

Testimony of Ms. Vu Minh Khanh
Wife of Attorney Nguyen Van Dai

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Interpreter: Dr. Binh The Nguyen

First and foremost, I want to thank the Congressional Committee on Global Human Rights for giving me this opportunity to present my family dilemma.

My name is Vu Minh Khanh, wife of attorney Nguyen Van Dai. We both are Protestants, myself serving our church in Hanoi. Dai is a human rights defender, now in jail.

My husband was first arrested in 2007, then sentenced to 4 years imprisonment plus 4 years of house arrest, for violating Article 88 of Vietnam's Penal Code, "conducting propaganda against the state." While in prison, my husband was disbarred and his law office was shut down. After being released in 2011, my husband was then placed under house arrest until March 2015. During this period, he was not allowed to leave the locality where we live without police permission and he was also forbidden to meet with visitors from abroad.

After having just completed his house arrest, my husband was arrested again on December 16, 2015 and charged under the same Article 88. I have not been allowed to see him since. My husband has been detained for almost 5 months now, yet I have not received any information about him. He is at present also not allowed to meet with any family members nor with his defense lawyers because the authorities claim that he is under investigation for "violating national security." This ill treatment is a gross violation of many international human rights treaties that Vietnam has ratified. Due to his isolation, I also do not know how he is doing.

Twice a month, I am permitted to bring food to Detention Center B14 in Hanoi for his daily needs, but I do not know if he has received any. In fact, I honestly do not know if he is really held at B14 Detention Center because in Vietnam, the public security force can do whatever they want. If they transfer inmates, they do not inform the family members accordingly (this happened to Blogger Dieu Cay and currently happened with Tran Huynh Duy Thuc). Thus, if in fact my husband has been tortured physically and/or mentally, or even given false information, I would not know.

For 5 months, the public security force has not granted defense certificates to the three lawyers our family has hired. Therefore, to date, they still cannot start working on the case. My husband has not even been allowed to receive a copy of the Bible, a gift from the US Ambassador. I am therefore very concerned about his health, now defenseless and completely isolated.

Not to mention that 10 days before his arrest, he was attacked and severely injured, following a human rights training session for approximately 60 people in Nghe An Province, 300 kilometers

from Hanoi. During the training, public security officers intervened and pressured my husband to stop, but he did not agree and in fact invited the security officers to join in.

In the afternoon of that day, while my husband and his 3 colleagues were heading home in a taxi, they were cornered and brutally attacked by a group of thugs with batons, injuring his face and eyes. After they beat him, they threw my husband into a car and drove him to a location 30 kilometers away. In the car, they continued to beat him; using their arms to choke him and elbowed him and hit his face, his temple and eyes.

At that time, though it was winter, they removed his coat, stole his wallet, and left him at an isolated beach. When my husband was finally able to call his friends for help, the police continued to follow him, which forced him to escape into the jungle and through small alley ways, as their search for him continued. With the help of his friends, he was able to return to Hanoi. Ten days later, with his wounds not yet healed, my husband was arrested and detained until now.

Each time Dai was attacked, it related to his work because the government did not like it and had requested him to stop doing human rights work. However, my husband believes that his activities are within his rights under the Vietnamese Constitution and international law. Because the police constantly follow my husband all day, I believe that the Vietnamese government would know clearly who attacked him. However, the government has claimed that they do not know who the assailants are when my husband filed a complaint. My husband accepted the high risks that come with these activities, and in fact, this is the reality that human rights activists in Vietnam have to face constantly.

My husband also has Hepatitis B, therefore I am very worried about his health condition.

My husband experienced democracy initially in Germany, having witnessed the fall of the Berlin Wall. After that he returned to Vietnam and studied to become a lawyer. In 1997, my husband ran for the National Assembly with the hope that he could speak up for the people. In 2000, my husband officially began his activism and fought for freedom of religion and was a human rights lawyer. The first human rights case my husband took was in 2000 when he defended a member of the Protestant Church who was brought to court because she tried to stop the police when they came to disband a prayer service at the local church.

Thereafter, my husband provided free legal services to Christians who were oppressed based on their religion, those who fought for democracy and human rights who are harassed and detained, victims of land grabs or home lost, and to people who were physically attacked and arbitrarily detained. He lead training courses about human rights at his law office. My husband always focused on empowering the youth and helped many students who are human rights activists. He started classes on human rights for different people within society and wrote articles on the rule of law.

Since he started his activism from 2000 until now, aside from the 4 years he was imprisoned from 2007 – 2011 and once he was released, my husband immediately continued to raise his voice, continued to protect human rights (even when he was still under house arrest), and he

always fervently tried to fight for freedom of religion, freedom of speech, and freedom of assembly through non-violent methods and through providing education on human rights. My husband usually worked with many others and connected organizations with each other within the country, he also advocated with foreign governments as he had a good working relationship with many embassies in Vietnam and government officials from around the world.

Regarding my husband's arrest in 2007, the police arrested him at his law office while he was teaching a class on human rights to his students. The topic of the class was based on a book on "Civil Society" which the American embassy in Vietnam had published.

As for his arrest this time, it was while my husband was leaving the house to meet with the delegation from the European Union who were in Vietnam for the annual EU – Vietnam Human Rights Dialogue.

Throughout his human rights activism, my husband was constantly followed, threatened, harassed and beaten.

My husband is currently charged under Article 88 of the Penal Code and faces 3 to 20 years imprisonment.

Ms. Le Thu Ha, one of my husband's colleagues, was also arrested on the same day and charged under the same Article 88 for "conducting propaganda against the State". Le Thu Ha's family are, however, afraid to interact with other activists, therefore, I am not sure about Ha's current situation.

The arrest and continued detention of my husband have to be considered as arbitrary under international human rights laws which Vietnam must comply with and especially while Vietnam is a member of the UN Human Rights Council. My husband has worked hard to protect human rights and these activities cannot possibly be seen as criminal. Therefore, I hope that Congress and the U.S. government will help demand for his immediate and unconditional release.

I sincerely thank you for spending time to listen to my husband's case.

(This translation was provided by Trinh Mau Nguyen, Hoi Trinh and Amy Nguyen)