

URGENT ACTION

INCOMMUNICADO LAWYER NOW DISBARRED

Lawyer Le Cong Dinh has been disbarred by the Ho Chi Minh City Bar Association and the Vietnamese Ministry of Justice has revoked his practising licence. Le Cong Dinh is a prisoner of conscience who has been held incommunicado since his arrest on 13 June.

On 1 July 2009, the deputy head of the Ho Chi Minh City Bar Association told journalists that it had disbarred and that the Ministry of Justice had revoked his licence, forbidding him to practice law. Le Cong Dinh has still not been allowed to receive any visits from family members or legal professionals that could represent his case, and Le Cong Dinh's well-being remains unknown.

The Vietnamese authorities have launched a public propaganda campaign against Le Cong Dinh following international pressure calling for the lawyer's release. In a statement issued on 26 June, the government requested "international understanding and support for its struggle against conspiracies and acts conducted by organizations and individuals to carry out acts of terrorism and unrest, overthrow the State and destroy the peaceful life of the people".

Le Cong Dinh was arrested 13 June under Article 88 in the national security section of the Penal Code. Together with other lawyers, Le Cong Dinh had previously argued that Article 88 breaches Viet Nam's constitution and international human rights law.

The Ministry of Foreign Affairs has stated that he is accused of contacting and colluding "with some exiled Vietnamese organizations and groups abroad, including those listed by the Vietnamese government as terrorist groups, in an attempt to prepare for riots and cause social instability and public disorder with the ultimate goal of overthrowing the State of Viet Nam".

PLEASE WRITE IMMEDIATELY in English, French, Vietnamese or your own language:

- expressing concern that lawyer Le Cong Dinh is a prisoner of conscience that has been arrested under Article 88 of the Penal Code solely for the peaceful exercise of his right to freedom of expression;
- urging the authorities to release him immediately and unconditionally, and drop all charges against him;
- calling on the authorities to ensure that he is allowed immediate access to his family and a lawyer of his choosing and, that he is provided with any medical attention he may require;
- calling on the authorities to either repeal or amend provisions in the 1999 Penal Code which criminalize peaceful political dissent;

PLEASE SEND APPEALS BEFORE 17 AUGUST 2009 TO:

Le Hong Anh
 Minister of Public Security
 Ministry of Public Security
 44 Yet Kieu Street
 Ha Noi, VIET NAM
Fax: +8443 942 0223
Salutation: Dear Minister

Pham Gia Khiem
 Minister of Foreign Affairs
 Ministry of Foreign Affairs
 1 Ton That Dam Street, Ba Dinh District
 Ha Noi, VIET NAM
Fax: +8443 823 1872
Email: bc.mfa@mofa.gov.vn
Salutation: Dear Minister

And copies to:
Diplomatic representatives of Viet Nam accredited to your country.

Also send copies to diplomatic representatives accredited to your country.
 Please check with your section office if sending appeals after the above date.

This is the first update of UA: 155/09, AI index: ASA 41/002/2009

Further information:
www.amnesty.org/en/library/asset/ASA41/002/2009/en/8484be67-45bb-4e34-8585-435a28830b47/asa410022009eng.html

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ADDITIONAL INFORMATION

Le Cong Dinh is a prominent lawyer and former deputy president of the Ho Chi Minh City Bar Association. He runs a private law firm in Ho Chi Minh City. In November 2007 he represented human rights lawyers Nguyen Van Dai and Le Thi Cong Nhan, two other prominent prisoners of conscience, at the appeal court hearing against their sentences. He argued that Article 88, under which the two were charged, is unconstitutional and contravenes international human rights treaties that Viet Nam has ratified, such as the International Covenant on Civil and Political Rights (ICCPR), and should therefore be reviewed.

He also represented Nguyen Hoang Hai, a blogger known as Dieu Cay, who was tried in September 2008 on politically motivated criminal charges for writing critical articles and calling for respect for human rights. Le Cong Dinh has also been an outspoken critic of recent bauxite-extraction in the Central Highlands, as well as calling for political reform in Viet Nam.

Le Cong Dinh has been charged with "conducting propaganda" against the state, under Article 88 of the Penal Code. If convicted, he faces a three- to 20-year prison sentence. He is a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression.

The Vietnamese authorities have sentenced at least 30 dissidents, including a number of lawyers, to long prison terms since 2006 in an attempt to stifle freedom of expression and association. Most are supporters of an internet-based pro-democracy movement, Bloc 8406, or other unauthorized groups calling for democracy and human rights. The majority have been sentenced to imprisonment under the national security section of the 1999 Penal Code, with additional sentences of up to five years of house arrest on release from prison. An unknown number of dissidents are in custody awaiting trial.

Articles of the Penal Code used to criminalize peaceful political dissent include Article 80 (Spying), 87 (Undermining the unity policy), and 88 (Conducting propaganda against the Socialist Republic of Viet Nam).

In May 2009, the UN Human Rights Council considered Viet Nam under the Universal Periodic Review (UPR). Viet Nam rejected the recommendations of other states to allow greater freedom of expression and to reform national security laws which limit freedom of expression, among others.

Further Information on UA: 155/09 AI Index: ASA 41/003/2009 Issue Date: 6 July 2009

