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To Lam  
Minister of Public Security  
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**AMNESTY  
INTERNATIONAL**



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Your Excellency

**RE: OPEN LETTER ON TRẦN HUỖNH DUY THỨC**

We are writing to draw your attention to the situation for Trần Huỳnh Duy Thức, who is currently serving a 16-year prison sentence at Prison No 6 in Nghe An province.

Trần Huỳnh Duy Thức, a successful entrepreneur and advocate for social and economic reform, has been imprisoned since 24 May 2009, when he was arrested on charges of “theft of telephone lines”. Authorities later initiated a criminal investigation under Article 88 of Viet Nam’s 1999 Penal Code for “conducting propaganda against the state,” but subsequently charged him with “attempting to overthrow the people’s administration” under Article 79. On 20 January 2010, Trần Huỳnh Duy Thức was tried, convicted and sentenced to 16 years’ imprisonment with five years’ house arrest on release. His trial fell short of international standards for fair trial, disregarding the presumption of innocence and right to a defence. The prosecution provided no evidence to support the indictment. According to observers, the judges deliberated for only 15 minutes before returning with the judgment, which took 45 minutes to read, suggesting it had been prepared in advance of the hearing.

Amnesty International considers him to be a prisoner of conscience, held solely for peacefully exercising his human right to freedom of expression in his writing and his calls for peaceful social and economic reform. We therefore urge that he be immediately and unconditionally released, and his conviction quashed.

As Trần Huỳnh Duy Thức reaches the half-way point of his sentence, we are particularly concerned that he is held in conditions that do not meet international standards and that are negatively affecting his health and well-being. During the course of his imprisonment, he has been transferred several times, without prior notice to his family, who have to travel long distances to visit him. Rule 59 of the Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), adopted unanimously by the UN General Assembly in December 2015 and provides that “Prisoners shall be allocated, to the extent possible, to prisons close to their homes or their places of social rehabilitation.”

In his current location – Prison No. 6 – he is not provided with enough light in his cell when the electricity is switched off every morning so that he can read and write comfortably. Rule 14(a) of the Nelson Mandela Rules provides that “The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation.” Rule 14(b) provides that “Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.” Yet prison officials have refused to either improve the situation themselves or allow his family to provide artificial lighting in the form of a small battery-run lamp. As a consequence, his eyesight is badly affected, a condition for which he

has received no examination or treatment in the prison. Other rights to which he should be entitled have also been denied by the prison authorities, such as the transmission of letters between him and his family and access to reading material, in breach of Rules 58(1) and 64 of the Nelson Mandela Rules, respectively. He has also been threatened with reprisals for speaking up for the human rights of other prisoners.

We call on Viet Nam's prison authorities to ensure that their treatment of Trần Huỳnh Duy Thức adheres strictly, as a minimum, to the Nelson Mandela Rules so that he is treated with dignity and respect while he is incarcerated.

Finally, we urge once more that Trần Huỳnh Duy Thức and all other prisoners of conscience in Viet Nam are immediately and unconditionally released. As a state party to the International Covenant on Civil and Political Rights (ICCPR), Viet Nam must respect and protect the human right to freedom of expression. By imprisoning people like Trần Huỳnh Duy Thức, who has done nothing but express his opinions peacefully, Viet Nam is failing in its obligations under international human rights law.

Yours sincerely

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