

UKRAINE: Will the Ukrainian Orthodox Church linked to Moscow suffer from a haemorrhage of its parishes?

By Willy Fautré, *Human Rights Without Frontiers*



Press conference of the UOC on 21 February 2019: Archbishop Kliment, Archimandrit Pheophan Fedokevitch, Priest and Press Secretary Volodymyr Putchkov, Priests Mikolai Danilevitch and Oleksandr Bakhov (HRWF picture)

<https://bit.ly/2u259Ny> – Statistics about the change of jurisdiction by parishes of Metropolitan Onufry-led Ukrainian Orthodox Church in communion with the Patriarchate of the Russian Orthodox Church (UOC) to the newly created Orthodox Church of Ukraine, led by Metropolitan Epifaniy in communion with Constantinople (OCU) are clashing but do not show a haemorrhage. According to various sources, which are not always unbiased, there might have been 300 or 150 or 88 as of the end of February.

According to the Ukrainian Orthodox legislation, the general assembly of each parish is entitled to decide the status of the community but in many villages, there are no official registrars of members. In some parishes which changed their spiritual jurisdiction, the membership of the assembly is questioned. Some argue that it comprises actual members of the local church and not all the inhabitants of the village, even if they have been baptized in the Orthodox Church, while others contend the opposite.

On 21 February, HRWF interviewed Bishop Kotsaba in the Kyiv Monastery of the Caves and asked him how many parishes of his Church (UOC) had left. At that time, the UOC in communion with Moscow had registered 88 transfers of jurisdiction, he said, but he stressed that biased sources were publishing exaggerated statistics to reinforce the idea that the communion with Constantinople corresponded to a necessity and popular expectations.

Statistics of the UOC in communion with Moscow Patriarchate



Meeting with UOC Bishop Kotsaba in Kyiv (HRWF Picture)

According to Bishop Kotsaba, 36 parishes of the UOC had officially and freely chosen to join the Epifaniy-led Orthodox Church in communion with Constantinople, 23 with their priest and 13 without.

In 23 cases, the transfer of jurisdiction had been operated by force, he said, usually by groups of people coming from other villages and there are attempts at state interference.

In 29 other cases, the transfers were illegally operated, he argued, by votes of people who were not representing the local community. The decisions are contested and in a number of

cases complains have been lodged.

On the same day, a press conference was held at Ukrainski Novini press agency in Kyiv by leaders of the UOC: Archbishop Kliment, Archimandrit Pheophan Fedokevitch, Priest and Press Secretary Volodymyr Putchkov, Priest Mikolaï Danilevitch and Priest Oleksandr Bakhov.

The objective was to denounce forcible transfers of parishes to the new Orthodox Church of Ukraine and videos available on internet showing acts of violence were used as evidence.

Statistics of the Department of Religious Affairs

On 21 February, HRWF interviewed Andrei Yurash, Head of the Department on Religious Affairs and Nationalities at Ukraine's Ministry of Culture. According to him, local state administrations have received protocols of 365 parish meetings announcing their decision to join the Epifaniy-led Orthodox Church but in the meantime, the state has decided to simplify the registration process of parishes, which had been a long-standing request of religious organizations. Consequently, the registration of the defecting parishes has been suspended for a few weeks for technical and administrative reasons but it should resume by the end of March. Andrei Yurash expects that when the administrative staff is properly trained the process of transfer of jurisdiction will restart unabated.



Meeting with Andrei Yurash, Head of the Department on Religious Affairs and Nationalities at Ukraine's Ministry of Culture (HRWF Picture)

Recent timeline of the divorce

On 11 October 2018, the Ecumenical Patriarchate of Constantinople announced he had decided to grant autocephaly to the Ukrainian Orthodox Church (Kyiv Patriarchate) which deemed itself to be the successor of the historical Orthodox Church, created in the aftermath of the conversion and baptism of Prince Vladimir of Kiev in 988, at a time when Moscow did not even exist.

On 14 October, Ukraine's President Poroshenko declared on television that the autocephaly of Ukrainian Orthodoxy is a question of national security. The date of his public announcement was a symbolic one as it is both a religious day (Intercession of the Mother of God) and an official holiday honoring Ukrainian armed forces.

In the meantime, the Synod of the Ecumenical Patriarchate had invalidated its own decree transferring the jurisdiction of the Kyiv Metropolis from Constantinople to Moscow in 1686.

On 15 December 2018, a unification council grouping together the Ukrainian Orthodox Church (Kyiv Patriarchate) and the Ukrainian Autocephalous Orthodox Church (UAOC) under a new legal entity named the Orthodox Church of Ukraine (OCU) elected Epifaniy as their first Metropolitan.

On 6 January 2019, in Istanbul, Ecumenical Patriarch Bartholomew handed the official decree of autocephaly (independence from the Moscow Patriarchate of the Russian Orthodox Church) to the head of the new Orthodox Church of Ukraine (OCU), Metropolitan Epifaniy (Dumenko).

Although fears of violence were widespread, the process appears to be rather peaceful, albeit not everywhere, in particular in Western Ukraine under the impetus of nationalist movements, including from the extreme-right like Right Sector, and more recently in Odessa oblast and Vinnitsa oblast, the birthplace of President Poroshenko.

At this stage, whatever the statistics, the defections from the communion with Moscow Patriarchate have a limited extent as the UOC counts approximately 12,000 parishes.

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EUROPEAN UNION: EU appoints a

new Special Representative for Human Rights

European Council (28.02.2019) – <https://bit.ly/2UjC4bU> – Today, the Council appointed Eamon Gilmore as EU Special Representative for Human Rights. Mr Gilmore will replace Stavros Lambrinidis, who was appointed in 2012 the first EU Special Representative. Mr Gilmore will take up his duties on 1 March 2019 and has been appointed initially for two years.

The tasks of the Special Representative for Human Rights are to enhance the effectiveness and visibility of EU human rights policy. The Special Representative has a broad, flexible mandate, which provides the possibility of adapting to evolving geopolitical circumstances. The Special Representative will work closely with the European External Action Service, which will provide full support to his work.

As former Deputy Prime Minister and Minister of Foreign Affairs of Ireland, Eamon Gilmore had government responsibility for the implementation of the Good Friday Agreement, including its core human rights provisions. Since October 2015, he has been the High Representative's Special Envoy for the Colombian Peace Process. His work and contribution to the peace process were greatly appreciated by all sides.

EU Special Representatives promote the EU's policies and interests in certain regions and countries as well as issues of particular concern or interest for the EU. They play an active role in efforts to consolidate peace, stability and the

rule of law. The first EU Special Representatives were appointed in 1996. Currently, eight EUSRs support the work of the High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini.

The decision was adopted by written procedure on 28 February.

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CHINA: China's 'ham-handed' PR moves hurt its global image

Canada, Australia and EU push back at Beijing over perceived hostage diplomacy

By Chris Horton

Nikkei Asian Review (14.02.2019) –

<https://s.nikkei.com/2DA9Geq> – Over the past 20 years, China has leveraged its economic growth and practiced deft diplomacy to craft an image as a responsible member of the global community. More recently, the political chaos of the Donald Trump presidency and Brexit have made China appear to be a steadying presence in a changing world.

But over the past year, the Chinese Communist Party's handling of domestic and international affairs has eroded much of the goodwill it had built up, especially with middle powers such as Canada, Australia and the European Union. The party's missteps have not only undermined China's appeal among those that once viewed it as a counterweight to the U.S., but are also generating pushback.

Last year in Davos, Chinese President Xi Jinping was hailed as the new keeper of the global economic order. This year he was denounced as a grave threat to freedom. This criticism came not from protesters outside the World Economic Forum's exclusive events but from billionaire George Soros, in one of the forum's most widely covered speeches.

While Soros was in Switzerland branding Xi "the most dangerous opponent of those who believe in the concept of open society," China appeared to be engaging in hostage diplomacy with Canada. Two Canadians – former diplomat Michael Kovrig and North Korea-focused businessman Michael Spavor – have been detained in China since December. They have not been allowed

family or consular visits, raising fears they are being interrogated and possibly tortured.

Canadian Prime Minister Justin Trudeau has called on China to respect judicial procedure and rule of law. Countries including the U.S., the U.K., Germany, France and Australia have voiced support for Canada with regard to the cases.

Another Canadian, Robert Lloyd Schellenberg, who had been sentenced to 15 years in prison for a drug conviction after waiting years for his original trial, was hastily retried and sentenced to death. All this occurred with remarkable speed following Canada's Dec. 1 arrest of Meng Wanzhou, the Chief Financial Officer of China's national tech champion, Huawei Technologies, which like China is seeing its appeal fade in democracies around the world.

The U.S. aside, a growing number of democracies are feeling compelled to confront China, or at least speak up against it. Is this a result of China shifting its approach to diplomacy?

On the contrary, Jorge Guajardo, who spent six years in Beijing as Mexico's ambassador, said, "Rather than a shift, what I have seen is a lack of shift, a lack of adaptation, and therein lies the problem."

"The Chinese have one rule book which they seek to apply to every situation, even though the underlying dynamics may be completely different," Guajardo said.

This is not the first time China has detained Canadian citizens for seemingly retaliatory reasons. In 2014, Chinese security agents seized Kevin and Julia Garratt, who ran a coffee house near China's border with North Korea, on espionage charges. Echoing today's drama surrounding Meng, the couple, who were eventually released, believe their detention was in retaliation for the arrest by Canada of Chinese spy Su Bin for extradition to the U.S.

But Guajardo said Chinese authorities miscalculated when they detained Kovrig, in particular.

"They did not gauge that Michael Kovrig is a former diplomat, known by many of the foreigners who frequent Beijing, and by arresting him they made a whole swath of the China scholars abroad feel targeted," he said.

Indeed, in late January, more than 100 China-focused scholars and former diplomats from Canada, the U.S. and elsewhere signed a letter to Xi, imploring him to release both Kovrig and Spavor.

Scholars and others seeking to build bridges between China and the rest of the world are now more wary of traveling to or engaging China, which "will lead to less dialogue and greater distrust, and undermine efforts to manage disagreements and identify common ground," the letter read. "Both China and the rest of the world will be worse off as a result."

“We welcome normal activities by foreigners in China,” said Hua Chunying, spokeswoman for China’s foreign ministry, dismissing the letter at a press briefing. “As long as they abide by the law and regulations, they don’t have to worry about anything.”

Canadians are not the only ones disappearing in China. In late January, Australian national Yang Hengjun was detained by Chinese authorities on spying charges. Relations between Canberra and Beijing have also been frosty as of late. In August, Australia banned Huawei and fellow Chinese tech giant ZTE from involvement in its 5G mobile network.

Australia has been investigating Chinese meddling in its politics as well. One legislator, Sam Dastyari, resigned last year after echoing Chinese talking points on the South China Sea dispute in contradiction of his party’s stance, and then getting caught warning Chinese property developer and major political donor Huang Xiangmo that the government had tapped his phone.

Last week, the Australian government surprised Huang by stripping him of his permanent residency and rejecting his long-delayed bid for citizenship. Huang had fallen under increased suspicion due to his ties to the Chinese Communist Party, and the opinion-shaping activities of his Australia China Relations Institute in Sydney.

Huang responded this week by describing Australia as having the “innate characteristics of a giant baby” in an interview with the Global Times – a Chinese state-run tabloid. “The

growth of a giant baby takes time, and Australia still has a long way to go.”

China – and Huawei – are also having difficulties in the EU and the U.K., both of which appear to be leaning away from allowing Huawei’s involvement in their 5G networks. If the company is indeed blocked from European networks, the turning point may have come in January, when Poland arrested a Chinese Huawei employee and a Polish erstwhile security official for espionage. Unlike its response to Meng’s arrest, Huawei fired the employee, while also denying the accusation of espionage.

Polish officials have taken their case to the EU, which has been growing wary of China for other reasons.

Zsuzsa Anna Ferenczy, a political adviser in the European Parliament, said the body’s members generally see China as an “important partner.”

“Yet,” she said, “a new reality is unfolding, whereby working with China has become more difficult. The House has become increasingly aware and openly concerned witnessing China’s willingness to use its economic weight to its own benefit, to the detriment of international norms and values, and most importantly at the expense of European integration.”

Parliament members, she said, “recognize that China has become more skillful in influencing EU member states through strategic infrastructure investment and strategic communication, which would undermine the EU’s common positions

on China.”

Other developments, including the March 2018 decision to eliminate the limit of two consecutive terms for China’s presidency, the crackdown on Uighurs in Xinjiang and Chinese Christians, and Xi’s bellicose message to Taiwan in early January, have all had an impact as well.

“The tone seems to have shifted in the European Parliament toward a more assertive posture, questioning the value of their strategic partnership” with China, Ferenczy said.

Given the unraveling of China’s reputation in democratic capitals around the world, one might conclude that Xi and company do not care what other countries think of them and China. Guajardo, the former diplomat, said that is not the case.

“They pretend they don’t care, but they do care,” he said. “They obsess over China’s lack of soft power and seek to burnish it, whether through Confucius Institutes, the Belt and Road Initiative, delegations – it is all swiftly undone by their ham-handed actions.”

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WORLD: Recorded increase in human trafficking, women and girls targeted

By Tharanga Yakupitiyage

IPS (09.01.2019) – <https://bit.ly/2D1vpNb> – Human trafficking is on the rise and it is more “horrific” than ever, a United Nations agency found.

In a new report examining patterns in human trafficking, the U.N. Office on Drugs and Crime (UNODC) found that the global trend has increased steadily since 2010 around the world.

“Human trafficking has taken on horrific dimensions as armed groups and terrorists use it to spread fear and gain victims to offer as incentives to recruit new fighters,” said UNODC’s

Executive Director Yury Fedotov.

Asia and the Americas saw the largest increase in identified victims but the report notes that this may also reflect an improved capacity to identify and report data on trafficking.

Women and girls are especially vulnerable, making up 70 percent of detected victims worldwide. While they are mainly adult women, girls are increasingly targeted by traffickers.

According to the 2018 Global Report on Trafficking in Persons, girls account for 23 percent of all trafficking victims, up from 21 percent in 2014 and 10 percent in 2004.

UNODC also highlighted that conflict has increased the vulnerability of such populations to trafficking as armed groups were found to use the practice to finance activities or increase troops.

Activist and U.N. Goodwill Ambassador Nadia Murad was among thousands of Yazidi women and girls who was abducted from her village and sold into sexual slavery by the Islamic State (IS) in Iraq, a tactic used in order to boost recruitment and reward soldiers.

Murad recently received the 2018 Nobel Peace Prize, dedicating it to survivors of sexual violence and genocide.

“Survivors deserve a safe and secure pathway home or safe passage elsewhere. We must support efforts to focus on humanity, and overcome political and cultural divisions. We must not only imagine a better future for women, children and persecuted minorities, we must work consistently to make it happen – prioritising humanity, not war,” she said.

“The fact remains that the only prize in the world that can restore our dignity is justice and the prosecution of criminals,” Murad added.

Sexual exploitation continues to be the main purpose for trafficking, account for almost 60 percent, while forced labor accounts for approximately 34 percent of all identified cases.

Three-quarters of all female victims are trafficked for sexual exploitation globally.

The report also found for the first time that the majority of trafficked victims are trafficked within their own countries of citizenship.

The share of identified domestic victims has more than doubled from 27 percent in 2010 to 58 percent in 2016.

This may be due to improved border controls at borders preventing cross-border trafficking as well as a greater awareness of the different forms of trafficking, the report notes.

However, convictions have only recently started to grow and in many countries, conviction rates still remain worryingly low.

In Europe, conviction rates have dropped from 988 traffickers convicted in 2011 to 742 people in 2016.

During that same time period, the number of detected victims increased from 4,248 to 4,429.

There also continue to be gaps in knowledge and information, particularly in certain parts of Africa, Middle East, and East Asia which still lack sufficient capacity to record and share data on human trafficking.

“This report shows that we need to step up technical assistance and strengthen cooperation, to support all countries to protect victims and bring criminals to justice, and achieve the Sustainable Development Goals,” Fedotov said at the report’s launch.

Adopted in 2015, the landmark SDGs include ambitious targets including the SDG target 16.2 which calls on member states to end abuse, exploitation, trafficking and all forms of violence and torture against children.

SDG indicator 16.2.2 asks member states to measure the number of victims of human trafficking per 100,000 population and

disaggregated by sex, age, and form of exploitation, reflecting the importance of improving data recording, collection, and dissemination.

“The international community needs to...stop human trafficking in conflict situations and in all our societies where this terrible crime continues to operate in the shadows,” Fedotov said.

“I urge the international community to heed Nadia [Murad]’s call for justice,” he added.

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VIETNAM: NOW! Campaign 2018 report about Vietnamese prisoners of conscience

Latest Count: Vietnam Holds 244 Prisoners of Conscience

VietnamPoCS (03.01.2019) – <https://bit.ly/2LZCe4R> – Press release: According to the Now! Campaign, an initiative involving 14 international and Vietnamese civil society organizations, the government of Vietnam is holding at least 244 in prisons or similar forms of detention compared to 165 cases in November 2017, when the campaign was launched. This makes the country the second largest jailer of dissidents in Southeast Asia, only behind Myanmar.

The above number includes 224 who have been convicted, typically of political crimes such as “propaganda against the state” and “injuring the national unity,” and 20 others who are held in pre-trial detention. In addition, eight persons who participated in peaceful protests in mid-June of 2018 were given between five months and two years of suspended prison terms.

Many bloggers, lawyers, unionists, land rights activists, political dissidents, and followers of non-registered minority religions have been arrested and detained for peacefully exercising their internationally and constitutionally protected rights, principally the right to freedom of expression, freedom of peaceful assembly and freedom of religion or belief. The list does not include individuals who

have engaged in or advocated violence.

In 2018, Vietnam arrested 27 human rights activists and convicted 40 activists with a total imprisonment of 300 years and 69 years under house arrest. In addition, 64 peaceful protesters were convicted in connection to the mass demonstrations that started in mid-June, where tens of thousands of protesters opposed the two bills on special economic zones and cyber security. The demonstrators were sentenced to a total of 121 years and five months in prison and nine years of suspended prison terms.

Thirty-two of the prisoners of conscience among the 244 identified by the NOW! Campaign are female. With one exception, all of these women come from the majority Kinh ethnic group. The one exception, Rmah Hruth, is an ethnic Jarai woman who was sentenced to five years of imprisonment in March 2014. In total, 186 people, or 76.6 % of the list, are ethnic Kinh. The second largest ethnic grouping on the list are Montagnards, a loose set of religious and ethnic minorities who live in the mountains of the Central Highlands. They account for 24.2% of those on the list. Seventeen of those on the list are Hmong people and two from Khmer Krom ethnic minority.

Most prisoners of conscience have been charged with or convicted of allegations under Articles 109, 116, 117, 318 and 331 in the 2015 Penal Code (previously Articles 79, 87, 88, 245 and 258 of the 1999 Penal Code, respectively):

– 45 activists convicted on subversion (Article 79 of 1999

Penal Code or Article 109 in the 2015 Penal Code);

– 23 activists convicted and five charged with anti-state propaganda (Article 88 of the 1999 Penal Code or Article 117 of the 2015 Penal Code);

– 53 people from ethnic minorities convicted for undermining the national unity policy (Article 87 of the 1999 Penal Code);

– 13 activists convicted of or charged with “abusing democratic freedom” (Article 258 of the 1999 Penal Code or Article 331 of the 2015 Penal Code);

– 78 individuals convicted of or charged with “disrupting public orders” (under Article 245 of the 1999 Penal Code or Article 318 of the 2015 Penal Code). Fifty two of them were imprisoned for peaceful participation in or being suspected of planning to participate in the mid-June demonstrations and their aftermath.

– The charge(s) for 16 individuals are unknown or yet to be announced by authorities.

Note that 25 individuals in the Now! Campaign’s report dated October 1, 2018, are not listed in the year-end report due to the limited information on their cases.

Background

In order to maintain a one-party regime, Vietnam's communist government continues its intensified crackdown on local dissent by arresting and convicting many government critics, bloggers, Facebook users, non-violent demonstrators, environmentalists, and social activists.

To suppress the growing social dissatisfaction, silence activists and discourage critics, the government has used controversial articles in the national security provisions of the Penal Code to arrest democracy activists and human rights defenders and convict them with lengthy sentences. Democracy campaigner and environmentalist Le Dinh Luong (M) was sentenced to 20 years in prison and five years of probation, the most severe prison sentence given to an activist in the past five years.

The communist regime has employed harsh measures to prevent street demonstrations and used allegation of "disrupting public orders" under Article 318 of the 1999 Penal Code to imprison dozens of peaceful demonstrators.

The largest wave of arrests in two decades

In 2018, Vietnam arrested 26 activists and bloggers. Twenty-one of them were charged under provisions of the Penal Code while the charges against the remaining five have not been announced.

– University student Huynh Duc Thanh Binh (M) was charged with "attempting to overthrow the government" under Article 109 of

the 2015 Penal Code.

– Five activists were arrested and charged with “disrupting security” in early September: Hoang Thi Thu Vang (F) and four members of the unregistered Hien Phap (Constitution) Group: Ngo Van Dung (M), Nguyen Thi Ngoc Hanh (F), Doan Thi Hong (F) and Ho Dinh Cuong (M). Security forces kidnapped all of them on September 1-4 without informing their families about their arrests and places of detention. They are facing imprisonment of up to 15 years if convicted.

– Five activists were arrested and charged with “making, storing or spreading information, materials or items for the purpose of opposing the government of the Socialist Republic of Vietnam” under Article 117: Nguyen Ngoc Anh (M), Nguyen Dinh Thanh (M), Huynh Truong Ca (M), Nguyen Trung Linh (M) and Nguyen Van Quang (M).

– Nine activists were arrested and charged with “abusing democratic freedom” under Article 331 of the Penal Code: Do Cong Duong (M), Le Anh Hung (M), Nguyen Van Truong (M), Doan Khanh Vinh Quang (M), Bui Manh Dong (M), Nguyen Hong Nguyen (M), Truong Dinh Khang (M), and Le Minh The (M). Five of them were convicted and sentenced to between one and five years in prison while four others are in pre-trial detention.

– Charge(s) against Huynh Duc Thinh (M), Tran Long Phi (M), Do The Hoa (M) and Tran Thanh Phuong (M) have not been publicized. Police have yet to hand over their arrest warrants to their families. All of these dissidents have been held incommunicado during the investigation period. They are not

permitted to meet with their lawyers, and their families are not allowed to visit them in person and must turn over to the prison authorities food, medicine and other personal necessities intended for the detainees.

In addition, Vietnam arrested hundreds of people participating in peaceful demonstrations in Ho Chi Minh City, Hanoi, Da Nang, Dong Nai, Nha Trang, Binh Thuan, Ninh Thuan, Binh Duong, and other localities on June 10-11. These demonstrators protested the National Assembly's draft bills on special economic zones and on cyber security. The first bill is believed to ignore the country's sovereignty and favor Chinese investors while the second bill is considered a draconian tool to silence online critics.

For the UN review of Vietnam's implementation of the Convention Against Torture, held on November 14-15, 2018, BPSOS and five other civil organizations had submitted a joint report detailing the police's heavy-handed treatment and arrest of peaceful demonstrators in June 2018. Vietnam's security forces have used plainclothes agents to kidnap dissidents and hold them for months without publicizing charge(s) against them or informing their families about their arrest and the allegations made against them. At least ten activists were so taken into police custody in early September, and they are still held incommunicado for investigation on serious accusations including "disrupting security" under the national security provisions of the Penal Code. Among them are bloggers Nguyen Thi Ngoc Hanh (F), Tran Thanh Phuong (M), Hung Hung (M), Ngo Van Dung (M), Doan Thi Hong (F) and Do The Hoa (M) of the unregistered group Hien Phap (Constitution).

In its Concluding Observations following the review of Vietnam's implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Geneva in mid November, the UN Committee Against Torture urges Vietnam to "[g]uarantee that all detained persons are afforded, in law and in practice, all fundamental legal safeguards from the very outset of their deprivation of liberty, including the right to be informed immediately of the charges against them, to have prompt access to a lawyer or to free legal aid during all proceedings, to notify a relative or another person of their choice about their detention or arrest, to request and receive a medical examination from an independent doctor, including by a doctor of their choice upon request, and to have their deprivation of liberty recorded in registers at all stages..."

Lengthy pretrial detention and failure to promptly bring detainee to court

In many cases, activists have been held for up to 28 months in pre-trial detention. For example, human rights lawyer Nguyen Van Dai (M) and his assistant Le Thu Ha (F) were in pre-trial detention from December 16, 2015 until their trial on April 5, 2018. During the pre-trial detention, activists are kept incommunicado and not permitted to meet with their lawyers or relatives. In most cases, they may have access to lawyers to prepare for their defense only a few days before being tried.

The case of blogger Nguyen Danh Dung (M) is of particular concern. On December 16, 2016, authorities in the central province of Thanh Hoa arrested him and charged him with "conducting anti-state propaganda" under Article 88 of the 1999 Penal Code. There has been no information about him since

then. It is unclear whether he had been tried or freed or is still in pre-trial detention.

In its Concluding Observations, the UN Committee Against Torture has expressed concern about the lengthy pre-trial detention faced by human rights defenders and advised Vietnam to “[e]nsure that persons in administrative detention enjoy fundamental legal safeguards such as access to a lawyer or legal aid, the right to notify their family about their detention; and that their conditions of detention and treatment are not inferior to those of other persons deprived of their liberty.”

Heavy sentences

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Heavy Sentences

In 2018, Vietnam convicted 40 activists, 32 of them being arrested in 2015-2017 and eight in 2018.

– As many as 16 activists were convicted on subversion. They included eight members of the banned group Brotherhood for Democracy: Nguyen Van Dai (M), Nguyen Trung Ton (M), Nguyen Trung Truc (M), Pham Van Troi (M), Truong Minh Duc (M), Tran Thi Xuan (F), Nguyen Van Tuc (M), and Le Thu Ha (F); environmentalist and democracy advocate Le Dinh Luong (M), retired teacher Dao Quang Thuc (M) and five individuals alleged to be connected to the yet-to-be-established Coalition for Self-Determination for the Vietnamese People: Luu Van Vinh (M), Nguyen Quoc Hoan (M), Nguyen Van Duc Do (M), Tu Cong Nghia (M) and Phan Trung (M). They were given harsh sentences

of 7-20 years in prison and additional probation of 1-5 years.

– Seven activists were convicted on charge of “conducting anti-state propaganda” under Article 88 of the 1999 Penal Code or “making, storing or spreading information, materials or items for the purpose of opposing the government of the Socialist Republic of Vietnam” under Article 117 of the 2015 Penal Code: Vu Quang Thuan (M), Nguyen Van Dien (M), Tran Hoang Phuc (M), Bui Hieu Vo (M), Nguyen Viet Dung(M), Huynh Truong Ca (M) and Nguyen Dinh Thanh (M). They were sentenced to between 4.5 years and 8 years in prison. The highest sentence was given to Mr. Thuan and the lightest imprisonment was given to Bui Hieu Vo, an online blogger in HCM City. Some of them were given additional four or five years of probation.

– Four activists were convicted on allegation of “abusing democratic freedom to infringe interests of the state” under Article 331 of the 2015 Penal Code: Truong Dinh Khang (M), Nguyen Hong Nguyen (M), Doan Khanh Vinh Quang (M) and Bui Manh Dong (M). They were sentenced to 1 year, 2 years, 27 months and 30 months in prison, respectively.

– Do Cong Duong (M), an anti-corruption activist and independent journalist in Bac Ninh province, was arrested while filming an enforced land grabbing in February 2018. Later, he was convicted on allegations of “abusing democratic freedom” and “disrupting public orders” under Articles 331 and 318 of the 2015 Penal Code. He was sentenced in separate trials to 5 years in prison for the first charge and 4 years in prison for the second charge.

– Nine activists and 64 peaceful protesters in mid-June were convicted for “disrupting public orders” and sentenced to between 8 months and 6 years in prison.

Mistreatment in prison

In July – August imprisoned human rights activists Tran Thi Nga (F) and Nguyen Ngoc Nhu Quynh (aka blogger Mother Mushroom) (F) were reportedly mistreated in prison. Ms. Nga was beaten and given death threats by an inmate. On September 29, Nga was denied of her family’s visit. The last time she met with her family was July 26. Her family is concerned about her safety. Ms. Quynh was also threatened by an inmate and was given poor-quality food. She conducted a 17-days hunger strike that lasted from July 7 to July 23 in a bid to protest the prison’s inhumane treatment.

Tran Huynh Duy Thuc (M), who is serving his 16-year imprisonment at Prison Camp No. 6 in the central province of Nghe An, started a hunger strike on August 14 to protest the bad treatment by prison authorities, which aimed to coerce him to make false confessions. The hunger strike lasted till September 16.

On August 16, 2018, appearing as witnesses at the hearing of Le Dinh Luong (M), Nguyen Van Hoa (M) and Nguyen Viet Dung (M) informed the presiding judge that their written confessions against Luong had been obtained through torture. They were both taken to another room where Hoa was beaten again by a senior police officer from the Nghe An province’s Police Department.

The Ministry of Public Security apparently transfers prisoners of conscience to prison camps far from their families as additional punishment for those who refused to admit wrongdoings. For example, Tran Huynh Duy Thuc, Nguyen Ngoc Nhu Quynh, and Tran Thi Nga were sent to prisons located between 1,000 km and 2,000 km from their families. Other documented cases are included in the following table.

No.	Name	Charge	Place of detention	Home location	Distance (km)	Period
1	Nguyen Ngoc Nhu Quynh (f)	88	Prison camp No. 5- Thanh Hoa	Nha Trang	1,300	2017-2018
2	Tran Thi Nga (f)	88	Prison camp Dak Trung- Gia Lai	Hanoi	1,250	Currently
3	Tran Huynh Duy Thuc (m)	79	Prison camp No. 6- Nghe An	HCM City	1,400	Currently
4	Tran Anh Kim (m)	79	Prison camp No. 5- Thanh Hoa	Thai Binh	150	Currently
5	Nguyen Dang Minh Man (f)	79	Prison camp No. 5- Thanh Hoa	Vinh Long	1,600	Currently
6	Nguyen Van Oai (m)	88	Prison camp Dak Trung- Gia Lai	Nghe An	1,300	Currently
7	Ngo Hao (m)	79	An Diem Prison camp- Quang Nam	Phu Yen	500	Currently
8	Bui Thi Minh Hang (f)	245	Prison camp Dak Trung- Gia Lai	Vung Tau	1,000	2015-2017
9	Mai Thi Dung (f)	79	Thanh Xuan Prison camp- Hanoi	Dong Thap	2,000	2013-2015
10	Can Thi Theu (f)	245	Prison camp No. 5- Thanh Hoa	Hanoi	300	2016-2017
11	Ho Duc Hoa (m)	79	Ba Sao Prison camp- Ha Nam	Nghe An	300	Currently
12	Le Thanh Tung (m)	79	Prison camp No. 5- Thanh Hoa	Hanoi	210	Currently
13	Nguyen Hoang Quoc Hung (m)	89	Xuyen Moc Prison camp- Ba Ria- Vung Tau	HCM City	100	Currently
14	Nguyen Huu Vinh (m)	258	Prison camp No. 5- Thanh Hoa	Hanoi	300	Currently
15	Nguyen Van Hoa	88	An Diem Prison camp- Quang Nam	Ha Tinh	500	Currently
16	Phan Kim Khanh	88	Ba Sao Prison camp- Ha Nam	Phu Tho	300	Currently
17	Phan Van Thu	79	An Phuoc Prison camp, Binh Duong	Phu Yen	500	Currently
18	Tran Thi Thuy	79	An Phuoc Prison camp, Binh Duong	Ben Tre	150	2013-2017
19	Le Dinh Luong	79	Ba Sao Prison camp- Ha Nam	Nghe An	300	Currently

Release from prison

Ten activists were released from prison this year. Nguyen Huu Quoc Duy (M), Dinh Nguyen Kha (M), Tran Thi Thuy (F), Giang A Vang (M), and Vang A Long (M) completed their sentence. The first three are still placed under probation – they are under the close surveillance of local authorities during the probation period. After years in prison, their health has worsened; diagnosed with a number of severe diseases, they need urgent medical treatment to partly recover their health.

On the other hand, Nguyen Ngoc Nhu Quynh (F), Le Thu Ha (F) and Nguyen Van Dai (M) were given amnesty but forced to leave Vietnam to live in exile. On June 7, Mr. Dai, accompanied by his wife, and Ms. Ha left for Germany. On October 17, Ms. Quynh was accompanied by her two children and her mother to the United States.

International responses

Vietnam's persecution against dissidents was met by strong international condemnation, particularly by the United States, the European Union, Germany, and the United Kingdom as well as by international human rights organizations such as Human Rights Watch, Amnesty International, Reporters Without Borders and the Committee to Protect Journalists.

Along with calling on Hanoi to release all prisoners of conscience immediately and unconditionally, the international community has urged Vietnam to respect international human rights treaties of which Vietnam is a state-party. The international community has also called on Vietnam to amend

its Cyber Security Law, which in its current form would further restrict freedom of expression.

In its Concluding Observations dated December 28, 2018, the UN Committee Against Torture called on Vietnam to immediately cease all acts of torture and other forms of ill-treatment targeting persons deprived of their liberty, especially prisoners of conscience.

The term “prisoner of conscience” (POC) was coined by Peter Benenson in the 1960s. It refers to any individual “imprisoned for his/her political, religious or conscientiously held beliefs, ethnic origin, sex, colour, language, national or social origin, economic status, birth, sexual orientation or other status who have not used violence or advocated violence or hatred.”

The NOW! Campaign is a joint campaign initiated by Boat People SOS (BPSOS) calling upon the government of Vietnam to release all prisoners of conscience immediately and unconditionally. The campaign is supported by 14 non-government organizations:

Boat People SOS (BPSOS)
Front Line Defenders (FLD)
Civil Right Defenders (CRD)
Christian Solidarity Worldwide (CSW)
Defend the Defenders (DTD)
Stefanus Alliance International
Asian Parliamentarians for Human Rights (APHR)
The 88 Project
Independent Journalists Association of Vietnam (IJAVN)

Progressive Voice-Burma
Vietnam Women for Human Rights (VNWHR)
Campaign to Abolish Torture in Vietnam (VN-CAT)
World Organisation Against Torture (OMCT)
Montagnard Human Rights Organization (MHR0)

For more information on the NOW! Campaign, visit
www.vietnampocs.com.

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HRWF database of news and information on over 70 countries: <http://hrwf.eu/newsletters/human-rights-in-the-world/>

List of hundreds of documented cases of believers of various faiths in 20 countries: <http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/>