

Congress of the United States

Washington, DC 20515

December 18, 2020

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C St. NW

The Honorable Steven Mnuchin
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Ave. NW

Dear Secretaries Pompeo and Secretary Mnuchin,

We write to express our concern about the ongoing intimidation, pressure, and arrest of journalists, independent media, and the free press in the Socialist Republic of Vietnam. We are specifically concerned with the arrest and sentencing of journalist Nguyen Van Hoa, a contributor to Radio Free Asia (RFA), a part of the U.S. Agency for Global Media.

More than four decades after the end of the Vietnam War, and following normalization of relations with the United States, Vietnam remains a one-party communist state with little tolerance for dissent. In 2017, Vietnamese authorities arrested and sentenced Nguyen to seven years in prison and three years of house arrest. The Vietnamese authorities invoked Article 88 of the Penal Code, an anti-state provision that carries a maximum 20-year prison term for “propagandizing” against the state. Vietnamese authorities had previously beaten and confiscated Nguyen’s equipment while he was on assignment for RFA in November 2016. In his personal capacity as a citizen journalist, Nguyen had published videos of protests in the aftermath of the 2016 Formosa Steel marine life disaster.

While he was in police custody, Nguyen was beaten and tortured. On August 16, 2018, at the hearing of Le Dinh Luong, Nguyen informed the presiding Judge that his written confession against Le was extracted through torture. Le was charged on membership of the US-based Vietnam Reform Party (Viet Tan), a pro-democracy group which Vietnamese authorities consider to be a terrorist organization. Among the evidence cited was a signed statement by Nguyen. Following his statement that he was coerced into signing a false confession, Nguyen was forcibly removed from the courtroom. On August 21, officers at the detention facility did not allow Nguyen’s father to see him on the basis that he failed to cooperate with authorities at Le’s trial.

Given the scope of these human rights abuses, we urge the Departments of State and Treasury to apply Global Magnitsky sanctions against members of the Ha Tinh Province police force.

Among the allegations are that these officers beat Nguyen after his arrest and hung him from the ceiling by his hands in order to coerce a confession.

1. Colonel Nguyen Anh Tuan
2. Captain Nguyen Van Sang
3. Lieutenant Le Anh Duc
4. Captain Tran Anh Duc
5. Colonel Nguyen Huy Chuong
6. Major Truong Quang Quoc
7. First Lieutenant Bui Xuan Dat
8. Captain Nguyen Dinh Duc

These individuals are complicit in direct human rights violations. We believe that targeted sanctions will have an impact. At a time when the Vietnamese government is seeking to expand access to both American markets and American product, we must insist on strong protections for human rights and the rule of law. Unfortunately, this incident and others indicate that Vietnam has become less tolerant of dissent in recent years. The United States must send a clear message that increased trade and economic growth will not come at the price of democracy and freedom.

Thank you for your consideration of this important matter and please do not hesitate to contact us to discuss this request.

Sincerely,



Alan Lowenthal
MEMBER OF CONGRESS

Harley Rouda
MEMBER OF CONGRESS

J. Luis Correa
MEMBER OF CONGRESS

Katie Porter
MEMBER OF CONGRESS

James P. McGovern
MEMBER OF CONGRESS

Barbara Lee
MEMBER OF CONGRESS

Deb Haaland
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Ro Khanna
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