

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  
REPUBLIQUE 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 03/2016**

Regarding the information and allegations that Special Procedures received and mentioned in the letter UA VNM 03/2016 of the Special Procedure Branch, your kind attention is drawn to the replies from the relevant authorities of Viet Nam as follows:

### **1. General information about Mr. Nguyen Cong Chinh and Mrs. Tran Thi Hong**

Pastor Nguyen Cong Chinh's real name is Nguyen Thanh Long. He was born in 1969 and usually resided in Unit 10, Hoa Lu Ward, Pleiku City, Gia Lai Province. He was former Head of Missionary Branch of an Evangelical Mennonite Church. He was arrested and detained on 28 April 2011 for act of "undermining policy of national unity " under Article 87 of the Penal Code. On 26 March 2012. The People's Court of Gia Lai Province sentenced him to 11 years of imprisonment for above-mentioned act. Pastor Nguyen Cong Chinh is currently serving his prison sentence in Detention Center of An Phuoc, Binh Duong Province. His health is in normal conditions.

Tran Thi Hong is the wife of Pastor Nguyen Cong Chinh. Currently, she is living in Hoa Lu Ward, Pleiku City, Gia Lai Province.

### **2. With regards to allegations related to the case of Pastor Nguyen Cong Chinh**

The allegations that the arrest and detention of Mr. Nguyen is arbitrary and in violation of Vietnamese laws and international law is unfounded and aimed at distorting Viet Nam's human rights situation.

Consistent policy of the State of Viet Nam is to respect, protect and promote all human rights and fundamental freedoms, including the right to inviolability of the person. All the arrest and detention of any citizen shall strictly comply with the provisions of the law and be executed in accordance with strict procedures. This is well reflected through the legal documents of Viet Nam. Relevant provisions of 2013 Constitution and laws are fully consistent with the provisions of international conventions on human rights to which Viet Nam is party.

Article 20 of Viet Nam's Constitution specifies that "Every one shall enjoy inviolability of the person and the legal protection of his or her life, health, honor and dignity; and is protected against torture, harassment and coercion, and any form of violation of his or her life and health, and offence of honor and dignity. No one shall be arrested in the absence of a decision by the People's Court, a decision or approval of the People's Procuracy except in case of flagrant offences. Taking a person into or holding him or her in custody shall be provided by law". These provisions are fully consistent with the principles, standards and rules of international law on human rights.

Pastor Nguyen Cong Chinh was arrested because his violations of law, namely: drafting, leaking on the internet 19 documents such as " Highland Information", "Urgent Report", "Open Letter" "Letter of recommendations"... which misrepresent, distort the truth with the view of creating dissension, inciting hatred among peoples and religions in the country. These activities constitute the elements of the act "undermining policy of national unity" under Article 87 of the Penal Code.

In the course of the investigation, prosecution and trial, Pastor Nguyen Cong Chinh has not been beaten, tortured or forced to make confessions in any case. While serving his prison sentence, Pastor Nguyen Cong Chinh is fully guaranteed all the rights of inmates in accordance with the law, including, *inter alia*, access to health care, access to lawyers, family visits.

### **3. With regards to allegations related to the case of Mrs. Tran Thi Hong**

*a. On information that Mrs. Tran Thi Hong was beaten, harassed or her properties were confiscated for meeting with US Ambassador-at-large for international religious freedom in March 2016*

In the morning of 30 March 2016, despite having been notified that the meeting with US Ambassador-at-large for international religious freedom, Mr. David Saperstein, is held at the Office of the People's Committee of Hoa Lu Ward, Pleiku City, Mrs Tran Thi Hong and her son came to Hoang Anh Gia Lai Hotel (Pleiku City) by motorcycle and requested to meeting with the delegation of US Ambassador. Competent forces asked Mrs. Tran Thi Hong and his son to return to the Office of the People's Committee of Hoa Lu Ward, Pleiku City to meet with the delegation.

However, Mrs. Tran Thi Hong refused to comply and had abusive behavior, aggressive and disruptive acts against competent forces. Competent forces had to took her and her son to the Office of the People's Committee of Hoa Lu ward by taxi to meet US Delegation on time. On the way to the Office of the People's Committee, Mrs. Hong struck her head onto the taxi car and so, got injured by herself.

In the afternoon of 30 March 2016, Mrs. Hong came back to the Office of the People's Committee of Hoa Lu Ward and received back her motorcycle and all personal properties. She raised no question or inquiry to the competent officers at that time.

But then, Mrs. Tran Thi Hong has informed the US Delegation of slanderous information that local authorities confiscated her motorcycle, house keys and that she lost money, personal belongings and she was tortured and beaten by competent forces.

On 14 April 2016, the People's Committee of Hoa Lu Ward invited Mrs. Tran Thi Hong to its office in order to clarify these allegations. But Mrs. Hong

showed uncooperative attitude, verbally insulted officials on duty and committed disruptive actions. By doing so, she disturbed the security of the official Office. Security forces had to establish a written record of her action and also videotaped her entire movement and disruptive behavior at the Office of the People's Committee of Hoa Lu Ward.

On 11 May 2016, the People's Committee of Hoa Lu Ward continued to invite Mrs. Tran Thi Hong to its office for further dialogues for the second time. This time, Mrs. Hong confessed that: "about 2 hours after the meeting with US delegation, she called to inform the delegation that she had come to the office of the People's Committee of Hoa Lu Ward and already received back the full range of personal properties including motorcycle, house keys, money and other personal belongings. There was no loss nor damage to these properties. During the course of the meeting with local authorities, Mrs. Hong was not beaten, nor intimidated as alleged in the Communication. Written records, sound recordings and videotapes which were taken at the meeting and kept in the archives of local authorities authenticated this affirmation.

*b. On the information that Mrs. Tran Thi Hong was arrested on 27 May 2016 and her whereabouts are currently unknown:*

The information is completely false. In reality, Mrs. Hong and her children are always living at their permanent residence in Lu Hoa Ward, Pleiku City, Gia Lai Province.

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