



**PERMANENT MISSION OF THE
SOCIALIST REPUBLIC OF VIET NAM**
TO THE UNITED NATIONS OFFICE,
WORLD TRADE ORGANIZATION AND
OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA

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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 the honor to hereby transmit the reply of Viet Nam to the latter's Joint Communication AL VNM 2/2024 (dated 03 May 2024) concerning Le Huu Minh Tuan.

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 United Nations High Commissioner for Human Rights the assurances of its highest consideration./.



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Reply of Viet Nam to the Joint Communication concerning

Le Huu Minh Tuan (Viet Nam)

Ref. AL VNM 2/2024 (dated 03 May 2024)

The substance of the Joint Communication AL VNM 2/2023 is not accurate, and the allegations mentioned concerning Le Huu Minh Tuan are untrue. In accordance with the legal framework of Viet Nam and consistent with the International Covenant on Civil and Political Rights (ICCPR), the protection of human rights of an individual could not be at the expense of the rights of other individuals, social stability, national security and public health. The laws of Viet Nam do not criminalize the exercise of fundamental freedoms but rather warrants the prosecution of individuals abusing democratic freedoms to infringe upon national security, the rights and legitimate interests of individuals and organizations.

1. On the allegations regarding the health condition of Le Huu Minh Tuan

Mr. Le Huu Minh Tuan has been ensured full compliance with the detention regime as prescribed by law, including regular medical care and health check-ups either periodically or upon request from the Mr. Tuan. In July 2023, Le Huu Minh Tuan reported experiencing abdominal pain along with several other symptoms. The prison's medical facility conducted examinations and provided medication treatment in two rounds. After these treatments did not alleviate the symptoms, on 2 November 2023, Le Huu Minh Tuan was taken to the Bà Rịa - Vũng Tàu General Hospital for further examination and treatment, and was diagnosed with digestive disorders/gastritis.

On 22 January 2024, Le Huu Minh Tuan was again taken to Bà Rịa - Vũng Tàu General Hospital for further examination and treatment, and was diagnosed with irritable bowel syndrome with diarrhea and Grade II external hemorrhoids. He was prescribed medication according to the hospital's treatment protocol.

On January 27, 2024, during a visit with family members, Le Huu Minh Tuan learned about the prison's arrangements for his medical examination and treatment at Bà Rịa - Vũng Tàu General Hospital, and that his health had stabilized and returned to normal activities post-treatment. On 29 January 2024, his family sent a letter of thanks to the prison administration for encouraging and providing the best conditions for Le Huu Minh Tuan during his medical examination and treatment.

According to Vietnamese law, prisoners are allowed to receive gifts from family members, including medicinal products. However, sending medicinal gifts must comply with legal regulations to ensure the security and safety of the prisoners (as per the Law on Execution of Criminal Judgments; Article 10 of Circular No. 14/2020/TT-BCA detailing the regime for visits, gifts, and communication of prisoners). Accordingly, family members can send medicinal products as prescribed by a doctor or physician at the prisoner's detention facility or at a state medical facility where the prisoner has been examined and treated. The medicinal products sent by family members must have clear labels indicating dosage, use, place of production, and expiration date.

The medicinal products sent by family members for prisoners are recorded and stored separately. When a prisoner needs to use the medication, medical staff will provide the medication according to the treatment plan and supervise its use.

Currently, Le Huu Minh Tuan's health is stable, and he is engaging in normal activities under the ongoing sentence; the prison's medical facility continues to monitor his health condition in accordance with the law.

2. On the concern that Le Huu Minh Tuan's detention is directly related to his work as an independent journalist and human rights defender

Regarding concerns of Special Procedures related to Mr. Le Huu Minh Tuan, Viet Nam has responded to the petitions rejecting the biased conclusions of the Working Group on Arbitrary Detention (WGAD) in 2021 concerning this case. Le Huu Minh Tuan is not being detained for exercising his rights to freedom of speech or as a "human rights defender", as alleged, but for abusing his democratic freedoms by deliberately posting false information online, violating Vietnamese law, and affecting the legal rights and interests of other individuals and organizations. The investigation and trial process for Le Huu Minh Tuan adhered strictly to criminal and criminal procedure laws, ensuring objectivity, transparency, and correctness in identifying the perpetrator and the crime.

Additionally, beyond being guaranteed the rights of prisoners as prescribed by law, on June 25, 2024, Le Huu Minh Tuan was also visited by the European Union Delegation to Viet Nam, reflecting the assurance of detention conditions for him.