

Ms Azadeh Rojhan

PACE General Rapporteur for Political Prisoners

Rep. Steve Cohen

OSCE PA Special Representative on Political Prisoners

Mr Eerik-Niiles Kross

Chair of the PACE Legal Affairs & Human Rights Committee

Mr Sergiy Vlasenko

Rapporteur for follow-up on the PACE Resolution 2669 (2026)



20 October 2026

The abduction and rendition to Vietnam of pro-democracy activists Thuan Duc Nguyen (Norwegian citizen) Hiep Tran (Australian citizen) – a new test of the community's resolve to combat against transnational repression

Dear Ms Rojhan, Rep. Cohen, Mr Niiles-Kross and Mr Vlasenko

We write to you as international counsel instructed for Thuan Duc Nguyen and Hiep Tran, ethnic Vietnamese Norwegian and Australian citizens respectively, who are members of the US-based pro-democracy organisation Viet Tan.

One month ago on 18 September 2026, they are strongly believed to have been abducted on Cambodian soil and forcibly taken to Vietnam, where they are now detained on terrorism charges for their association with Viet Tan.

This is an extremely serious case of transnational repression (**TNR**) which highlights the pressing need for European and OSCE partner states to combat TNR – not just when it occurs on their own territory, but when it affects their citizens abroad.

By this letter, we invite you to take specific actions to demonstrate that the international democratic community treats this as a matter of collective concern and will support the ongoing Norwegian and Australian police investigations and diplomatic responses.

The facts

Abduction in Cambodia and detention in Vietnam

Mr Tran and Mr Nguyen are members of Viet Tan, a US-based pro-democracy organization with members both inside Vietnam and in the international diaspora.

On 15 September 2026, the two men flew into Cambodia, with plans to meet other activists based in the region, including Viet Tan members from Vietnam. They arrived in Phnom Penh and had several meetings with colleagues.

On 18 September 2026, they set off to meet other activists in the border region. They had no known plans to go to or cross the Vietnamese border. They were expected back in Phnom Penh that afternoon with a dinner plan the same evening.

Instead, they disappeared.

By 25 September 2026, the families of the two men had become so alarmed at their disappearance that they lodged communications with the UN Working Group on Enforced or Involuntary Disappearance.

On 28 September 2026 – 10 days after their disappearance – Vietnam’s Ministry of Public Security announced¹ their arrest, allegedly at the My Quy Tay border crossing on 18 September 2026, claiming that the Border Guard Post had apprehended the two men plus a third (Thai Cong Truong Son) illegally entering Vietnam at 21:50. The men had “confessed” to carrying forged documents in order to illegally enter Vietnam and carry out terrorist and sabotage activities. They had been detained by non-judicial order for offences of “terrorism” and “forging seals and documents”.

On 7 October 2026, numerous organisations including Freedom House and Article 19 jointly declared that the ‘*enforced disappearance of two foreign citizens on Cambodian soil brazen act of transnational repression*’.² Human Rights Watch later added that ‘*The apparent abduction and detention of the foreign nationals raises many questions about the roles of both the Vietnamese and Cambodian governments*’.³

¹ ‘Announcement from the Investigation Security Agency of the Ministry of Public Security regarding the indictment of three individuals: Nguyen Duc Thuan, Ho Pham Hiep Huy, and Thai Cong Truong Son’ <https://bocongan.gov.vn/bai-viet/thong-bao-cua-co-quan-an-ninh-dieu-tra-bo-cong-an-ve-viec-tiep-nhan-tam-giu-khoi-to-tam-giam-bi-can-doi-voi-03-doi-tuong-nguyen-duc-thuan-ho-pham-hiep-huy-thai-cong-truong-son-1790600441> (accessed 16 Oct 2026) (translated by Chrome).

² Joint Statement by Human Rights Organizations regarding Abduction of Human Rights Defenders – Vietnam must release Norwegian and Australian human rights defenders abducted in Cambodia, 7 Oct 2026 (<https://viettan.org/en/vietnam-must-release-norwegian-and-australian-human-rights-defenders-abducted-in-cambodia>).

³ ‘Vietnam: Free Abducted Democracy Group Activists Disappearance of 3 Men in Cambodia Highlights Cross-Border Abuse’, 13 Oct 2026 (<https://www.hrw.org/news/2026/10/13/vietnam-free-abducted-democracy-group-activists>).

In parallel, the international Media Defence filed an urgent appeal with the UN Working Group on Arbitrary Detention, observing that *'All available information indicates that they were abducted'*, representing a *'serious escalation'* in TNR.⁴

On 8 October, the Royal Government of Cambodia released a statement. It claimed to have done a *'comprehensive search and investigation'* and said that it had no record of the men exiting the country and that it *'did not arrest or hand over'* these men to the Vietnamese authorities – a statement which does not expressly address whether Cambodia was aware of any operation on its territory.

Only on 15 October 2026 did the first consular visit happen with Australian national Hiep Tran. Mr Tran told the consular officials, on two occasions, that he was ***'kidnapped in Cambodia'*** and that he was ***'terrified and traumatised from being attacked and kidnapped in Cambodia'***.⁵ A Norwegian consular visit took place for Thuan Duc Nguyen on 16 October 2026. Both consular visits were monitored by Vietnamese officials, and the Norwegian meeting had to be conducted in English / Vietnamese.

At this stage, it is not known exactly how Vietnamese, and possibly Cambodian, operatives knew where and when to find and abduct the three men, and whether any digital surveillance was involved.

Criminal complaints in Norway and Australia

On 8 October 2026, the Norwegian lawyers instructed by Mr Nguyen's family in Oslo announced a criminal complaint to the Norwegian authorities, alleging a criminal offence of enforced disappearance. The firm commented that the complaint was *'directed at persons who acted on behalf of the Vietnamese state, and at leaders who allowed it to happen. It must also be investigated whether Cambodian officials were complicit in Thuan's abduction'*.⁶ Our Norwegian colleagues confirm the matter is being considered by Øst politidistrikt and is expected to be taken over in due course by Kripes, Norway's National Criminal Investigation Service.

A criminal complaint has also been lodged in Australia by counsel instructed for Mr Tran, which is also under consideration by the Australian Federal Police.

⁴ 'Media Defence files urgent appeal over Viet Nam's kidnapping of Norwegian and Australian Human Rights Defenders', 7 Oct 2026 (<https://www.mediadefence.org/news/media-defence-files-urgent-appeal-over-vietnams-kidnapping-of-human-rights/>).

⁵ From a report of the Australian Consulate-General in Ho Chi Minh City dated 16 October 2026.

⁶ Missing Norwegian Retains Elden Law Firm – Files Criminal Complaint Against Vietnam and Cambodia, 8 October 2026 (<https://www.elden.no/aktuelt/p%C3%A5r%C3%B8rende-til-savnet-nordmann-har-engasjert-elden-advokatfirma-anmelder-vietnam-og-kambodsja-for-tvungen-forsvinning-ingen-har-f%C3%A5tt-m%C3%B8te-ham-family-of-missing-norwegian-retains-elden-law-firm-files-criminal-complaint-against-vietnam-and-cambodia>).

Political responses

The Norwegian Minister of Foreign Affairs has stated that she would ‘*raise the case of the detained Norwegian citizen with the Vietnamese authorities during her visit*’⁷ – a reference to her attendance in Hanoi to sign the trade agreement between the European Free Trade Association states and Vietnam on Sunday 18 October 2026.

However, this response pre-dated the direct evidence of abduction provided by Mr Tran.

In light of that material, Mr Nguyen’s lawyers later wrote to the Norwegian Minister to question how Norway could proceed to sign such an agreement when there is now direct evidence that a Norwegian citizen was violently abducted and brought to Vietnam against his will. Concerningly, a further statement of the Ministry of Foreign Affairs since the consular report emerged adds little more and continues to refer to ordinary consular practices for citizens detained abroad.⁸ The free trade agreement was signed.

In Australia, Minister for Foreign Affairs Penny Wong and Prime Minister Albanese have commented on the case in general terms, referring to their efforts to confirm the place of detention and thereafter to ensure consular assistance. This was, again, before the consular evidence in which Mr Tran complained of being ‘*attacked and kidnapped*’.

To date, neither country has escalated their response further or taken any higher-level steps such as summoning the Vietnamese ambassadors in Oslo or Sydney.

The key issues for OSCE PA and PACE

A new test of TNR policy: accountability for TNR against citizens overseas

The OSCE PA Special Representative and PACE have led the way on responding to TNR as the practice has emerged, from national initiatives like the Transnational Repression Accountability and Prevention (TRAP) Act (originally proposed by Rep. Cohen) through further initiatives such as the PACE Legal Affairs & Human Rights Committee’s Resolution 2509 (2023) ‘*Transnational Repression as a Growing Threat to the Rule of Law*’⁹ and Resolution 2269 (2026) ‘*Fighting Back Against Transnational Repression*’.¹⁰

⁷ As reported by Reuters, see ‘*European countries, Vietnam to sign free trade deal on Sunday, officials say*’, 14 October 2026 (<https://www.reuters.com/world/asia-pacific/switzerland-norway-vietnam-sign-free-trade-deal-sunday-officials-say-2026-10-14/>).

⁸ NRK ‘*Ministry of Foreign Affairs: Norwegian embassy employees have met imprisoned Norwegian in Vietnam*’ 16 October 2026 (<https://www.nrk.no/artikkel/ud-norske-ambassadeansatte-har-mott-fengslet-nordmann-i-vietnam-1530380>) (Chrome translation).

⁹ Resolution 2509 (2023) ‘*Transnational repression as a growing threat to the rule of law and human rights*’ (<https://pace.coe.int/en/files/32999/html>).

¹⁰ Resolution 2669 (2026) ‘*Fighting back against transnational repression*’ (<https://pace.coe.int/en/files/36247/html>).

In that context, PACE and OSCE PA have specifically called upon their respective political prisoner mandate holders to play an active part on TNR issues.^{11/12}

To date, there has been a focus upon the internal legal and policy response to TNR: ensuring domestic asylum and extradition processes are resilient, protecting local diaspora communities, prosecuting acts committed *within* a host state's territory.

This case raises the new question of democratic states' obligations with regard to ensuring accountability for TNR affecting their citizens abroad – including through criminal and civil processes, political discourse and consular activity.

This dynamic was foreshadowed in the G7 Leaders' Statement on Transnational Repression of 17 June 2025. Condemning all acts of TNR including '*acts of physical violence such as ... **abduction***' it observed: '*We also remain seized of **threats by foreign states (...) to our citizens outside our borders***'.

This case is a serious test of the community's resolve to tackle that issue.

Legal accountability for TNR crimes against citizens abroad

Notably, in Resolution 2509 (2023), PACE specifically named '***unlawful rendition and/or abduction***' as a form of TNR and called upon member states to '*ensure that domestic laws provide the tools needed to **apprehend, prosecute and punish perpetrators of transnational repression ... including by ... exercising their criminal jurisdiction ... on the basis of ... passive personality***'.¹³ PACE repeated this call in Resolution 2669 (2026) in calling on member States to '***prosecute perpetrators of transnational repression to the fullest extent of the law [...] where acts of transnational repression may amount to [...] crimes falling within their jurisdiction***' (we emphasise – not just within their territories).

Indeed, the effectiveness of domestic TNR policies within the OSCE, its privileged partner states (like Australia), and the Council of Europe will be significantly weakened if TNR can be perpetrated with impunity against citizens of those countries when they travel abroad. Especially if the state where the act happened (here, Cambodia) itself has questions to answer and shows no sign of serious investigation.

¹¹ See Resolution 2669 (2026), §6 (prisoner status for those arrested on abusive INTERPOL alerts or extradition requests) and §18 (calling upon the General Rapporteurs on Political Prisoners and Human Rights Defenders and Whistleblowers to '*pay particular attention to cases of transnational repression*').

¹² See the OSCE PA Hague Declaration, 2025, AS (26) D E (<https://www.oscepa.org/en/documents/annual-sessions/2026-the-hague/declaration-32/5581-the-hague-declaration-eng/file>), p. 63 §18, calling on the Special Representative for Political Prisoners to report annually on TNR issues.

¹³ See §17.8. Passive personality is the principle of international law which gives a country jurisdiction to prosecute criminal offences against its own nationals, even if the acts were outside its ordinary territorial jurisdiction.

The Norwegian criminal investigation is, to our knowledge, one of the first instances where the call made in Resolution 2509 (2023) is being put to the test.

That investigation will, therefore, become a critical precedent of either good or bad practice which will have repercussions for the willingness of TNR author states to attempt to target nationals on their travels.

International cooperation to support investigation of TNR crimes

In this investigation, important evidence of the facts on the ground may be held by states other than Australia and Norway. This includes iPhone / Android location data and message traffic associated with Mr Tran's and Mr Nguyen's phones which may be held on servers located in different countries – including the United States.

In their '*Joint Statement on Transnational Repression*' of 23 September 2025,¹⁴ numerous UN Special Rapporteurs called for states to '*Cooperate in good faith with other States ... to investigate ... acts of transnational repression, including through ... mutual legal assistance, information-sharing*'.

It is important that other states of the OSCE, its partners, and the Council of Europe discharge their obligations of good faith cooperation and support any Norwegian or Australian enquiries in their investigation and pursuit of the truth.

Political and diplomatic accountability

Given the emergence of direct, first-hand evidence of abduction from Mr Tran, there is now very strong evidential basis for an act falling at the very apex of TNR practices: the violent abduction of Norwegian and Australian citizens abroad, covered up by a fabricated account of an attempt to enter Vietnam illegally.

Once again, Norway's and Australia's responses to this case will be a bellwether for the broader international community's tolerance of TNR in its most serious forms.

It is important that PACE and OSCE express their full political support for Norway and Australia adopting exceptional diplomatic responses which will demonstrate that the democratic community will not tolerate acts of TNR against its citizens abroad.

Our calls to you

We respectfully urge you to use the platforms and powers available to you in support of this case. In particular, we invite –

¹⁴ Joint Statement by United Nations Human Rights Experts on Transnational Repression
<https://www.ohchr.org/en/statements-and-speeches/2026/09/joint-statement-united-nations-human-rights-experts-transnational>

- **Rep. Cohen and Ms Rojhan** – To issue public statements, alone or jointly, **(1)** stating your concerns about this serious case of TNR involving violent cross-border abduction leading to political imprisonment; **(2)** expressing your support for thorough investigations by Norway and Australia and encouraging other member and partner States to cooperate with those investigations if called upon to do so; and **(3)** expressing support for Norway and Australia adopting the strongest political responses to this case, on behalf of the broader democratic community.
- **Rep. Cohen** – To include this case in your report to the OSCE PA further to the mandate given by the OSCE PA in its Hague Declaration of 2025, so that other OSCE Member / Partners for Cooperation States may draw appropriate lessons from it.
- **Mr Niiles-Kross and Mr Vlasenko** – To ensure that this case, and the Norwegian and Australian responses to it, are taken account of in the ongoing 12-month follow-up to Resolution 2669 (2026) and in subsequent TNR work of the Legal Affairs & Human Rights Committee.

We would also be grateful for the opportunity to meet with you or staff of your respective offices to discuss this important case and other methods of support.

Your staff will be very welcome to contact us via a.tinsley@doughtystreet.co.uk / contact@justiceabroad.co.uk, +44 (0)7977 180 844, or Signal (@Alex.Tinsley56).

Yours sincerely,



Alex Tinsley

Barrister, Doughty Street Chambers,¹⁵ London



Michael Polak

Barrister, Justice Abroad

CC: **Ms Lisa Selnes**, Chairperson of the Norwegian Delegation to PACE
Mr Marius Arion Nilsen, Head of the Norwegian Delegation to OSCE PA

¹⁵ A barrister is an independent legal professional. Any assertions, views or arguments in this letter are my own only, not those of Doughty Street Chambers.