

# Amnesty International

## Group 524

### February 2020

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**Next Meeting: Tuesday, February 18 – 7:00 p.m. – Providence Heights**

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**“I thank Amnesty International for your tireless efforts in demanding for my freedom. I am happy that my family are now reunited and living in peace. However, there are still many prisoners of conscience in Vietnam. I sincerely hope that Amnesty International will continue to fight for their freedom.”**

– **Tran Thi Nga**, released last month from a prison in Vietnam, and now safe with her family in their new home in Atlanta.

#### **Vietnam: Follow-up on Release of Tran Thi Nga**

The quotation above appeared in a January 31<sup>st</sup> update that officially closed the Urgent Action which Amnesty had established just after **Tran Thi Nga** was imprisoned in 2017. Our January newsletter contained some basic information on the case and her release, but this month we are following up with an article from the website of Radio Free Asia.

RFA interviewed Tran Thi Nga for the article on January 30<sup>th</sup>, two days before a Paris-based human rights group was scheduled to honor her. Serious physical problems, stemming from the abuse inflicted upon her in prison, would prevent her from accepting the honor in person. The RFA article includes information from an Amnesty report that was released in late January. See Page 5.

#### **Vietnam: Model Letter in Behalf of Nguyen Van Hoa**

In addition to the model letter (Page 2), we have a related article about a recent court case involving Formosa Steel’s crimes in Vietnam (Pages 3 – 4 ). At our February 18<sup>th</sup> meeting, we may have more on that case, and we will also have information from Amnesty about another company that is responsible for serious environmental and human rights abuses. In that case, the country is Nigeria and the company is Shell. We hope you can join us at the meeting!

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Amnesty International Group 524

Meeting Schedule: Third Tuesday of the month, at 7:00 p.m.

Meeting Location: Providence Heights  
9000 Babcock Blvd., Allison Park, PA 15101



Contact John Warren (jf.warren@verizon.net or 412-766-2506) for more information on material in this mailing, or visit the Amnesty USA website (www.amnestyusa.org) or the website of Amnesty International Group 39 (amnestypgh.org).

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**Vietnam: Model Letter in Behalf of Nguyen Van Hoa**

*The case of **Nguyen Van Hoa** is not officially assigned to our group, but we have been writing letters and signing petitions on it since June 2019. A journalist reporting for Radio Free Asia, he was covering an issue that our group has been following – the catastrophic toxic chemical spill by Formosa Steel in April 2016, and its aftermath. Arrested in January 2017, and later sentenced to seven years in prison, Nguyen Van Hoa has reportedly been tortured in prison.*

Prime Minister Nguyen Xuan Phuc  
So 16, Le Hong Phong,  
Ba Dinh, Hanoi, Vietnam

Your Excellency:

I am writing to express my concern about the treatment of **Nguyen Van Hoa**, a journalist and human rights defender, who has been imprisoned solely for exercising his right to freedom of expression.

Currently held in An Diem Prison, Nguyen Van Hoa has been tortured by prison officials in an attempt to force him to admit his “crime.” After refusing to cooperate, he was placed in solitary confinement in May 2019 and has remained there ever since.

Nguyen Van Hoa was arrested in January 2017 after covering a public demonstration on the Formosa environmental disaster. He was convicted and sentenced to seven years in prison on the charge of “conducting propaganda against the state.”

Specifically, I urge you to immediately and unconditionally release Nguyen Van Hoa. He is a prisoner of conscience, as he has been imprisoned solely for peacefully exercising his right to freedom of expression. Pending his release, you must ensure Nguyen Van Hoa is protected from torture and other ill-treatment while in prison. There must be a prompt and impartial investigation into allegations of torture.

cc: Ambassador Ha Kim Ngoc  
Embassy of the Socialist Republic of Vietnam  
1233 20th St NW, Suite 400  
Washington, DC 20036

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## **Vietnam and Taiwan: Setback in Court for Victims of Toxic Chemical Spill**

*Nguyen Van Hoa is one of a number of brave Vietnamese journalists who have attempted to cover the Formosa Steel chemical spill and its aftermath. The article below describes one recent development in that tragic situation. It was published on the website of an organization called Justice For Formosa Victims (jffv.org). Apparently it was based on October 2019 reporting by the Taipei Times, the only English-language newspaper in the capital city of Taiwan.*

*The article describes the dismissal of a lawsuit filed by Vietnamese victims of the Formosa Steel chemical spill. Prevented by their own government from taking their claims to court in Vietnam, the victims had brought their case to the court in Taiwan, where the company is headquartered. They were deeply disappointed when the court dismissed their lawsuit without even allowing them to present their case.*

## **Taipei Times: Vietnamese Plaintiffs to Fight Dismissal of FPG Case**

A representative for nearly 8,000 Vietnamese fishers suing Formosa Plastics Group (FPG) for marine pollution yesterday said they would fight a Taipei District Court decision to dismiss the case.

Vietnamese-Australian priest Peter Nguyen, who is representing the Vietnamese fishers, told a news conference in Taipei that the district court had accepted NT\$1.2 million (US\$39,234) in payment for the case, but on Wednesday dismissed the suit on grounds that it had no jurisdiction over it.

While FPG had settled with the Vietnamese government over the 2016 pollution incident involving its member, Formosa Ha Tinh Steel Corporation, the fishers whose livelihoods were the most affected had not received any money, Nguyen said.

The conglomerate paid the Vietnamese government US\$500 million after admitting that its dumping of toxic waste into the sea caused ecological damage to 250 km of the Vietnamese coastline.

After efforts to take the group to court in Vietnam met with government intervention, the fishers brought their case to Taiwan, hoping to receive justice, Nguyen said.

Nguyen is currently working at the Vietnamese Migrant and Immigrant Office, which he founded, in Taoyuan's Bade District. The office is under the jurisdiction of the Roman Catholic Diocese of Hsinchu County.

Many had helped the plaintiffs raise the money for the case to be heard and processed by the Taipei District Court, which they considered their last recourse for justice, Nguyen said.

The court's dismissal of the case, citing lack of jurisdiction, has shattered that hope, he said, but added that he hoped the court would reconsider and uphold humanitarian values and Taiwan's reputation of abiding by the rule of law.

### **Vietnam and Taiwan: Setback in Court for Victims of Toxic Chemical Spill (continued)**

The case has drawn significant international attention and the court's decision is severely flawed, as it did not even consider the claims of both parties before dismissing the case, Environmental Jurists Association chairman Chang Yu-yin said.

The 40th annual congress of the International Federation for Human Rights, which is being held in Taipei from Monday to today, has supported the appeal, Chang said.

As Formosa Ha Tinh Steel is a member of the conglomerate, the lawsuit does concern Taiwan, Environmental Rights Foundation lawyer Huang Hsin-wen said.

The decision to dismiss the case without having heard the claims of both parties contravenes the spirit of the adversarial system, which, under Taiwanese law, is the go-to system for civil cases that are not under exclusive jurisdiction, Huang said.

Taiwanese courts are judicially obligated to accept the case, as a Taiwanese company had polluted the environment in a foreign country, foundation chairman Lin San-chia said.

The plaintiff's choice to believe in the Taiwanese judiciary should be respected, Lin said.

The 2016 pollution incident was a classic case of corporate oversight of human rights, Taiwan Association for Human Rights member Yu Yi-chia said.

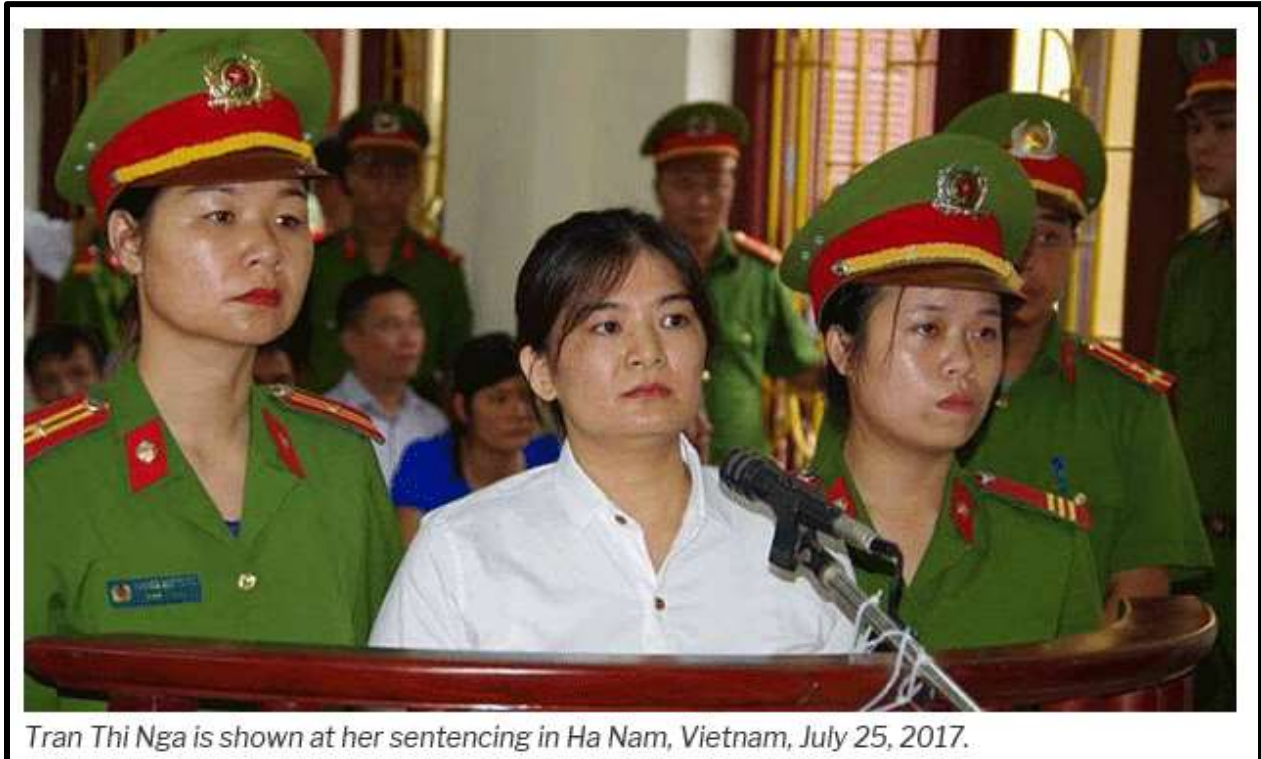
The UN has stated that nations must take necessary steps to prevent international corporations from violating the human rights of residents in the foreign nation which they have invested, Covenants Watch convener Huang Song-lih said.



**Vietnam and Atlanta: Radio Free Asia Article about Tran Thi Nga**

*On January 31<sup>st</sup>, this article was published on the website of Radio Free Asia (www.rfa.org).*

**Former Vietnamese Political Prisoner to Receive Rights Award in Paris**



Former Vietnamese prisoner of conscience Tran Thi Nga is set to receive ACAT-France’s Engel Prize for Human Rights on Saturday [February 1<sup>st</sup>] in Paris after being freed early in January from a nine-year prison term imposed in Vietnam for “spreading propaganda against the state.”

Released on January 10<sup>th</sup> following diplomatic pressure after serving three years of her sentence, Tran and her two sons and husband were put on a plane and sent to Atlanta, Georgia, where she now lives in exile from Vietnam.

Unable to travel to France due to poor health following her prison ordeal, she will receive the award from ACAT-France—Action by Christians for the Abolition of Torture—in Paris on February 1<sup>st</sup>, in absentia, Tran told RFA’s Vietnamese Service on Thursday.

“Because my health is not good, I will not be able to travel to France to take part in the award ceremony. However, a friend will attend the ceremony on my behalf,” she said, speaking by phone from Atlanta.

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**Vietnam and Atlanta: Radio Free Asia Article about Tran Thi Nga (continued)**

Speaking to RFA, Tran expressed her appreciation for ACAT's recognition of her work promoting human rights in Vietnam.

"For many years, I just thought I was doing everything I could to help myself, my children, and the many people who are now victims in Vietnam's prisons. I never imagined that my work in fighting for human rights would be appreciated by international organizations," she said.

Writing in a January 13<sup>th</sup> statement, the Paris-based rights group welcomed Tran's early release from prison, saying she had been "unjustly punished by the Vietnamese government for her commitment to the rights of the weakest."

"We regret, however, that she is unable to continue her work in her country, where she is prohibited from traveling," the rights group said.

"We call on the international community not to confuse [her] early release with a relaxation of the repression carried out on civil society in Vietnam," ACAT-France said.

"On the contrary, it is more necessary than ever for Hanoi's trading partners to bring the issue of human rights to the table."

**Online Activism**

Noted in Vietnam for her online activism, Tran was sentenced in July 2017 to nine years in prison for spreading "propaganda against the state" under Article 88 of Vietnam's penal code, a provision frequently used to silence dissident bloggers and other activists. Her appeal was rejected in December of that year.

She was later beaten and threatened with death by a cellmate assigned to her by prison authorities, and was repeatedly denied family visits for "refusal to follow the rules," Tran's husband Phan Van Phong told RFA in earlier reports.

Last year saw a surge in the number of prisoners of conscience in Vietnam, along with a continuing crackdown on the rights to freedom of expression, association, and peaceful assembly, according to a report released this week by rights group Amnesty International.

"The authorities arrested and/or prosecuted at least 23 people over the course of the year on speech-related grounds," AI said in its report, *Human Rights in Asia-Pacific: Review of 2019*.

"Most of those targeted had expressed views on issues such as corruption, the environment, politics, and human rights, using Facebook as a platform. Those convicted received prison sentences of up to 11 years."

Prisoners of conscience were frequently sent to facilities far from their homes and were subjected to "various forms of ill-treatment, including solitary confinement, poor quality food, lack of access to medical care, and mental and physical abuse," including assaults by prisoners held for common crimes, the rights group said.



**Vietnam and Atlanta: Radio Free Asia Article about Tran Thi Nga (continued)**

*Our case coordinator, Kathy Herbst, has contacted AIUSA in an effort to obtain a mailing address for Tran Thi Nga in her new home in Atlanta. That would enable us to send her cards and messages of support.*

