



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, 7 March 2019

Dear General Tô,

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

We are writing to express our deep concern regarding the denunciation of acts of torture by **Nguyễn Văn Hóa**, currently detained at An Diêm prison in Quảng Nam province. More than six months after he sent a written denunciation to the Supervisory Board of An Diêm prison, he has yet to receive an official notice regarding its status.

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, the authorities officially formally changed his charges to Article 88. On 27 November 2017, Nguyễn Văn Hóa was sentenced to 7 years of imprisonment and 3 years of probation.

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 six months later, Nguyễn Văn Hóa has yet to receive an official notice of the status of his denunciation, 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 started verbally abusing him and violating 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:

No torture. No death penalty. ACAT is striving for a world of dignity.

Action by christians for the abolition of torture. 7 rue Georges Lardennois 75019 Paris - France
Tel. +33 (0)1 40 40 42 43 | Fax. +33 (0)1 40 40 42 44 | acat@acatfrance.fr | www.acatfrance.fr

- 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;
- take immediate steps to ensure that Nguyễn Văn Hóa is protected from any act of intimidation, revenge or repression from An Diêm prison officials;
- guarantee that all prisons and detention centers under your supervision, including An Diêm prison, follow due process regarding denunciations and complaints sent by prisoners, in accordance with the 2011 Law on Denunciations and the 2011 Law on Complaints;
- guarantee that all detainees and prisoners are free from torture and ill-treatment.

We thank you for your attention to this urgent matter.

Sincerely,

Action by Christians for the Abolition of Torture (ACAT)

A copy of this letter was sent to the Embassy of the Socialist Republic of Vietnam in France and the Vietnam delegation to the United Nations in Geneva.

No torture. No death penalty. ACAT is striving for a world of dignity.

Action by Christians for the Abolition of Torture. 7 rue Georges Lardennois 75019 Paris - France
Tel. +33 (0)1 40 40 42 43 | Fax. +33 (0)1 40 40 42 44 | acat@acatfrance.fr | www.acatfrance.fr