

ALLEGATIONS

CHIEF OF THE SUPREME PEOPLE'S INSPECTORATE

- Based on Article 141, 142 of the Criminal and Proceedings Code;
- Based on the Decision to prosecute the criminal case 04/KTVA on February 25, 2002 of the Security and Investigation Department of the Ministry of Public Security.
- Based on the Decision to prosecute the defendant numbered 24/KTBC on February 25, 2002 of the Security and Investigation Department of the Ministry of Public Security regarding Le Chi Quang's conduct of "Spreading propaganda against the Government of the Socialist Republic of Vietnam" under Article 88 of the 1999 Criminal Code.

Investigative results have affirmed as follows:

On February 5, 2002, the Industrial Investment Development Company FPT of the Ministry of Science, Industry and Environment issued memorandum no. 30/FPT - FOX to the Security General Bureau of the Ministry of Public Security to report a suspect frequenting Internet-access rental sites at 464 Nguyen Chi Thanh Street and 463 Thuy Khue Street, Hanoi and using electronic mailbox to communicate with a number of reactionary individuals and groups overseas. The suspect identified himself as Le Chi Quang residing at 22 Trung Liet Street - Ward Trung Liet - District Dong Da - Hanoi. The content of a number of emails sent overseas by Le Chi Quang distorted the political situation inside the country, distorted the internal situation of our Party and Government, and disseminated untrue information. (Exhibits 31 to 37)

At 9:50 on February 21, 2002 the Public Security task group of Ward Lang Thuong - Dong Da verified and caught Le Chi Quang in the act of accessing the Internet at 464 Nguyen Chi Thanh Street - Hanoi to send email overseas. Quang used the same email address he had used before and was informed by the Company FPT to the Security General Bureau of the Ministry of Public Security. (Exhibits 15, 16)

After an urgent search of the home of Le Chi Quang, the Security and Investigation Department of the Ministry of Public Security confiscated many documents with propaganda content against the Government of the Socialist Republic of Vietnam, written by Le Chi Quang himself or sent by others to him. (Exhibits 19 to 23)

Preliminary working produced Quang's admission of frequenting the Internet rental site at 464 Nguyen Chi Thanh Street - Hanoi to send news opposing the Government of Vietnam and disparaging the comrade leaders of the Party and Government, to Nguyen Gia Kieng a reactionary exile in France. Concurrently, in 2001 Quang wrote 7 articles marring the regime, distorting the Government's policies, and opposing the Government (These articles were confiscated by the Security Investigation Department during the search).

Based on the above mentioned documents and because possibility of criminal laws being violated is recognized, on February 25, 2002 the Security and Investigation Department of the Ministry of Public

Security decided to initiate the criminal proceedings and press charges against Le Chi Quang for the crime of: "Spreading propaganda against the Government of the Socialist Republic of Vietnam" according to Article 88 of the Criminal Code.

Investigative results:

Since 2000, Le Chi Quang has frequently listened to the RFI, BBC, etc. radio broadcasts which denigrated, distorted, and opposed the Government of Vietnam. Concurrently, Quang also met with certain individuals inside the country who bore resentful and dissenting thought. These people let him read articles opposing the Government and then incited and encouraged him to write his own articles. (Exhibits 48, 49, 52, 53, 54, 55, 76, 77)

From April 2001 to September 2001, Quang wrote and distributed 7 articles, all of which attacked and marred the regime, and opposed the Government of Vietnam, and claimed that the Government of Vietnam oppressed the democracy movement, violated human rights, and so on. Specifically:

In early April 2001, Quang received from Nguyen Thanh Giang the document "Human Rights - The Thousand Year Aspiration" which Thanh Giang wrote. Later, Le Chi Quang wrote article "Nguyen Thanh Giang - An Intellectual Patriot ." In this writing, Quang distorted the political system in Vietnam today, denigrated the leading role of the Party and considered Nguyen Thanh Giang a fighter for democracy, causing the readers to lose faith in the Vietnamese Communist Party. (Exhibits 65, 66, 101 to 104)

In June 2001 Quang continued with article "The Trade Agreement and the Vietnam-US Relation". In this article, Quang claimed that the delay of the Vietnam-US trade agreement was due to mistakes of the Communist Party and the Government of the Socialist Republic of Vietnam; He falsely accused, distorted, fabricated stories of violations of human rights and democracy in Vietnam, stories of violations of conditions set by American. He fabricated and distorted the story that our Government was puppeteered by the Chinese authorities in dragging down the Vietnam-US relation. Quang confessed his goal in writing this article was to make its readers recognize the political institution in Vietnam as deceitful and obstructing to the country development so that the readers would lose faith in the Party and the Government. (Exhibits 63, 64, 108 to 114)

Upon discovering Le Chi Quang had written the distorting articles above, the security authority invited Quang to a working session and asked him not to write articles disseminating fabrications. Quang not only refused to listen but also wrote the next article "Dialogue of June 2001," continuing to make false accusations, distort the situation, and considered the current regime "monstrous" and so on. (Exhibits 60, 82, 105 to 107)

In July 2001, when the authorities placed Vu Cao Quan under administrative detainment for law-breaking activities, Le Chi Quang did not bother to find out the facts, but wrote article "Letter to a Revolutionary Fighter I Have Yet Met." In this writing, Quang attacked and belittled the regime; made false accusation against the Government of Vietnam of violating human rights; praised and supported ideologue of pluralism, multi-parties system; protested the Government of Vietnam's detainment and treatment of Vu Cao Quan. Quang considered Vietnamese society an "illusional paradise," a "theatrical play" to "cajole and deceive people". According to Quang, it was necessary to struggle to eliminate the leadership of the Vietnamese Communist Party and so on. In writing this article, Quang's goal was to propagandize, incite, and generate emotion in his readers so that they would believe the Vietnamese Government had violated democracy, human rights and to incite them to struggle against the Government, against the Vietnamese Communist Party." (Exhibits 67, 68, 121 to 124)

In August 2001, taking advantage of the Party and Government arranging for the people to comment on the revision of the 1992 Constitution, Le Chi Quang wrote article "Suggestions on Revisions to the 1992 Constitution" containing lies and distortions against the core values of Socialism, the core values of the Vietnamese Communist Party. Quang claimed members of the Communist Party as "the class

of red capitalists, greedy and corrupt, abusive of power, oppressive and exploiting to the people.” According to Quang, the kind of freedom and democracy in Vietnam are but fake and fancy words; in reality, the Government “always uses violence and prisons to suppress individuals with different political views.” Concluding from the distortions above, Le Chi Quang also claimed the need to eliminate the leadership of the Vietnamese Communist Party (eliminating Article 4 of the Constitution), the need to change the political system in Vietnam, the need to lead the economy of Vietnam in the capitalist direction. (Exhibits 57, 58, 115 to 118)

In September 2001, the authorities struggled against Tran Khue, Nguyen Thi Thanh Xuan in Ho Chi Minh City and Pham Que Duong for their illegal establishment of the “People’s Anti-Corruption Association.” On September 8, 2001 Nguyen Vu Binh came and encouraged Quang to join the “People’s Anti-Corruption Association” and Le Chi Quang accepted the invitation. (Exhibits 49, 134). When Public Security of Dong Da District summoned Quang to educate him, Quang not only refused to listen but also protested, challenged and wrote article “Resolutely Protesting the Detention and Search of the Founders and Participants of the Anti-Corruption Association.” In this article, Quang falsely accused the Government detaining and searching of members of the anti-corruption association as suppression of democracy, violation of human rights, violation of the laws, violation of the Constitution. He considered Public Security was but the apparatus to repress democracy. (BL 59, 60, 119, 120)

In late September 2001, after collecting information from the RFI, BBC, New Horizon radio broadcasts, Quang wrote article “Beware of the Imperialist China” containing false accusations, distortions, fabrications about the Government's suppression, arrest, and search of members of the "Anti-Corruption Association". Quang claims that “the Party and Government of Vietnam were manipulated by the Chinese authorities, who are pulling the strings from behind ...” Quang made false accusation that a number of comrade leaders of the Party, having become “lackeys” of China, were driving Vietnam into the orbit of and would soon be absorbed by China. [His writing] has caused readers to lose faith in the Party and the Government of Vietnam, and generated anger among the people against the political system in Vietnam. (Exhibits 61, 62, 125 to 132)

Upon finishing each of the above articles, Le Chi Quang forwarded his writing to Nguyen Thanh Giang, Hoang Minh Chinh, Pham Hong Son, Hoang Tien, etc. to read and distribute to others to read when they want to ... (Exhibits 41, 51, 53, 55, 58, 60, 61, 63, 66, 92, 93)

In late 2001 and early 2002, Quang received from Nguyen Thanh Giang the email addresses kqhh@aol.com, copsci@aol.com of Nguyen Gia Kieng, a member of the “Free Vietnam Alliance” in France. Quang went to the Internet rental site at 464 Nguyen Chi Thanh Street - Hanoi and used the addresses minhvuong_vie@yahoo.com, thienlythu@yahoo.com to sent emails to Nguyen Gia Kieng. From January 29 to February 2, 2002, Quang sent 5 emails containing distortions of the political situation in the country, distortions of the internal situation of the Party and the Government, and news that the authorities had sent Public Security cadres and troops to the Central Highlands to repress religions. Quang also informed Kieng that Quang had sent someone to investigate the situation in the Central Highlands (Exhibits 38, 39, 42 - 45, 80).

On February 21, 2002, Quang was caught in the act of sending an email to Nguyen Gia Kieng from the site at 464 Nguyen Chi Thanh Street - Hanoi.

With the documents and evidence listed above,

CONCLUSION

From April 2001, Le Chi Quang collected, wrote, distributed, and stored documents containing distortions of the political situation inside the country, distortions of the internal situation of the Party and the Government; slandered, smeared a number of Party high ranking cadres for the purpose of eliminating the leading role of the Vietnamese Communist Party; called for a pluralistic and multi-parties system; smeared the relation between Vietnam and China to cause the readers inside the country to question and

lose faith in the Party and the Government; created political instability; fabricated, disseminated untrue stories overseas so that reactionary exile groups could falsely accuse Vietnam before the international community of suppressing democracy and violating human rights [in the hope of] hurting the credibility of the Government of Vietnam.

During the course of the investigation, Le Chi Quang has expressed remorse, regret, and sincerely confessed his crimes.

Based on the investigative results, there has been enough grounds to conclude that the defendant:

Le Chi Quang - Born June 30, 1970 in Hanoi.

Registered residence: 22 Trung Liet Street, Ward Trung Liet, District Dong Da, Hanoi.

Living at: 22 Trung Liet Street, Ward Trung Liet, District Dong Da, Hanoi.

Profession: None

Nationality: Vietnam Ethnicity: Kinh

Party affiliation: None

Father: Le Khac Bac

Mother: Nguyen Thi Kim Chung

Previous convictions: None

Arrested on February 21, 2002, currently being detained

Committed the acts of: Collecting, writing, distributing many documents containing distortions of the political situation of the Government of Vietnam, distortions of the internal situation of the Party and the Government of Vietnam; slandering, smearing high-level cadres of the Party and the Government. By taking those actions, Le Chi Quang has committed the crime of : “Spreading propaganda against the Government of the Socialist Republic of Vietnam” as stipulated in Part c, Section 1, Article 88 – 1999 Criminal Code.

Article 88: Crime of spreading propaganda against the Government of the Socialist Republic of Vietnam

1/ An individual committing one of the following offenses against the Government of the Socialist Republic of Vietnam shall be punished with three to twelve years of imprisonment:

a/ ...

b/ ...

c/ Creating, storing, circulating documents, cultural items with content opposing the Government of the Socialist Republic of Vietnam.

With respect to other individuals relating to this case such as: Pham Que Duong, Nguyen Thanh Giang, Hoang Minh Chinh, Tran Dung Tien, Hoang Tien, etc., the security and other related agencies are monitoring, investigating, and will deal with them later. [Their] responsibilities are, therefore, not addressed in this case.

For the above reasons

DECISION

1 – Prosecute defendant Le Chi Quang with the above identification before the People’s Court of Hanoi City to be tried for the charges and according to the legal codes quoted above.

2 – Propose the People’s Court of Hanoi City apply Article 92 of the 1999 Criminal Code to impose additional punishment on defendant Le Chi Quang.

3 – Delegate to the People’s Inspectorate of Hanoi City to prosecute [the defendant] before the court.

(Attached to the allegation are the case file in 2 volumes, numbered from 01 to ... and all the exhibits for the case)

Recipients:

- Case files
- KSDT files
- CQ ANDT - BCA
- The defendant

Authorized by the Chief of
The Supreme People’s Inspectorate
(signed and sealed)
Nguyen Manh Hien