



RFK MEMORIAL  
CENTER FOR HUMAN RIGHTS

January 28, 2005

The Honorable Kofi Annan  
Secretary-General  
United Nations  
New York, NY 10017



Dear Mr. Secretary-General:

We are writing to convey our serious concern regarding the arbitrary detention of Dr. Nguyen Dan Que, to urge your intervention to seek his release, and to ensure that Vietnam complies with all relevant human rights instruments preventing arbitrary detention. Dr. Que is a medical doctor and distinguished pro-democracy activist in Vietnam. Dr. Que was last arrested on March 17, 2003 in Ho Chi Minh City for sending a statement over the Internet criticizing the Government of Vietnam for denying citizens their right to freedom of information. Most recently, the United Nations Working Group on Arbitrary Detention concluded that “Dr. Que’s actions constitute only the peaceful exercise of his freedom of opinion and expression, which is enshrined in Article 19 of the Universal Declaration of Human Rights and in Article 19 of the International Covenant on Civil and Political Rights, to which the Socialist Republic of Vietnam is a party.” Thus, the Working Group ruled, Dr. Que’s detention is arbitrary and a breach of international law.



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After his arrest, Dr. Que was detained incommunicado in Ho Chi Minh City for sixteen months without being informed of the charges against him or provided access to counsel of his choosing. On September 22, 2004, the Government of Vietnam suddenly transferred Dr. Que to a hard-labor camp in a remote jungle 1,200 miles north of Ho Chi Minh City. Although he was permitted one visit with his wife, we are acutely distressed that Dr. Que has been placed in such a camp, particularly in light of the fact that Dr. Que is 62 years-old and suffers from peptic ulcers, kidney stones, and high blood pressure.



While Dr. Que was being held in Ho Chi Minh City, the Government of Vietnam brought him to trial without providing him access to counsel or adequate time to prepare a defense. At the conclusion of the trial, which was closed to the public, Dr. Que was sentenced to two and one-half years in a Vietnamese prison for “abusing democratic rights to infringe upon the interests of the State.”



We, the undersigned human rights organizations and members of the international community, believe that the Government of Vietnam has violated international law by arresting, convicting, and detaining Dr. Que for expressing his discontent with the lack of freedom of information in Vietnam.



We therefore request that you use your good offices, as well as those of Ms. Louise Arbour, United Nations High Commissioner for Human Rights, Ms. Hina Jilani, Special Representative of the Secretary General for Human Rights Defenders, Mr. Ambeyi Ligabo, Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Mr. Leandro Despouy, Special Rapporteur on the Independence of Judges and Lawyers and Ms. Manuela Carmena Castrillo, Chair-Rapporteur of the Working Group on Arbitrary Detention, to urge the Government of Vietnam to comply with international law and take the steps required to conform with the requirements of Article 19 of the Universal Declaration of Human Rights and Article 19 of the International Covenant on Civil and Political Rights. We implore you to swiftly resolve this continuing violation of international law by releasing Dr. Que.

Sincerely,

Todd Howland  
Director, Center for Human Rights  
Robert F. Kennedy Memorial

Svetlana Stone  
Director, Human Rights of Scientists  
New York Academy of Sciences

Jared Genser  
President  
Freedom Now

Abi Wright  
Asia Program Director  
Committee to Protect Journalists

Maud Kozodoy  
Executive Director  
Committee of Concerned Scientists

Robert Ménard  
Secretary General  
Reporters Without Borders

Leonard Rubenstein  
Executive Director  
Physicians for Human Rights

Brad Adams  
Executive Director of the Asia Division  
Human Rights Watch

Alexandra Arriaga  
Director, Government Relations  
Amnesty International USA

Cc: - His Excellency Tran Duc Luong, President, The Socialist Republic of Vietnam

- His Excellency Nong Duc Manh, General Secretary
- His Excellency, Phan Van Khai, Prime Minister
- His Excellency Nguyen Tan Dung, Deputy Prime Minister
- His Excellency Vu Khoan, Deputy Prime Minister
- His Excellency Pham Gia Khiem, Deputy Prime Minister
- His Excellency Mr. Le Hong Anh, Ministry of Public Security
- His Excellency Mr. Nguyen Dy Nien, Ministry of Foreign Affairs
- His Excellency Mr. Uong Chu Luu, Ministry of Justice
- His Excellency Mr. Pham Quang Nghi, Ministry of Culture and Information
- His Excellency Mr. Nguyen Minh Hien, Ministry of Education and Training
- His Excellency Mr. Doan Manh Giao, Minister, Director, Government Office
- His Excellency Mr. Do Quang Trung, Ministry of Interior

- His Excellency Mr. Hoang Van Phong, Ministry of Science and Technology
- His Excellency Mr. Do Trung Ta, Ministry of Post and Telecommunications
- His Excellency Mr. H.E. Nguyen Tam Chien, Ambassador of the Socialist Republic of Vietnam to the United States
- His Excellency Le Luong Minh, Ambassador Permanent Representative of the Socialist Republic of Vietnam to the United Nations, New York
- His Excellency Ngo Quan Xuan, Ambassador Permanent Representative of the Republic of Vietnam to the United Nations, Geneva.
- Ms. Louise Arbour, United Nations High Commissioner for Human Rights
- Ms. Hina Jilani, Special Representative of the Secretary General for Human Rights Defenders
- Mr. Ambeyi Ligabo, Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression
- Mr. Leandro Despouy, Special Rapporteur on the Independence of Judges and Lawyers
- Ms. Manuela Carmena Castrillo, Chair of the Working Group on Arbitrary Detention