

## THE VIETNAM TRIBUNAL ISSUED JUDGMENT THAT PHAM VAN DONG COMMITTED TREASON

**(Washington, DC, April 4, 2023)** --- The Vietnam Tribunal, convened on April 3 and 4, 2023, at the National Press Club in Washington, DC, issued a judgment. Affirming that a country's sovereignty does not belong to the government but belongs to the people, the Vietnam Tribunal declares jurisdiction when an individual or an organization takes actions adversely affecting the sovereignty.

In a referendum of the people in Vietnam, 95% of people want to sue China to protect the sovereignty of the East Sea. The Vietnamese authorities have shown that they will not sue China because of either complicity or wrongdoing. A people's court, organized by the people, has the authority to investigate such complicity or wrongdoing. An action which significantly affects the sovereignty of the territorial waters was the accused's Diplomatic Note in 1958.

The punishment of treason has existed in the country's history for nearly a thousand years. There have been provisions for the crime of treason, from Le Trieu Hinh Luat (the Le Code), to Hoang Viet Luat Le (Gia Long Law) to the Penal Code 2015 of the Socialist Republic of Vietnam, the Penal Code of the Republic of Vietnam and international law.

Based on the model of people's courts accepted by international law, the Vietnam Tribunal was established on April 12, 2021 to investigate Pham Van Dong's treason. For two years, the Vietnam Tribunal obtained evidence through witness interviews and legal consultations. For two days, April 3 and 4, 2023, the Tribunal Panel listened to and questioned eleven witnesses and experts, deliberated and decided on a judgment.

The Diplomatic Note has two main ideas:

First, "The Government of the Democratic Republic of Vietnam acknowledges and endorses the declaration, dated September 4, 1958 of the Government of the People's Republic of China, deciding on China's territorial waters." Second, " The government of the Democratic Republic of Vietnam respects that decision and will direct its responsible state bodies to strictly respect the 12-nautical-mile territorial sea of China in all its relations with the People's Republic of China on the surface of the sea." The declaration by China on September 4, 1958 stated that the Xisha (Paracel) and Nansha (Spratly) islands belong to China.

The judgment of the Vietnam Tribunal determined that the failure to oppose, acknowledgement and endorsement of the PRC's declaration on September 4, 1958, were collusion with a foreign country to jeopardize the independence, sovereignty, unity and territorial integrity of Vietnam. Therefore, the Vietnam Tribunal decided that Pham Van Dong had committed treason with 63 counts.

Based on the available evidence, the Communist Party of Vietnam bears responsibility for the 1958 Diplomatic Note signed by Pham Van Dong.

All evidence, judgment and other details relating to the Vietnam Tribunal in Vietnamese and English will be posted on [www.vietnamtribunal.com](http://www.vietnamtribunal.com).

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