



## CHRIS HAYES MP

Federal Member for Fowler  
Chief Opposition Whip

Ref: RH  
17 February 2021

Senator the Hon. Marise Payne  
Minister for Foreign Affairs  
Minister for Women  
Senate  
Parliament House  
PO Box 6100  
CANBERRA 675rACT 2600

Dear Minister

Once again, I write to express my deep concern with regards to the ongoing detention and welfare of Australian citizen, Mr Van Kham Chau. My concerns are further heightened following receipt of a letter from Mr Michael Phuong Nguyen and accordingly, I enclose a copy of this letter, which I understand was sent to your office on 4 December 2020.

I understand that there is significant concern for the welfare of Mr Chau due to the restrictions that have been imposed as a result of the Coronavirus Pandemic. I am advised by Mr Chau's lawyers that all prisoner visitation rights have been suspended and that Mr Chau has not received a visit from Australian consular officials since October 2020.

Most concerning is that Mr Chau is 71 years of age, his health is declining and he has been hospitalised twice since his detainment in Vietnam. I understand that he has also faced difficulty receiving his regular medication and has been forced to endure long hours of hard labour in the prison, with very limited food and very poor health care. As a consequence, these conditions in detention have taken a significant mental and physical toll on his well-being.

I have been assured by Mr Nguyen that he was a fellow inmate of Mr Chau. He advised that he was convicted under section 109 of the Vietnamese Criminal Code in 2018 and similar to Mr Chau, he was sentenced to 12 years jail. However, Mr Nguyen was released in October 2020 and insists that this was following representations by the US State Department.

Clearly, with the appropriate support, the case of Mr Nguyen demonstrates that there may be some willingness by the Vietnamese Government to afford Mr Chau the same outcome.

Mr Chau's current plight has caused added distress to Mr Chau's wife and family, given the uncertainty with regards to his continued safety and well-being.

In view of the above, it would be appreciated if you could take all possible steps to secure Mr Chau's welfare, including all feasible and appropriate action to ensure that Mr Chau can safely return to his family in Australia.

Yours sincerely

Chris Hayes MP