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Ref: 435 /VNM.2012

Geneva, 31 October 2012

Dear Special Rapporteurs,

With reference to your letter Ref. AU G/SO 218/2 Assembly & Association (2010-1), 214/107-9), 214(53-24) Health (2002-7) VNM 4/2012 of 29.08.2012, regarding the alleged "ill-treatment in detention of Ms. Tran Thi Thuy", we would like to convey to you the information as follows:

We thank you for your letter. Concerned Authorities in Viet Nam have seriously looked into the claims, comments and recommendations therein. However, findings show that most of the accusations sent to you as mentioned in your letter appear to be incorrect and misleading. In this regards, please be advised of the facts below:

+ Viet Tan, of which Ms. Tran is a member, is not a human rights organisation. It is listed by the authority as a terrorist group, with their recorded violent acts against the people's administration of Viet Nam.

+ On 30.5.2011, the People's Court of Ben Tre province opened the court of first instance trial against Ms. Tran, with the verdict of "Carrying out activities aimed at overthrowing the people's administration", pursuant to Article 79 of the Penal Code. She was then given the charge of 8 years in prison and 5 years in probation. On 18.8.2011, the Supreme Court of Ho Chi Minh city opened the court of appeal trial, at the People' Court of Ben Tre province. The jury determined that the initial verdict was commensurate to the dangerous nature of the defendant's violations and therefore the charge remained the same as in the first instance trial.

OHCHR REGISTRY

**Mr. El Hadji Malick Sow,**  
Chair-Rapporteur of the Working Group on Arbitrary Detention.

**Mr. Maina Kiai,**  
Special Rapporteur on the rights to freedom of peaceful assembly and of association.

**Ms. Margaret Sekaggya,**  
Special Rapporteur on the situation of human rights defenders.

**Mr. Anand Grover,**  
Special Rapporteur on the rights of everyone to the enjoyment of the highest attainable standard of physical and mental health

**Mr. Juan Ernesto Méndez,**  
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

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Recipients: SPB  
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+ Ms. Tran is not subjected to inhuman treatment or harassment while in detention at K5 Long Khanh Detention Camp, Xuan Loc district, Dong Nai province (K5 Xuan Loc Camp). She is properly treated the same as other offenders at the Centre, regarding the health care, food and entertainment. She is currently in good health conditions and works normally.

+ There was the notice Ref. 1500/TB of 21.9.211 from K5 Xuan Loc Camp to Ms. Tran's mother, Mrs. Bui Thi Nu, regarding Ms. Tran's removal from the detention centre of the police of Ben Tre province to K5 Xuan Loc Camp on 16.9.2011.

+ Ms. Tran is currently serving her penalties at K5 Xuan Loc Camp. She is not required to perform any work reserved to male or any unreasonably extended time for a normal offender. In fact, she is working on husking cashew nuts. This task is deemed suitable for her physical and health conditions, as well as for all other women.

+ Relatives' visits to Ms. Tran at the Camp have been scheduled and arranged monthly, the same as for the others. There is no hindrance or obstacle from any parties to such visits.

In short, the arrest, investigation, detention and proceedings against Ms. Tran were carried out in strict compliance with current laws of Viet Nam and in conformity to international norms and practices. The trials against Ms. Tran were opened to the public of Ben Tre province, her relatives, local and international media, with attorney Huynh Van Dong from the Bar Association of Daklak province being her defender.

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

Please accept the assurances of our highest consideration./.



**THANH T. NGUYEN**  
Ambassador, Permanent Representative