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Geneva, 15 July 2014

Dear Special Rapporteurs,

We thank you for your letter Ref UA G/SO 214 (67-17) G/SO 214 (56-23) Health (2002-7) G/SO 214 VNM 6/2014, and your valuable dialogue and consultation with Viet Nam on matters of mutual concerns.

Please accept our regret for this late reply, since we wished to further incorporate into this reply the outcome of the Universal Periodic Review report of Viet Nam last June. In addition, almost all of our resources was drawn to the 26th Council session, the UPR adoption for Viet Nam, as well as the preparation for a country visit of the Special Rapporteur on religion or belief this July.

Regards the information you received and mentioned in the letter, your kind attention is drawn to the replies from the relevant authorities of Viet Nam as follows:

1. Legal grounds for the arrest and detention of Mr. Ngo Hao and Mr. Le Quoc Quan and their access to legal counsel.

- It can be confirmed that the allegation of Mr. Ngo Hao's arrest because of his distribution of leaflets promoting human rights is incorrect. From 2008, Mr. Ngo Hao and several other persons had planned and carried out activities for sabotaging public properties, disturbing public order, inciting violence and illegally stockpiling weapons and/or technical means with aims at overthrowing people's administration and breakaway purpose. The allegation that Mr. Ngo Hao was trialed behind closed door is also incorrect. In fact, the trial was open to public, with his attorneys defending for his rights before the courts, the presence of his wife and children and other people. Reporters and mass media were also at the courts to cover the trials.

Mr. Frank La Rue,

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

Mr. Heiner Bielefeldt,

Special Rapporteur on freedom of religion or belief.

Mr. Anand Grover,

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

Ms. Margaret Sekaggya,

Special Rapporteur on the situation of human rights defenders.

Ms. Gabriela Knaul,

Special Rapporteur on the independence of judges and lawyers.

- For Mr. Le Quoc Quan, please refer to our reply in the Note. 78/VNM 2013 (case 2 concerning Mr. Le Quoc Quan) of 21.03.2013 and Note No. 194/VNM 2014 of 27.08.2013.

2. Access to medical personnel and family visits.

- Regards Mr. Ngo Hao, during the detention and serving his sentence, he is treated equally as other offenders, with normal living regime according to the current laws of Viet Nam. Mr. Ngo Hao can access health personnel, with his health record of type III. He is provided with adequate medicine and being exempted from working. He can contact his family, meet his wife, children and received supplies from his relatives. He currently has normal health and can daily access to newspapers and TV news. He is provided normal health care, meals and other services in accordance with existing laws and regulations.

- Regards Mr. Le Quoc Quan, he is serving the sentence at detention Center No. 1 in Ha Noi. He is in normal health condition, provided with normal health care. He can contact his family, meet his lawyers, access to newspapers and TV news, also.

3. *Regards the right to freedom of religion or belief for people.*

The consistent policy of Viet Nam is to respect, ensure and create enabling conditions for all people to exercise the freedom of religion and belief. Viet Nam guarantees the equality among religions and support activities of religious organizations by laws. Viet Nam's 2013 Constitution stipulates that "citizens have the right to freedom of speech and freedom of the press, and have the right of access to information, the right to assembly, the right to association, and the right to demonstrate. The exercise of those rights shall be prescribed by law" (Article 25), and that (a) "everyone has the right to freedom of belief and religion, and has the right to follow any religion or to follow no religion. All religions are equal before law", (b) "the State shall respect and protect the freedom of belief and religion. 3. No one may violate the freedom of belief and religion, nor may anyone take advantage of a belief or religion in order to violate the law" (Article 24).

Religious and believe activities in Viet Nam have robustly been developing in last decades. Viet Nam ensures and facilitates conditions for religious practices of the people with specific measures, such as supports for building worship places and issuing the Government's Decree 92/2012/ND-CP of 11.2012 with details for implementing the Ordinance on beliefs and religions. On legislation, Viet Nam National Assembly decides to put the amendment of the Ordinance on beliefs and religions into its agenda of the 15th tenure.

There are annually 8,500 religion and belief related activities of different scopes taking place throughout the country, making up rich, diverse cultural life with strong local identities.

In May 2014, Viet Nam Buddhist Sangha organized the United Nations Day of VESAK with the participation of over 3000 worldwide representatives from more than 90 countries and territories. Religious sects are encouraged and supported to participate in health, cultural, social, humanitarian activities and other ritual and ceremonial practices. In addition, religious dignitaries can participate in international forums, religious and belief dialogues in order to exchange tenets and principles, such as in ASEM, ASEAN forums, or participate in trainings abroad, including those in the United States, Italy, India and France. Viet Nam's efforts and achievements on respecting and ensuring the rights and freedoms on religion and belief have widely been recognised by international community, as it was demonstrated during the Universal Periodic Review report of Viet Nam in the February and the adoption session last June 2014.

4. Regards the rights of the “human rights defenders”.

In Viet Nam, all citizens have the rights to participate in activities for promoting and protecting human rights, including the political and civil rights, as well as economic, social and cultural rights. Individuals and organisations can directly or indirectly participate in such activities in various forms. The fundamental human rights and freedoms enshrined in the Universal Declaration of Human Rights (UDHR), such as the right to freedom of opinion and expression, and of peaceful assembly and association, have been stipulated in details in the Constitution and laws, as well as being guaranteed in practices. Moreover, to ensure the law enforcement of public agencies, Viet Nam has enacted a number of administrative and penal sanctions to held accountability of public agencies for violating human and civil rights, as well as to avoid the abuse of power and people harassment.

We hope that the above information would help to further clarify the questions of your concerns./.

A handwritten signature in dark ink, appearing to be 'Thanh T. Nguyen', with a stylized, flowing script.

THANH T. NGUYEN
Ambassador, Permanent Representative