Review of the Socialist Republic of Vietnam's human rights record. Two other human rights activists, Nguyen Van Vien and Tran Van Quyen, who are both members of the Brotherhood for Democracy, were arrested for being in contact with Mr. Kham. All three individuals were subsequently sentenced between 10 and 12 years in prison under charges of "terrorism."

All three individuals are peaceful activists. Your government has not produced a single piece of evidence that these men engaged in any terrorist activities.

In its opinion published on June 7, 2022, the United Nations Working Group on Arbitrary Detention ruled that the arrest and detention of Chau Van Kham "lacks a legal basis and is thus arbitrary." The UN Working Group concluded that Mr. Kham's detention "resulted from the peaceful exercise of his rights to freedom of conscience and belief and freedom of opinion and expression, as well as the right to take part in the conduct of public affairs," contrary to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. In addition, the Working Group determined that Mr. Kham's right to a fair trial and due process were violated.

The Working Group further recognized that the mere association of Mr. Chau Van Kham with the peaceful organization Viet Tan in no way justifies his detention and recalled that the Office of the United Nations High Commissioner for Human Rights considers Viet Tan to be a legal and peaceful organization advocating democratic reforms.

As a member of the UN Human Rights Council, the Socialist Republic of Vietnam has a duty to protect and promote human rights.

Therefore, we add our voices to urge your government to respect international conventions on human rights by immediately releasing Mr. Chau Van Kham. The place of this 73-year-old activist is not in prison but with his family, in Australia, particularly in this period of the Lunar New Year.

Sincerely,

Ms Saskia Bricmont, Member of the European Parliament

Mr. Sébastien Desfayes, Member of the Geneva Parliament,
Chairman of the Swiss-Vietnam Committee (Cosunam)

Hon. Judy A. Sgro, Member of Parliament, Chair International Trade, Former Minister of
Citizenship and Immigration, Canada

Ms Cécile Auriol, ACAT Belgium

Mr. Pascal Zohoun, President of ACAT Benin

Mr. Gomdaogo Francis Alex Ilboudo, President of ACAT Burkina Faso

Lawyer Armel NIYONGERE, ACAT Burundi

Ms Sylvie Lavigne, ACAT Canada

Mr. Bernard Katumba, ACAT Democratic Republic of Congo

Ms Nathalie SEFF, Executive Director ACAT-France

Mr. Christoph Schürhaus, ACAT Germany

Ms Ivy Florence Ayivor-Vieira, ACAT Ghana

Mr. Massimo Corti, ACAT Italia

Mr. Dale Nikke Tokpah, President of ACAT Liberia

Ms Christina Fabian, President of ACAT Luxemburg

Ms Ericka Razakanirahina, ACAT Madagascar

Mr. Jean Christophe Konate, ACAT Mali

Mr. Emili Chalaux, President of ACAT Spain-Catalonia

Ms Bettina Ryser Ndeye, Secretary General, ACAT-Switzerland

Mr. Jean-Daniel Vigny, Swiss member of the International Board of the FIACAT

Mr. Nguyen Van Dai, Chairman, Brotherhood for Democracy

Ms Doreen Chen, Executive Director, Destination Justice

Mr. Duy Hoang, Executive Director, Viet Tan

Dr. Alan Lowenthal, former Member of the U.S. House of Representatives

Mr. Frank Heinrich, former member of the German Parliament

Mr. Martin Patzelt, former member of the German Parliament

Dr. Jörg Breitmaier, Hospital director

Dr. Ansgar Hohmann, Scientific researcher

Prof. Dr. Walter Motsch

Prof. Dr. Johannes Kals

Prof. Dr. Stephan Grüne

Dr. Christoph Kohl, Cathedral Chaplain