

*Check against delivery*

Ladies and gentlemen,

This year's Human Rights Prize of the German Association of Judges goes to the Vietnamese lawyer Nguyen Van Dai. But Nguyen Van Dai is no ordinary lawyer. For the past decade and more, Dai has used his skills and opportunities to advocate for human rights and religious minorities and to promote political education in democracy and human rights in his home country, Vietnam. This is – in a very literal sense – his life's work, for in Vietnam, activities that we take for granted entail very considerable risks.

Is there anyone here today who experienced the arbitrary justice of the former GDR? If you multiply the brutality of the GDR regime by several orders of magnitude, you will have a rough idea of what arbitrary justice is like in Vietnam. Yes, Vietnam has ratified the International Covenant on Civil and Political Rights, among other things, but the Covenant is honoured more in the breach than the observance of the rule of law. Since I took over the parliamentary sponsorship for the Vietnamese human rights lawyer Nguyen Van Dai, I have gained an even clearer picture of what that means in practice.

Since December 2015, Nguyen Van Dai has been held in pretrial detention on charges of conducting "propaganda against the state". For the past 16 months or so, I have been working with the veto! Human Rights Defenders' Network for better detention conditions, for due process and, above all, for Dai's immediate and unconditional release, because by our liberal democratic standards, the charges against him are utterly groundless.

Ladies and gentlemen, our basic rights such as freedom of expression, freedom of the press, freedom of assembly, religious freedom and freedom of movement are enshrined in our constitution, the Basic Law. We take them for granted as part of life, as fundamental elements of our democracy. They are rights which we not only enjoy but which we may also invoke and assert if necessary. As representatives of the public prosecution services and the judiciary, you are the custodians of these precious assets that characterise our liberal democratic order. But the very fact that we are gathered here in Weimar today to award a prize for human rights demonstrates that this is not the case everywhere, I am sorry to say.

Some days, I find it hard to imagine – and always hard to bear – that worldwide, there are fewer countries which respect human rights and the rule of law than countries that do precisely the opposite. One of the countries which are lax, to say the least, when it comes to the rule of law is Vietnam. The arbitrary justice meted out by the Vietnamese government is especially evident from Nguyen Van Dai's absence from this award ceremony today. He is unable to accept the prize in person because he has been re-arrested.

Nguyen Van Dai has been held in pretrial detention since 16 December 2015. In Vietnam, prisoners in this category are held in an extreme form of solitary confinement. Nguyen Van Dai is incommunicado. You know what that means. It means no access to legal representation, no contact with family, isolation from other prisoners. Such conditions are unthinkable in Germany.

*Check against delivery*

In one respect, at least, we have achieved a unique breakthrough for Dai: his wife, Vu Minh Khanh, has been allowed to visit her husband in prison on two occasions – the first time after he had spent almost a year in solitary confinement!

Apart from the appalling detention conditions, there are no legal grounds for holding him in pretrial detention, at least from our liberal democratic perspective. Dai is in detention because of his work as a human rights lawyer. He is in detention because he advises and educates others, because of his support for religious minorities, and because of his commitment to democracy and human rights. The Vietnamese Ministry of Public Security calls these activities “propaganda against the Socialist Republic of Vietnam”, which is a crime under Article 88 of the Vietnamese Penal Code.

When Nguyen Van Dai was arrested on 16 December 2015 on charges under this Article, he was on his way to meet with the European Union delegation participating in the bilateral annual human rights dialogue with Hanoi. A few days earlier, he had been badly beaten by state security in a brutal street attack. In 2015 alone, Nguyen Van Dai was attacked on three separate occasions by state security personnel and others, thought to be hired thugs. We cannot rule out the possibility that abuse and harassment by the state are continuing in prison. At present, Dai is being detained indefinitely. If his case ever comes to trial and he is convicted, he and his assistant Le Thu Ha, who was arrested at the same time, face up to 20 years in jail.

Ladies and gentlemen, this is not the first time Dai has been imprisoned for his human rights advocacy. He was convicted under Article 88 of the Vietnamese Penal Code on a previous occasion and was imprisoned from 2007 to 2011. He was then placed under house arrest for four years. This ended in March 2015 – less than nine months before his re-arrest in December 2015. His refusal to give up his advocacy despite these arrests is testimony to his immense courage, which stems from his moral convictions. Even after his imprisonment, Dai continued to run support programmes for religious minorities and provide advice on setting up civil society groups and student associations. He is still working with the Vietnam Human Rights Centre, of which he is the founder. Nguyen Van Dai has not been intimidated by the state. After his release in 2011, he continued to advocate for freedom of opinion, press freedom, freedom of assembly and freedom of movement in Vietnam. In 2013, he and his fellow activists set up the Brotherhood for Democracy, which works for a just, democratic and progressive Vietnam.

Ladies and gentlemen, Dai’s wife, Vu Minh Khanh, had hoped to be with us today to accept the Human Rights Prize on her husband’s behalf. Unfortunately, on Sunday, the Vietnamese government apprehended her in Hanoi and banned her from leaving the country. This is deeply regrettable and is further evidence of Vietnam’s arbitrary governance.

Khanh is a source of great strength for Nguyen Van Dai. He would not be able to continue his work without her. When he was first arrested, she lobbied tirelessly on his behalf and gave him a voice. She found him the best lawyers and resisted the state-run media’s

*Check against delivery*

attempts to destroy his reputation. That took tremendous courage. After his re-arrest in December 2015, she visited four continents last year in order to raise awareness of this fresh injustice against her husband. Once again, she is the courageous woman on whom Dai relies so heavily. I find it most regrettable that the Vietnamese government has not allowed her to leave the country, preventing her from being with us today to accept this prize on her husband's behalf.

I know that the Human Rights Prize of the German Association of Judges means everything to Nguyen Van Dai, but also to his wife, at this time. The prize signifies recognition of his courage and commitment. It is an expression of appreciation, support and encouragement. For Dai, this prize is a sign that at a time when he himself has no way of making his voice heard, his work is still gaining attention. By making this award, the German Association of Justice gives Nguyen Van Dai a voice and sends a very powerful message.

The clear message is this: we will not condone arbitrary justice. We will not condone the Vietnamese government's attempts to make an example of Dai. We stand alongside the human rights defender Nguyen Van Dai. We stand with him. We give him our backing. And like Dai himself, we will not be silent until universal human rights are the reality in every country.

Dai – who has tirelessly advocated for the rights of others, despite the risk to his own and his family's lives – needs our attention now more than ever. He needs accolades like this, not least as a response and counterweight to the Vietnamese leadership in Hanoi.

Nguyen Van Dai is a remarkable man, ladies and gentlemen. I had the pleasure of meeting him in person during a parliamentary visit to Hanoi in summer 2015 and had a long conversation with him. It is impossible not to be impressed by him. And I ask myself: where does he find the strength, the courage and the fearlessness to continue his work?

Nguyen Van Dai has never allowed himself to be intimidated: not by brutal beatings at the hands of the state, nor by harassment, imprisonment or house arrest. Nothing has induced him to give up the fight for freedom, democracy and the rule of law in Vietnam. In his home country, Nguyen Van Dai is one of the best-known and most fearless defenders of civil and political rights.

What is that like, I wonder, in a country where "propaganda against the state" is a criminal offence? What is that like in a country where pretrial detention means total isolation, with no access to legal representation and no visitation rights? What is that like in a country where freely expressing an opinion can result in a 20-year jail sentence?

When Dai explained his motivation to me, I was struck by the extent to which his life story is intertwined with our own German history. Do you remember summer and autumn 1989? Of course we do. Nguyen Van Dai remembers that time too – for the very same reason. When I met Dai in Hanoi in summer 2015, it was his own very personal experience of German history in the making that made an impression on me. You see, in 1989, Dai was a

***Check against delivery***

contract worker in what was then the GDR. The Vietnamese contract workers always knew that one day, they would return home. But when he went home, Nguyen Van Dai took something very precious with him: the realisation that freedom is possible. It was his experience of the *Wende* – the peaceful revolution and the emergence of democracy in an authoritarian state – that inspired Dai to study law upon his return to Vietnam. Looking back at that time, he told me that the fall of the Berlin Wall and peaceful reunification had shaped his life.

His aim was and is to invest all his energies in building democracy in Vietnam. He yearns for a life in freedom – a life with freedom of expression, freedom of speech and freedom of assembly. He yearns for the freedom to practise his religion and his profession without putting his life and physical integrity at risk. Nguyen Van Dai wants a democratic Vietnam, not a dictatorship. He wants a Vietnam under the rule of law, not arbitrary justice. He wants a Vietnam that inspires love, not fear, in its citizens.

He was and is motivated by the desire to “revolutionise” Vietnam by guiding it towards a future of freedom, democracy and the rule of law – and to do so non-violently and with self-confidence and humility. That is not an easy task in Vietnam, as Dai’s own life history and especially his re-arrest show. In Vietnam, democracy is still a long way off, so it needs people like Nguyen Van Dai.

Nguyen Van Dai is receiving the 2017 Human Rights Prize of the German Association of Judges in recognition of his outstanding merit in tireless and courageous defence of democracy, freedom and human rights in Vietnam. I wish he could have been here in Weimar today so that we could have renewed our acquaintance and he could have received my congratulations in person. What a shame that this is impossible.