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PERMANENT MISSION OF THE
SOCIALIST REPUBLIC OF VIETNAM
to the United Nations Office,
the World Trade Organization
and Other International Organizations at Geneva



MISSION PERMANENTE DE LA
REPUBLIQUE SOCIALISTE DU VIETNAM
auprès de l'Office des Nations Unies,
de l'Organisation Mondiale du Commerce
et des autres Organisations Internationales à Genève

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Ref: 330 /VNM.2014

Geneva, 24 July 2014

Dear Special Rapporteurs,

We thank you for your letter Ref AL G/SO 214 (67-17) Assembly & Association (2010-1) G/SO 214 (56-23) G/SO 214 (107-9) VNM 7/2014, and your valuable dialogue and consultation with Viet Nam on matters of mutual concerns.

Please accept our regret for this late reply, since almost all of our resources were 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. Le Cong Cau.

It can be confirmed that neither probation nor arrest has been placed on Mr. Le Cong Cau as alleged in the communication.

During the check-in process of the flight of Mr. Le Cong Cau on 01.01.2014 in Phu Bai Airport of Thua Thien Hue City, airport safety and security authorities found several items in Mr. Le Cong Cau's luggage forbidden for boarding according to airport security. The authorities then made the minutes/report of the violation and did not allow Mr. Le Cong Cau to board the flight for aviation safety reason. The case was then transferred to relevant authorities for taking a statement. However, at the working session, the authorities received from Mr. Le Cong Cau no cooperation, but his uncooperative actions and defiance instead. Therefore, the process was taking longer than expected and lasted until the evening of 01.01.2014.

Authorities of Viet Nam have shown the respect of exercises of freedom of religion, expression and freedom of travel of Mr. Le Cong Cau. The same as in other countries, violation of aviation safety and security must be promptly dealt with, in order to ensure the security and safety of all the others. After the process, Mr. Le Cong Cau returned home in the same day.

Mr. Frank La Rue,

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

Mr. Maina Kiai,

Special Rapporteur on the rights to freedom of peaceful assembly and of association.

Mr. Heiner Bielefeldt,

Special Rapporteur on freedom of religion or belief.

Ms. Margaret Sekaggya,

Special Rapporteur on the situation of human rights defenders.

According to local authorities of Thua Thien Hue province, each time Mr. Le Cong Cau leaves his house, he used to request the authorities for permission even though he is not required by local authorities to do so. On 16.02.2014, Mr. Le Cong Cau wrote a notice of leaving his temporary residence to join his family relatives to mark his mother's death anniversary but later returned home because of misremembering the date. The information mentioned in the letter that Mr. Le Cong Cau was arrested, interrogated and put in probation is inaccurate. There has been no such decision regarding Mr. Le Cong Cau's alleged probation, or request for him to report upon leaving his residence.

On 14.4.2014, authorities invited Mr. Le Cong Cau to unseal items which had been previously withheld and not allowed to carry on board on 01.01.2014, in order to evaluate the total value of the items, according to the relevant current provisions. There has never been any notice from police that Mr. Le Cong Cau must continue on probation that in fact never exists in respect of Mr. Le Cong Cau. During working session, Mr. Le Cong Cau pleaded the violations and agreed to abide by the decisions of administrative sanctions.

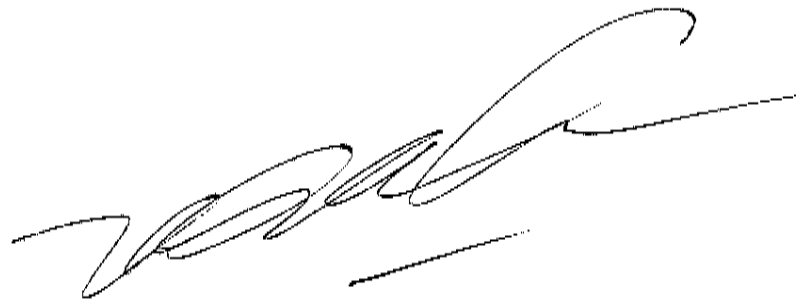
2. Access to independent medical professionals, independent legal representation and family members.

The consistent policy of Viet Nam is to respect, ensure and promote all the fundamental human rights, including the right to health care and access to justice. Mr. Le Cong Cau has never been arrested or put under probation. He has full right, freedom, and obligation as are ensured by existing laws and applicable to all other citizens. The allegation on the so-called prohibition or restriction of Mr. Le Cong Cau to enjoy the right to healthcare and access to justice is factually ungrounded.

3. 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 the 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 and international Conventions on human rights, International Covenant on Civil and Political Rights (ICCPR), 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 abuse of power and people harassment.

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



THANH T. NGUYEN
Ambassador, Permanent Representative