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Viet Nam: Nephews and niece of Father Nguyen Van Ly to be freed following appeal

Amnesty International welcomed the decision today by the Ho Chi Minh City People's Supreme Court to reduce the sentences of the nephews and niece of prisoner of conscience Father Nguyen Van Ly. Brothers Nguyen Vu Viet and Nguyen Truc Cuong both had their prison terms shortened to 32 months from five years and four years respectively. Their sister, Nguyen Thi Hoa, who was sentenced by a lower court to three years in jail, had her prison term reduced to four months and six days. "We understand that Nguyen Thi Hoa was allowed to go home and that her brothers will be free within days," the organization said today.

"Whilst Amnesty International welcomes recent instances of sentence reductions, the organization believes that the individuals concerned, including the nephews and niece of Father Nguyen Van Ly, are prisoners of conscience and should never have been detained in the first place".

"Nguyen Vu Viet and Nguyen Truc Cuong have been imprisoned for two and a half years while their sister, a widow with four children, placed under house arrest pending the appeal, faced the prospect of a lengthy jail sentence. Their lives have been decimated," said Amnesty International today.

"Amnesty International is concerned that the Vietnamese authorities may be using selective sentence reductions in a cynical attempt to deflect increasing international criticism, and that this practice is mere window dressing disguising deep-rooted human rights problems that need to be urgently addressed," added the organization.

Background

Nguyen Vu Viet [m], 27, Nguyen Truc Duong [m], 36, and Nguyen Thi Hoa [f], 44, the nephews and niece of prisoner of conscience Father Thadeus Nguyen Van Ly, who is serving a 10 year prison sentence for his outspoken criticism of Viet Nam's human rights record, were arrested between 13 and 19 June 2001. They were accused of providing information about their uncle and the religious situation in Viet Nam to two overseas Vietnamese organizations.

The original charge sheet, which Amnesty International has obtained, outlines in great detail the case against the three siblings. It listed the dates and full contents of communications " emails, phone calls and faxes " made by the three. It is clear that the Vietnamese authorities had access to the Internet messages of the accused and recorded at least some of their phone conversations. The charge sheet recommended that the three should be charged under Article 80 of the Criminal Code for espionage.

The first scheduled trial to hear their cases was postponed. At the next hearing, on 10 September 2003, the charges against them had been changed to "abusing democratic freedoms to infringe upon the interests of the State" as outlined in Article 258 (2) of the Criminal Code. After a closed trial lasting only three hours Nguyen Vu Viet, Nguyen Truc Cuong and Nguyen Thi Hoa were sentenced to five, four and three years imprisonment respectively.

The case of the nephews and niece of Father Nguyen Van Ly was featured in Amnesty International's recent report, Viet Nam: Freedom of expression under threat in cyberspace (AI Index ASA 41/037/2003).

Public Document

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