



General M. Tô Lâm
Minister of Public Security of the Socialist Republic of Vietnam
Bộ Công an
44 Yết Kiêu St. Hoàn Kiếm District
Hà Nội, Việt-Nam

Paris, 16 May 2019

Dear General Tô,

ACAT-France is a French human rights organisation fighting against torture and death penalty worldwide.

We are writing to express our deep concern regarding recent reports of acts of torture and ill-treatment perpetrated against **Nguyễn Văn Hóa**, currently detained at An Diêm prison in Quảng Nam province.

Nguyễn Văn Hóa, born on 15 April 1995 and formerly residing in Hà Tĩnh province, was arrested on 11 January 2017 and detained under Article 258 of the 1999 Penal Code. On 15 June 2017, his charges were formally changed to Article 88. On 27 November 2017, Nguyễn Văn Hóa was sentenced to 7 years of imprisonment and 3 years of probation.

On 14 May 2019, ACAT-France received concerning reports that Nguyen Van Hoa had been throttled and beaten by prison guards a few days prior at An Diêm prison. According to a phone call from fellow prisoner of conscience Hoang Duc Binh to his family, Nguyen Van Hoa was then put in solitary confinement for 10 days as a disciplinary measure. His sister, who came to An Diêm prison on 14 May, could not meet with Hoa. She was told by Capt. Nguyen Van Tien that her brother was disciplined for violating prison regulations and criticizing the Communist Party and was not allowed to receive visit. No official notice has been filed and sent to the family.

During his arrest, in pre-trial detention and while serving his sentence, Nguyễn Văn Hóa has repeatedly suffered abuse and torture at the hands of security officers. While detained, he was beaten up by both policemen and prison authorities in order to get him to admit guilt and extract information about other rights activists. His testimony, although obtained under duress, was used to sentence human rights defender Lê Đình Lượng to 20 years in prison. During Lê Đình Lượng's first instance court hearing on 16 August 2018, Nguyễn Văn Hóa was called to testify and recanted his earlier statements. He was immediately taken to an isolated room where several uniformed officers beat him up, hit his head and insulted him.

On 1 September 2018, Nguyễn Văn Hóa sent a written denunciation of those unlawful acts to the Supervisory Board of An Diêm prison. According to the 2011 Law on Denunciations (Law No. 03/2011/QH13), the Supervisory Board had 5 to 10 days to either accept, refuse or forward the denunciation to the relevant authorities (Article 20.1). More than eight months later, Nguyễn Văn Hóa has yet to receive an official notice of the status of his denunciation,

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despite having a legally guaranteed right to be informed (Article 9.1-c). He also informed his family that some prison officials at An Diêm prison had verbally abused him and violated his privacy as a form of intimidation.

Under those circumstances, and in line with the Socialist Republic of Vietnam's international commitments to the United Nations Human Rights Council and the Committee Against Torture, we would strongly urge you to:

- take immediate steps to ensure that Nguyễn Văn Hóa is protected from any act of intimidation, revenge, ill-treatment or torture from An Diêm prison officials;
- carry out an immediate, thorough and impartial investigation into the recent reports of torture of Nguyễn Văn Hóa, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
- ensure that the denunciation sent by Nguyễn Văn Hóa is handled in accordance with the 2011 Law on Denunciations and settled in a timely, accurate and objective manner.

We thank you for your attention to this urgent matter and hope you will take the necessary measures to ensure the respect of his fundamental rights.

Sincerely,

Nathalie Seff

A handwritten signature in black ink, consisting of a stylized 'N' followed by a horizontal line and a small flourish at the end.

Director General of ACAT-France
Action by Christians for the Abolition of Torture

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