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



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

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The Permanent Mission of the Socialist Republic of Viet Nam to the United Nations Office, the World Trade Organization and Other International Organizations in Geneva presents its compliments to the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights and has honour to hereby transmit the Replies of Viet Nam to the Communications of the Special Procedures of the Human Rights Council (07 attachments).

The Permanent Mission of the Socialist Republic of Viet Nam to the United Nations Office, the World Trade Organization and Other International Organizations in Geneva avails itself of this opportunity to renew to the Special Procedures Branch of the Office of the UN High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 13 April 2017



Special Procedures Branch
Office of the United Nations High Commissioner for Human Rights
GENEVA

REPLY OF VIET NAM TO THE COMMUNICATION UA VNM 1/2016

Regarding the information and allegations that Special Procedures received and mentioned in the letter UA VNM 1/2016 of the Special Procedures Branch in relation to the case of Mr. Tran Minh Nhat, your kind attention is drawn to the reply from the relevant authorities of Viet Nam as follows:

1. General information about Mr. Tran Minh Nhat

On 27th August 2015, Mr. Tran Minh Nhat has completed his sentence, returned to live in Lam Dong Province and began serving probation for 3 years. However, over the past time, Mr. Tran Minh Nhat has repeatedly violated the probation, repeatedly leaving the locality (for Ho Chi Minh City and Nghe An Province) without notifying local authorities.

2. With regards to the allegation that from 24th December 2015, hundreds of coffee plants, avocado trees and pepper vines belonging to Mr. Tran Minh Nhat and _____ were cut by unknown and masked men:

Immediately after receiving the information, the authorities conducted site inspection and damage assessment. Total damage is 9,483,700 Viet Nam Dong. On that basis, on 13th January 2016, the authorities issued Decision No 13/QD to initiate a criminal case on "intentional damage to property occurred in Phi To commune, Lam Ha District, Lam Dong Province". The investigation results suggest that the incident has been derived from land disputes between _____ (whose garden is adjacent to _____, garden).

3. With regards to the allegation that plants, livestock and poultry in the family of Mr. Tran Minh Nhat were chemically poisoned/died due to sprayed pesticides:

After receiving this information, the authorities conducted site inspection and damage assessment. Total damage is 36,750,000 Viet Nam Dong. Samples of soil, roots, tree trunks, pepper leaves, dead animals and poultry were collected for inspection and analysis. After scientific analysis, competent inspectors concluded that plants, livestock and poultry belonging to the family of Mr. Tran Minh Nhat did not die from being sprayed with pesticides.

During the investigation process, the authorities invited representatives of Mr. Tran Minh Nhat's family to witness but did not receive the cooperation.

4. With regards to the allegation that Mr. Tran Minh Nhat was attacked by police officers respectively on 08/11/2015, 22/2/2016 and 16/4/2016

This information is completely inaccurate.

Actually, during the probation period of 3 years from 27th August 2015, Mr. Tran Minh Nhat has frequently violated the regulations for persons serving probation, conducted disruptive activities together with some family members in the locality, such as:

- In November 2015, Mr. Tran Minh Nhat has voluntarily left the locality for Ho Chi Minh City and Nghe An Province without informing the local authorities where he resides. The local authorities summoned Mr. Tran Minh Nhat to the office to remind him on the probation regulations but Mr. Nhat refused to abide by. Therefore, in accordance with the law, competent forces had to coerce Mr. Tran Minh Nhat to local authorities' office. This law enforcement operation has been performed in accordance with due process of law; competent forces did not infringe on the body and honor of Mr. Tran Minh Nhat.

- On 22nd February 2016, during the patrol to check the security situation in the residential area where Mr. Tran Minh Nhat lives, a security unit of Phi To commune was attacked with bricks and stone by Mr. Tran Nhat Minh's family. However, later on that day, Mr. Tran Minh Nhat posted on social network the image of his "bleeding head" to distort, slander that the security unit had hurt him with stone.

The allegation that Mr. Tran Minh Nhat and his family "were harassed and attacked and their properties were damage by the police" is completely unfounded and was sent to the Special Rapporteurs to provide misleading views on actual situation in Viet Nam.

5. Once again, Viet Nam reaffirms its commitment to the full implementation of all international human rights instruments to which Viet Nam is party and in fact it is striving to ensure better enjoyment of fundamental rights and freedom of the people

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

