

## APPENDIX 1

### TYPICAL CASES INVOLVING HUMAN RIGHTS VIOLATIONS COMMITTED BY THE VIETNAMESE GOVERNMENT

#### 1-1. TYPICAL CASES INVOLVING REPRESSION AGAINST FREEDOM OF EXPRESSION AND THE RIGHTS TO INFORMATION

- January 8, 2013 to January 10, 2013, blogger Người Buôn Gió and his friends Nguyễn Lan Thang and Trương Văn Dũng were kidnapped by Nghe An police and held when they were about to attend the open trial of fourteen patriots in Vinh City.
- December 28, 2012, blogger Nguyễn Hoàng Vi was arrested, beaten, and stripped naked for a brutal search when she planned to attend the final trial of three Free Journalists Club members.
- November 24, 2012, a reporter of the Dan Viet paper was beaten by Can Tho civilian-clothed police when he took pictures of a traffic accident they had caused.
- August 19, 2012, freelance writer lawyer Lê Quốc Quân, beaten in an allegedly organized attack in Hanoi by three men.
- July 8, 2012, freelance journalist JB Nguyễn Hữu Vinh was beaten at his home in Hanoi by a group of ruffians.
- July 4, 2012, blogger Huỳnh Thực Vy was kidnapped in Saigon and brought back to Quảng Nam by Quảng Nam police.
- July 3, 2012, bloggers Nguyễn Hoàng Vi, Dương Thị Tân and Bùi Thị Minh Hằng, Lee Nguyễn and Quyết were beaten by a group of ruffians, believed to be disguised Security Police, when they participated in an anti-China demonstration in Saigon.
- July 3, 2012, blogger Dr. Nguyễn Xuân Diện and blogger Nguyễn Tường Thụy were arrested by Hanoi police.
- April 24, 2012, the two well-known journalists Nguyễn Ngọc Nam and Han Phi Long of a Voice of Vietnam radio station's News Center were ruthlessly beaten by disguised policemen for their news report on the forced land occupation in Xuân Quan village in Văn Giang.
- February 5, 2012, journalist Phạm Phước Vinh of the Journalists and Public Opinion magazine was hospitalized after being "group assaulted" by Phước Kiến village police, Nha Be district, Saigon.
- January 2, 2012, reporter Hoàng Khương of the Youth magazine was arrested for his investigation and exposition of a police bribery.

To silence the voices of those who have opposing views to those of the CPV, Vietnamese officials not only resort to ruffians in beatings against dissidents, but they also maximally criminalize the people's exercise of freedom of speech by using the 1999 Penal Code's Article

79 on “activities aimed at overthrowing the people’s government” and Article 88 on “propaganda against the SRVN.” Following are some remarkable cases:

- January 9, 2013, the Nghe An people court sentenced 14 Christians and Protestants for their alleged “activities purporting to overthrow the people’s government” based on Penal Code Article 79: Hồ Đức Hòa, Đặng Xuân Diệu, Lê Văn Sơn, Nguyễn Đặng Minh Mẫn, Nguyễn Đình Cường, Đặng Ngọc Minh, Nguyễn Văn Duyệt, Nguyễn Văn Oai, Nông Hùng Anh, Nguyễn Xuân Anh, Hồ Văn Oanh, Thái Văn Dũng, Trần Minh Nhật, and Nguyễn Đặng Vĩnh Phúc. Most of these youths were involved with the Redemptorist News information network. The heaviest sentence was 13 years; ten others ranged from 3 to 8 years in prison followed by several years under house arrest.
- December 27, 2012, human rights activist lawyer Lê Quốc Quân was arrested while in his office, had his house searched, and was charged with “tax evasion,” a slandering pretext for arrest, the same that was used to arrest blogger Điều Cày in 2008.
- November 28, 2012, democracy activist Lê Thanh Tùng was sentenced by the Supreme Court in Hanoi to 4 years in prison and 4 years under house arrest for his dissemination of articles that “slander the state and defame the government, demand pluralism and a multiparty system, and a change in the SRVN’s Constitution.”
- October 30, 2012, musician Viet Khang was sentenced to 4 years in prison and 2 years under house arrest for his alleged “propaganda against the SRVN.” At the same time, Trần Vũ Anh Bình, another musician, was sentenced on the same day to 6 years in prison and 2 years under house arrest. Both are members of the Patriotic Youth organization.
- September 24, 2012, three bloggers Điều Cày, Tạ Phong Tần, and AnhBaSG, main members of the Free Journalists Club, were sentenced by the People’s Court in Saigon to a total of 26 years in prison for their alleged “propaganda against the SRVN.”
- August 9, 2012, Mr. Đinh Đăng Định, who once called on people to sign a petition to oppose a bauxite project, was sentenced by the Dak Nong province to 6 years in prison for his alleged “propaganda against the SRVN.”
- June 6, 2012, Mr. Phan Ngọc Tuấn was sentenced by the Ninh Thuan provincial court to 5 years in prison for his alleged “storage and dissemination of documents purporting to slander and defame the party and the SRVN.”
- May 24, 2012, four collaborators of the Redemptorist News information network, Chu Mạnh Sơn, Trần Hữu Đức, Đậu Văn Dương, and Nguyễn Hoàng Phong, were sentenced by the Vinh court in Nghe An province to prison terms ranging from 3 to 3 and a half years and 18 months under probation for their alleged “propaganda against the SRVN.”

## **1-2. TYPICAL CASES INVOLVING INHIBITION OF FREEDOM OF ASSOCIATION**

- February 4, 2013, the Court of First Instance of Phu Yen sentenced 22 members of Hội Đồng Công Luật Công Án Bia Sơn, a religious community founded in 1969, on charges of “activities aimed at overthrowing the people’s government.” These people were

arrested in February 2012 with the initial allegation of “abusing freedom and democratic rights to violate state interests.” The jail terms ranged from 10 years to life imprisonment.

- January 9, 2013, the Nghe An Province People's Court sentenced 14 young men on charges of “activities aimed at overthrowing the people’s administration” under Article 79 of the Criminal Code. These people were arrested for their participation in the Redemptorist News information network, a link for exchanging and disseminating information and advocating for human rights and freedom, especially religious freedom. Some of them were accused of being members of the Viet Tan Party. These people were arrested at various times in 2012. The jail terms ranged from 3 to 13 years.
- December 28, 2012, the Appellate Court sentenced three bloggers of the Free Journalists Club: Nguyen Van Hai (also known as Dieu Cay), 12 years in prison, 5 years house arrest; Ta Phong Tan, 10 years in prison, 5 years house arrest; and Phan Thanh Hai (also known as AnhbaSG), 3 years in prison, 3 years house arrest. The Free Journalists Club was formed in 2007 and is regarded as a pioneer in using blogs to fight for freedom of speech.
- October 30, 2012, the People's Court of Ho Chi Minh City put on trial two members of the Patriotic Youth organization, musicians Tran Vu Anh Binh and Viet Khang, aka Vo Minh Tri, on charges of “Conducting Propaganda against the SRVN.” Two other members of this group, Nguyen Phuong Uyen and Dinh Nguyen Kha, were arrested and indicted in October 2012 on the same charges. On May 16, 2013, Nguyen Phuong Uyen and Dinh Nguyen Kha were sentenced to 6 and 8 years in prison respectively, with both jails terms to be followed by 3 years of house arrest.
- Fourteen members of Block 8406 are still in prison, including the four convicted in 2012: Pastor Nguyen Cong Chinh, Ho Thi Bich Khuong, Le Thi Kim Thu, and freelance journalist Le Thanh Tung. In the past decade, 39 members of Bloc 8406 who had been sentenced to jail terms and served their time are still under house arrest.
- The persecution of dissidents, especially those related to political organizations deemed “reactionary” by the Communists, continued throughout 2012. The arrest of Nguyen Quoc Quan of Viet Tan Party on April 17, 2012, the arrest of Vo Viet Dzien of the Vietnam Restoration Party on April 9, 2012, and the search and arrest on March 7, 2013 of Dr. Nguyen Dan Que, founder of the High Tide of Humanism Movement, were cases that attracted much public attention.

### **1-3. TYPICAL CASES INVOLVING POLICE BRUTALITY**

- December 10, 2012, Mr. Bui Van Loi, a resident of the city of Gia Lam, Bo Ha, Yen The, Bac Giang province, was shot to death by police after he had been arrested and handcuffed for participating in cock fighting. There were about 30 people at this event when the police arrived. Mr. Loi, out of fear, had tried to flee across a nearby rice field.
- November 12, 2012, Mrs. Ha Thi Nhung, 76, of Neighborhood 6, Xuan Thanh Village, Tho Xuan District, Thanh Hoa Province, participated in a protest against illegal land seizure in Hanoi. A group of police and civil defense troops ripped the banner and

dragged her away. A few minutes later, she was found lying on the ground unconscious. Everyone rushed to give first aid, but the victim had died.

- September 17, 2012, Mr. Pham The Hien, a resident of Cluster 4, Tra Cu City, Tra Cu District, Tra Vinh Province, died while being detained by police. When his family arrived at the police headquarters, his body had been examined (without the presence of the family). The cause of death was announced as suicide by hanging.
- September 14, 2012, Mr. Ho Long Giang, a resident of Xuan An Ward, Long Khanh City, died while being detained by police. According to police report, he had used his shirt to hang himself in the detention room.
- September 8, 2012, Mr. Nguyen Thanh Hien, a resident of the administrative area 13, To Hieu Street, Ngo Quyen Ward, Vinh Yen City, Vinh Phuc province, died while being detained at Ngo Quyen Ward police station. An autopsy indicated that the victim had suffered from a traumatic brain injury, and there were many bruises on his body.
- August 30, 2012, Mr. Nguyen Mau Thuan, a resident of Doai Area, Kim No Village, Dong Anh District, Hanoi, died while being detained at the village police office for his minor conflicts and clashes with his neighbors. An autopsy revealed multiple bruises on his limbs, head injuries, and broken ribs.
- August 6, 2012, Mrs. Duong My Linh, a resident of Ho Chi Minh City, was found dead by hanging while being detained by police of Ca Mau province.
- July 23, 2012, Mr. Duong Tan Thuong, a resident of Dong Hung B Village, An Minh, Kien Giang, died while being detained at Thoi Binh District Police headquarters, Ca Mau Province. Autopsy results indicate that Mr. Thuong suffered from soft-tissue trauma, that his chest was battered by external forces, and that his lungs effused with blood.
- May 31, 2012, Mr. Dang Dinh Binh, a resident of Di An City, Binh Duong Province died after being assaulted by a group of civil defense troops.
- May 13, 2012, Mr. Ngo Thanh Kieu, a resident of Hoa Dong Village, Tan Hoa District, Phu Yen Province, died while being held by a group of public security agents. According to forensic examination results, he died from head and soft tissue concussions.
- April 28, 2012, Mr. Duong Chi Dung, 35, a prisoner being held at A2 Penitentiary located at Dien Lam Village, Dien Khanh District, Khanh Hoa Province, was sick with AIDS. On April 28, 2012, Mr. Dung, being sick and unable to take part in prison work, was clubbed to death by security guards and the prison doctor.
- April 11, 2012, Mr. Bui Huu Vu, a resident of Nam Dan District, Nghe An province, died while being detained by Nam Dan District police. An examination revealed multiple bruises on his body, and bruises and scratches around his wrists and ankles.
- March 19, 2012: Mr. Le Dinh Trong, a resident of Neighborhood of Hong Tan, Thien Loc Commune, Can Loc District, Ha Tinh Province, died while being detained by Can Loc District police. Family suspected that his death must have been caused by dubious measures because the authorities did not allow an autopsy.
- February 19, 2012, Mr. Hoang Gia Dat Phuoc, a resident of Long Thanh My Ward, District 9, Saigon City, died while being detained by District 9 Police. The family said

that Mr. Phuoc had been healthy and that he had had no criminal record before his detention.

- January 26, 2012, Mr. Nguyen Van Hung, a resident of Neighborhood 2, Quyet Tien Area, Tien Phong Village, Yen Dung District, Bac Giang Province, was severely injured by public security agents when the authorities appropriated his land. He died January 26, 2012 after having clung on to life for more than three weeks.
- January 10, 2012, Mr. Nguyen Van Hung was severely hit by Bac Giang provincial police during a protest against forced land confiscation. He died at home on January 26, 2012.
- April 25, 2011, Mr. Nguyen Cong Nhut died while in temporary custody by the police legal assistance section of Ben Cat district, Binh Duong province. His family found signs of beating on his body, a lot of blood, and electric torture marks on his limbs.
- March 30, 2011, Mr. Tran Van Du was wounded by police Jr. Capt. Vo Van Ut Deo, Warrant Officer Danh Nhan, Sergeant Tran Tuan Khai, and militiaman Tran Quoc Thang of the Nga Nam town, Soc Trang province. They then dragged Mr. Tran to the hedge next to the town administrative office and let him die there in the dark.
- March 02, 2011, Mr. Trinh Xuan Tung was beaten to death by police Lt. Col. Nguyen Van Ninh of Thinh Liet quarter, Hoang Mai district, Hanoi.

#### **1-4. TYPICAL CASES INVOLVING RELIGIOUS OPPRESSION/PERSECUTION BY ARMED VIOLENCE**

- March 17, 2013, Hoang Van Ngai, a church leader in Dak Glong District, Dak Nong Province, was beaten to death while being in police custody for unknown reason. Police claimed that Ngai died after putting his hand into an electric socket, but Ngai's brother, also detained in an adjacent cell, claimed that he heard the sound of violent beating from his brother's cell and later saw Ngai taken out of his cell with an apparent wound on his throat.
- November 9, 2012, Vietnamese authorities carried out a sweeping operation in Dak Krong commune with about one thousand well-armed soldiers and security forces. They searched for devout Degar Catholics and captured several people. They tied one man to a wooden cross, and rounded up the villagers and threatened them, saying that anyone who continues to practice their religious beliefs will be subject to the same punishment.
- August 21, 2012, Vietnamese armed security forces raided the village of Bon Kon H'Drom- T'Re in Kontum province and attacked Christian Montagnards when they gathered for prayer. More than 30 people were reportedly injured during the raid.
- July 5, 2012, hundreds of police and security forces in plain clothes stopped and assaulted a group of Hoa Hao Buddhist followers, prohibiting them from entering Quang Minh Temple in An Giang Province for the celebration of the founding anniversary of the Hoa Hao Buddhist Church.

- July 1, 2012, local security forces of Nghe An Province, equipped with guns, batons, sticks, and stones, prevented Rev. Nguyen Dinh Thuc of Con Cuong Parish from entering the chapel. They savagely beat church attendants and smashed church statues. Some attendants were wounded and rushed to the emergency room.
- December 3, 2011, hundreds of “self-motivated” people broke into the Thai Ha church in Hanoi, causing trouble and attacking the priests while a strong force of uniformed police and plainclothesmen stood outside in readiness to protect the troublemakers inside.
- July 7, 2011, police and other security forces surrounded the Buon Kret Krot hamlet in Mang Yang district of Gia Lai province, and attacked a group of Christian Montagnards during a prayer session. 12 men and 4 women were injured; others were detained and tortured.
- April 30, 2011, between 5 to 8 thousand H’Mong people gathered for a religious event and demonstration in favor of reforms and respect for religious freedom at an area near Huoi Khon hamlet of Nam Ke in the Muong Nhe district, province of Dien Bien. On May 4 and 5, police and border troops were mobilized together with tanks and helicopters to repress and disperse them. According to the Center for Public Policy Analysis (CPPA), there were 72 deaths and hundreds of people injured or missing.
- August 23, 2010, hundreds of security agents, both disguised and in uniform, surrounded Giac Minh Temple in Da Nang, assaulted monks and faithful, handcuffed them, and took them away in trucks.
- May 04, 2010, Da Nang City authorities mobilized hundreds of security agents and mobile police to brutally beat the faithful at a funeral ceremony in Con Dau Parish, with the intent of robbing the parish land. The harsh measure resulted in one death, and 34 people forced to flee to Thailand as refugees.

## **1-5. TYPICAL CASES INVOLVING FORCED LAND EXPROPRIATION**

### ***Case 1. Forced Land Eviction in Dong Trieu, Quang Ninh Province in December 2012***

The authorities of Quang Ninh Province and Dong Trieu District had plans to urbanize the Dong Trieu area by 2015. However, in the process of compensation for expropriated land, many people said that the compensation is too unfair, since less than 40 thousand dong per square meter “is only a bowl of phở”; the people therefore refused relocation. According to the confiscation decision, by December 23 the government would seize the land by force; therefore, on Dec 21, 2012 thousands of people flocked to the area in front of the Kim Son urban project. Many people carried coffins, lied on the road and blocked the traffic, causing Highway 18A congestion. The authorities of Dong Trieu district ordered force to be used to remove the banners and tents set up by protesters. Because the crowd continued to grow, security force was sent to the area, triggering clashes with the protesters. Some people were arrested during the clash.

### ***Case 2. Forced Land Eviction in Vu Ban, Province of Nam Dinh in May 2012***

Around the end of 2007, the authorities of the Vu Ban district in Nam Dinh province planned to confiscate 165 hectares of the Lien Minh, Lien Bao, and Kim Thai villages to sell to Vietnam Textile Group in order to build the Bao Minh industrial zone. However, due to the extremely low compensation offered, 120 families rejected the offer and tried to stand against the government's threats and enticement. On May 9, 2012, nearly 300 police officers and civilian guards were sent over to carry out a ruthless expropriation campaign, beating three women seriously then leaving them lying in the street, while five others were arrested. Eventually, the 165 hectares were stolen successfully.

### ***Case 3. Forced Land Eviction in Van Giang, Province of Hung Yen in April 2012***

In April 2012, the authorities of the Van Giang district, province of Hung Yen, decided to confiscate some 500 hectares (involving about 4,000 families) to create the Ecopark city-commerce tourist area to be built by Viet Hung Estate Investment Company. Facing a terribly low and unfair compensation rate of 43,000 VND (approximately US\$ 2.15) per square meter, 1,800 families in Xuan Quan, Phung Cong, and Cuu Cao firmly refused to accept, leading the district and provincial government on April 24, 2012 to send out a force of some 2,000 police officers to Phung Cong and Xuan Quan to bar all access to the field, and to detain and beat a number of guards there.

Other farmers coming to support the victims were also brutally beaten—some were rendered unconscious by having pepper gas pumped into their noses. Eventually, the unarmed people were defeated by the powerful government forces, and twenty of them were arrested, including a mother with a small child at her breast. Citizens continued to be harassed and terrorized by forces hired by the Viet Hung Company. Two reporters working for the official Voice of Vietnam were also caught in the melee and beaten by the police.

### ***Case 4. Forced Land Eviction in Tien Lang District in January 2012***

In 1993, under the auspices of authorities of Tien Lang District of Hai Phong City, Mr. Doan Van Vuon and his brother's families in Cong Roc of Vinh Quang village began to develop 21 hectares of seashore, including 19.3 unexploited hectares of seashore swamps, for use for 14 years. They invested lots of labor and money, but after a series of failures, they finally succeeded in building anti-seawater dikes to start a sea product business. Several years later, seeing that the family had turned a profit giving them enough to pay up their bank debts, corrupt local officials plotted to take over their lands. In April 2008, the officials decided to recover their 19.3 hectares of swamps, despite protests that the family's granted period of land use was still valid.

In January 2012, the authorities of the Tien Lang district and Hai Phong city ordered hundreds of police officers and soldiers to begin the forced recovery of the land. However, Vuon and his brother vigorously fought back using rustic weapons, wounding several members of the government forces. The siblings were finally arrested and their houses and properties burned down, leaving their loved ones homeless. On April 5, 2013, the Hai Phong City People's Court sentenced Doan Van Vuon and his younger brother to 5 years in jail each for attempted murder. Four other defendants received jail time from 3 years and half to 2 years for the same charge, and from 18 months to 15 months of probation for opposing against officers on duty.