



Honorary Co-Chairs  
The Most Reverend Desmond M. Tutu  
The Honorable Václav Havel (*In Memoriam*, 2006-2011)

## FREEDOM NOW

June 13, 2013

Juan E. Méndez  
Special Rapporteur on Torture  
c/o Office of the High Commissioner for Human Rights  
United Nations Office at Geneva  
CH-1211 Geneva 10  
Switzerland

### **Urgent Appeal Request: Situation of Doan Huy Chuong, Do Thi Minh Hanh, and Nguyen Doan Quoc Hung (Socialist Republic of Vietnam)**

Dear Mr. Méndez,

Please find the attached urgent appeal request on behalf of Vietnamese citizens Doan Huy Chuong, Do Thi Minh Hanh, and Nguyen Doan Quoc Hung. Freedom Now and the law firm Woodley & McGillivray serve as international *pro bono* legal counsel to all three imprisoned labor rights activists.

Since the arrest of Doan, Do, and Nguyen in 2010, all three have been subjected to serious mistreatment, including long periods of solitary confinement and multiple, severe beatings. The health of all three activists continues to deteriorate as a result.

In Opinion No. 42/2012, the UN Working Group on Arbitrary Detention found the detention of Doan, Do, and Nguyen arbitrary under international law and referred their mistreatment to your office. Despite this decision, adopted on November 14, 2012, the three activists continue to face the threat of further mistreatment by guards and other prisoners. In particular, recent reports reveal that Do, who has already lost hearing as a result of serious mistreatment, was again beaten on two occasions in May 2013.

In light of such continued mistreatment, I respectfully request that you transmit this urgent appeal to the Government of the Socialist Republic of Vietnam as soon as possible.

Sincerely,

Patrick Griffith  
Freedom Now

## **Model questionnaire to be completed by persons alleging torture or their representatives<sup>1</sup>**

### **I. Identity of the person(s) subjected to torture**

**A. Family Name:** Doan; Do; and Nguyen.

**B. First and other names:** Huy Chuong; Thi Minh Hanh; and Doan Quoc Hung.

**C. Sex:** Male; Female; and Male.

**D. Birth date or age:** September 8, 1985; March 13, 1985; and July 25, 1981.

**E. Nationality:** Vietnamese.

**F. Occupation:** Independent labor activists.

**G. Identity card number (if applicable):** Unknown.

#### **H. Activities (trade union, political, religious, humanitarian/solidarity, press, etc.):**

In early 2010, all three individuals were involved in organizing workers at the My Phong shoe factory in Tran Vinh province, Vietnam. As a result, the government sentenced them to between seven and nine years in prison on charges of disrupting national security, which the United Nations Working Group on Arbitrary Detention found to be an arbitrary detention of their liberty in violation of international law.<sup>2</sup>

#### **I. Residential and/or work address:**

At the time of his arrest, Doan was living in Phu Ngoc. At the time of her arrest, Do resided in the town of Di Linh. Until his arrest, Nguyen lived with his father in Ho Chi Minh City.

### **II. Circumstances Surrounding Torture**

#### **A. Date and place of arrest and subsequent torture:**

Doan was arrested on February 13, 2010 in Tra Vinh province. Do was arrested on February 23, 2010 in Lam Dong. Nguyen was arrested on February 24, 2010 in Xuan Loc in the Dong Nai Province. After their arrests, all three were subjected to mistreatment. In particular, all three have been repeatedly beaten, especially following prison transfers. Most recently, Do was beaten on May 20, 2013 following her transfer to the Z30A prison camp in Xuan Loc, Dong Nai Province.

#### **B. Identity of forces carrying out the initial detention and/or torture (police, intelligence services, armed forces, paramilitary, prison officials, other):**

The Vietnam People's Public Security executed the arrests. The mistreatment appears to have been carried out by both prison officials and other prisoners.

#### **C. Were any person, such as a lawyer, relatives or friends, permitted to see the victim**

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<sup>1</sup> For additional information about these cases, please visit Freedom Now's website at [www.freedom-now.org/campaign/doan-huy-chuong-do-thi-minh-hanh-and-nguyen-doan-quoc-hung/](http://www.freedom-now.org/campaign/doan-huy-chuong-do-thi-minh-hanh-and-nguyen-doan-quoc-hung/).

<sup>2</sup> UN Working Group on Arbitrary Detention, [Opinion No. 42/2012](#), UN Doc. A/HRC/WGAD/2012.42.

### **during detention? If so, how long after the arrest?**

Doan was held in solitary confinement from the time of his arrest until his wife was allowed to visit on September 10, 2010 — a total of seven months.<sup>3</sup> Authorities first allowed a brief visit between Do and her mother on May 10, 2010, nearly three months after her arrest. Nguyen was denied access to family for at least three months.<sup>4</sup> The three detainees had no access to legal counsel until the appellate stage of the proceedings in early 2011.<sup>5</sup>

### **D. Describe the methods of torture used.**

In addition to long periods of solitary confinement, all three organizers have been repeatedly beaten by guards and other prisoners. While in pretrial detention, authorities reportedly tortured Doan, Do, and Nguyen in an attempt to extract confessions. Even after their conviction on national security charges, the three have faced repeated beatings after each of their frequent prison transfers—resulting in serious, lasting injuries.<sup>6</sup>

A recent example is the severe beating of Do by large groups of prisoners after her transfer from a detention camp in Binh Thuan Province to the facility in Dong Nai Province in early May 2013. On two occasions shortly after her transfer, Do failed to comply with orders from the guards, who responded by placing restrictions on other prisoners. On both occasions, the prisoners responded by attacking Do. During the second beating, which occurred while Do was showering, guards were present but took no actions to stop the attack. While Do was unable to report the specific details of the mistreatment because of close surveillance during family visits, it is clear that the beating has had the intended effect of isolating her from the other prisoners.<sup>7</sup>

### **E. What injuries were sustained as a result of the torture?**

As a result of the beatings, Doan has suffered a fractured shoulder, lost the use of three of his fingers, and has chronic headaches. Do has lost hearing in one ear and suffered a leg wound, swollen joints, stomach pains, and chronic headaches. After the most recent mistreatment, Do's health reportedly deteriorated further. Nguyen has suffered a broken nose and continues to experience headaches and internal pain. Despite the continued effects of their mistreatment, all three are required to work in the prison camp eight hours per day, six days per week.<sup>8</sup>

### **F. What was believed to be the purpose of the torture?**

During pretrial detention, the purpose of the mistreatment appears to have been to extract

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<sup>3</sup> *Is Helping a Crime?* Radio Free Asia, Sep. 25, 2010, available at <http://www.rfa.org/vietnamese/HumanRights/Is-helping-land-protesters-a-crime-tan-09252010125155.html>.

<sup>4</sup> Vietnam: Isolated Political Detainees at Risk of Torture, Human Rights Watch, May 20, 2010, available at <http://www.hrw.org/news/2010/05/20/vietnam-isolated-political-detainees-risk-torture>.

<sup>5</sup> UN Working Group on Arbitrary Detention, *Opinion No. 42/2012*, UN Doc. A/HRC/WGAD/2012.42.

<sup>6</sup> *Petition to the UN Working Group on Arbitrary Detention: Doan Chuong, Do Thi Minh Hanh, and Nguyen Doan Quoc Hung*, Submitted by Woodley & McGillivray, Oct. 11, 2012, available at <http://www.freedom-now.org/wp-content/uploads/2012/10/Doan-Do-and-Nguyen-UNWGAD-Petition-10.11.12.pdf>.

<sup>7</sup> *Update on Jailed Labor-Rights Advocates' Conditions*, Committee to Protect Vietnamese Workers, June 13, 2013, available at <http://protectvietworkers.files.wordpress.com/2013/06/mr-cpvw-20130606-update-on-jailed-labor-rights-advocates-conditions-3h.pdf>

<sup>8</sup> *Id.* See also *Vietnam - Verdict of three workers rights activists, mistreated in custody, confirmed on appeal* (2012), International Trade Union Confederation, available at <http://survey.ituc-csi.org/Verdict-of-three-workers-rights.html>.

confessions. Subsequent mistreatment is believed to be motivated by a desire to further punish Doan, Do, and Nguyen for their activism and isolate them from other prisoners. Prison authorities also continue to pressure the activists to confess wrongdoing.<sup>9</sup>

**G. Was the victim examined by a doctor at any point during or after his/her ordeal? If so, when? Was the examination performed by a prison or government doctor?**

Unknown.

**H. Was appropriate treatment received for injuries sustained as a result of the torture?**

Unknown.

**I. Was the medical examination performed in a manner which would enable the doctor to detect evidence of injuries sustained as a result of the torture?**

Unknown.

### **III. Remedial Action**

**A. Were any domestic remedies pursued by the victim or his family? If so, what was the result?**

No.

### **IV. Information concerning the author of the present report:**

Patrick Griffith  
Freedom Now  
1776 K Street, NW, 8th Floor  
Washington, D.C. 20006  
pgriffith@freedom-now.org  
+1 (202) 223-3733

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<sup>9</sup> See *supra* note 7.