

VIETNAM'S
INTERFAITH
CONFEDERATION

SOCIALIST REPUBLIC OF VIETNAM

SUBMISSION TO THE UN
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Executive summary

In this submission, Vietnam's Interfaith Confederation ('VIC') focuses on the repression of religious freedom in Vietnam.

Vietnam's constitution allows for religious freedom; however in reality the government uses ordinances and decrees to actively suppress it.

In November 2012, Prime Minister Nguyen Tan Dung put in place a new Decree on Religion 92/2012 ND-CP ('ND 92') replacing an earlier decree issued in 2005. ND 92 came into force on 1 January 2013. It subjects religious organisations to even more stringent rules in order to be 'registered', meaning 'allowed' to operate by the state, and gives the state the right to interfere heavily on their internal matters.

These stringent rules especially target religious groups which the authorities believe oppose the state, such as Protestants, Catholics, Unified Buddhist Church of Vietnam, Hoa Hao Central Buddhist Church, Cao Dai Church, Khmer-Krom Buddhists, Degar Christians, and Falun Gong practitioners.

Since the previous UPR, widespread persecution including harassment, summary arrests and lengthy detention of many members of independent churches continues unabated. Most were arrested and convicted under vague national security provisions such as articles 87 (undermining national unity), 88 (conducting propaganda against the state), and 258 (abuse democratic rights against national interest).

This submission is based on testimonials specifically tailored for the UPR January 2014 by:

- Catholic priest Rev. Father Phan Van Loi, a member of Bloc 8406 and a former Prisoner of Conscience ('POC'). He is currently under house arrest and still facing restrictions.
- Ven. Le Quang Liem, Head of Hoa Hao Buddhist Church and a former POC. He is currently under house arrest and still facing restrictions.
- The Most Ven. Thich Khong Tanh of Unified Buddhist Church of Vietnam, a former POC. He is currently under house arrest and still facing restrictions.
- A statement by Cao Dai Church's representative
- VIC's joint statement

It contains first-hand knowledge, specific and credible information by these distinguished religious leaders and high-ranking office holders of the religions concerned, as stipulated in sections A, B, C, D of the *Practical Guidelines for UPR Submissions*.

The submission addresses the following:

- 1- ND 92 is Vietnam's tool of religious control
- 2 - Repression faced by the Hoa Hao Buddhist Church
- 3 - Repression faced by the Roman Catholic Church

- 4 - Repression faced by Cao Dai Church
- 5 - Repression faced by Unified Buddhist Church of Vietnam
- 6 - Repression faced by Protestant Church
- 7 - Repression faced by Degar Christians, Falun Gong practitioners and Khmer Krom Buddhists
- 8 - Latest incidents
- 9 - Recommendations for action by Vietnam

1. ND 92 is Vietnam's tool of religious control: ND 92 contains 5 chapters and 46 clauses. Clauses 5 to 41 contain strict rules about all aspects of religious activities that need to be 'registered', meaning require permission by authorities, before they are allowed to be carried out. They include: the establishment of a religious organisation, its organisation structure, activities of churches, monasteries, candidates for traineeship in priesthood or monkhood, ordination, posting and transfer of office holders, establishment of religious schools, organisation of religious festivals, fund raising and donation, construction of religious venues, publication of religious materials, importing and exporting religious publications, carrying out charitable work, liaising with overseas religious organisations, travelling overseas to further religious training, and so on.

Permission for any of these activities is at the mercy of various levels of authorities, depending on several factors including the authorities' assessment of the 'political attitude' of individuals or organisation concerned.

2.Repression faced by Hoa Hao Central Buddhist Church

2.1. Persecution of Hoa Hao leaders and followers: From 1975 to 1999, Head of the Church Ven. Le Quang Liem was imprisoned for a total of 5 years, and officially placed under house arrest for another 5 years. Since 1999 until now, he is under constant surveillance. Seven church officers were arrested in August 2005 and imprisoned, their jail terms ranging from 4 to 11 years. A monk self-immolated in protest at the injustice. From 2006 until now, 10 followers were arrested and imprisoned, their jail terms ranging from 2 years and 6 months to 9 years. A key church officer was sentenced to 20 years jail in 1995, he is still in jail. Another key officer was recently released after nearly 20 years in jail. The names of these individuals are available but withheld for the purpose of this report.

For the record, in the 40's, the Communists, under the umbrella of the Viet Minh nationalistic movement, assassinated Master Huynh Phu So, founder of the Hoa Hao Central Buddhist Church. They also massacred tens of thousands of Hoa Hao followers. Mass graves are located in several villages in South Vietnam provinces including Phu Thuan where the remains of 467 bodies were found (Chau Doc province), Tan Phuoc and Long Thanh (Dong Thap province), Thanh Quoi and Loi Tu (Can Tho province).

According to US Commission on International Religious Freedom ('USCIRF') 2013 report, there are at least 12 church leaders still in prison.

2.2.Confiscation of Church property: Since 1975, the entire property of the Church was confiscated including 30 monasteries and temples, an important temple at 114 Bui Thi Xuan, 800 preaching venues, over 500 clubs and 3000 offices. Hoa Hao cemetery was razed to the ground.

2.3.Government control of Church activities: From 1975 to 1999, tens of thousands of Hoa Hao officer holders and preachers were either imprisoned, under house arrest or banned from participating in church activities. From 2000 until now, the government placed the Church under a governing body, headed by Nguyen Van Ton, a veteran member of the Vietnamese Communist Party ('VCP'), and consisted almost totally of members of VCP. Those opposed to this move, including Ven. Liem, have been

subject to intimidation and persecution ever since. Major Hoa Hao festivals to celebrate the birthday of Master Huynh Phu So, the founder of the Church, and to commemorate his passing are banned.

3.Repression faced by the Roman Catholic Church:

3.1.Persecution of Catholic leaders and followers: Father Nguyen Van Ly, a prominent advocate for religious freedom, has been either in prison or under house arrest in the past 37 years. Incidents where police harassed and attacked Catholic practitioners are numerous. In 2009, hundreds of police officers attacked and vandalised Tam Toa and Bau Sen parishes. In 2010, a trainee priest from Thai Ha was severely beaten, a Ha Noi student was arrested and tortured for being a Catholic. Nghe An authorities targeted Catholic students from a teaching college, forcing them to sign a declaration ‘not to participate in unapproved religious activities or gather at private residences to carry out religious activities’. Those who refused to sign were failed at exams and did not graduate. In 2011, Nghe An authorities incited non-Catholic to harass and vandalise My Loc parish. In 2012, the police hired criminals to assault a priest at Kon Hnong village, three parishioners from Vinh diocese were also seriously beaten.

3.2. Confiscation and destruction of Church property: In 2009 six hundred police officers surrounded Bau Sen parish to remove a statue of Mother Mary; in 2010 five hundred armed police went to Dong Chiem parish to remove a large cross, beating and injuring those who confronted them. In 2012 the authorities desecrated Nghia Thanh parish cemetery, assaulted three parishioners there. From 2009 to 2012, Church land and buildings in Thu Thiem, Vinh Long, Long Xuyen, Con Dau, Da Lat, Cau Ram, Thai Ha, Ngoc Long were confiscated. In 2012 police attacked and destroyed an orphanage in Chuong My, Hanoi, the orphans were evicted, parish priest and parishioners were assaulted. Further details of these incidents are available upon request.

3.3. Government control of Church activities: In May 2010, the government forced Archbishop Ngo Quang Kiet to be transferred out of Hanoi Archdiocese, and to leave Vietnam because he advocated religious freedom. In 2010 the government blocked the ordination to the priesthood of two trainee priests. The authorities blocked the enrolment in seminary of two nephews of two religious freedom activists, Father Ly and Father Phan van Loi, because of their relations with them. Office holders of state-approved or ‘registered’ churches represent the VCP and act in the Party’s interest not in the interest of their faith, preached propaganda not messages of the faith to their followers.

4 - Repression faced by Cao Dai Church

4.1. Persecution of religious leaders and followers: Following their takeover of South Vietnam in 1975, the communists assassinated two high-ranking church priests Tran Quang Vinh and Thuong Trong Thanh. Since then, six priests were imprisoned, their prison terms ranged from two years to nine years. Five office holders were imprisoned from one year to three years. A church follower was imprisoned for 16 years. An office holder was subject to constant harassment by the authorities from 1981 to 1995; in 2011 he was assaulted by criminals hired by the authorities and was seriously

injured. The names of these individuals are available but withheld for the purpose of this report.

Church followers at independent temples in An Ninh Tay (Long An province), Long Binh (Tien Giang province), Phu My (Binh Dinh province), Vung La (Phu Yen province) and many others, including worshippers in private homes have been subject to constant harassment and intimidation.

4.2. Confiscation and destruction of Church property: The government confiscated over 20 building and premises part of the grand structure of Tay Ninh Holy See and over 20 local temples. Some temples were turned into government offices, some left abandoned.

4.4. Government control of Church activities: Since 1978, the organisation structure of Cao Dai Church, from executive level to the local level, was dismantled in its entirety. As with Hoa Hao Central Buddhist Church, a governing body appointed by the VCP took over the control of the Church.

5 – Repression faced by Unified Buddhist Church of Vietnam

5.1. Persecution of religious leaders and followers: The 84-year-old Thich Quang Do, Patriarch of the Unified Buddhist Church of Vietnam, still remains in detention for nearly three decades. Ven. Thich Khong Tanh was imprisoned for a total of 15 years with 5 years's 'pagoda arrest' for conducting charity work such as helping flood victims and sick children. He is still under surveillance and restrictions.

For the record, the Most Ven. Thich Huyen Quang was either in prison or under house arrest for nearly 30 years until his death in 2008. In 1978 The Most Ven Thich Thien Minh was tortured and died in jail; 14 monks and nuns from Duoc Su Temple (Can Tho) self-immolated in protest, scores of other monks were imprisoned.

5.2. Confiscation of Church property: The large majority of church properties including temples, pagodas and premises had been confiscated by the communist authorities.

5.3. Government control of Church activities: The remaining temples of UBC such as Kim Quang in Hue, Giac Minh in Da Nang, Giac Hoa, Lien Tri in Saigon and Thanh Minh monastery have been under constant surveillance. Religious leaders who stay there and temple visitors face constant intimidation and harassment to the point that people don't dare to go to these places of worship out of fear. At times, Lien Tri was surrounded by up to 15 to 20 police officers.

6 – Repression faced by Protestant Church

6.1. Persecution of religious leaders and followers: In April 2011, Mennonite Pastor Nguyen Cong Chinh was sentenced to 11 years' jail with 3 years house arrest, his family has been constantly harassed and terrorised by the authorities.

Hmong Protestants in North Vietnam were refused ration cards, which deprived them of government benefits. Hundreds of Montagnard Protestants arrested after 2001 and 2004 demonstrations for religious freedom and land rights remain in detention (USCIRF 2013 report).

Protestant lawyer Nguyen Van Dai was imprisoned for 4 years, he was released in 2011. He opines that the goal of ND 92 is to ‘completely abolish the organizational structure and religious operations of the Protestant denominations that were formed some 20 years ago’.

6.2. Government control of Church activities: Hundreds of Protestant churches applied for registration, however their applications were ignored or declined (USCIRF 2013 report). It is clear the government is fearful of the proliferation of the Protestant church in Vietnam.

7 - Repression faced by Degar Christians, Falun Gong practitioners and Khmer Krom Buddhists

7.1. Persecution of religious followers: In August 2012, Degar Christians in Bon Kon H'Drom village were assaulted by police, over 30 people were severely injured. In the same month, police attacked Degar Christians in Bon Kon P'Deh village, 9 people from a prayer group were assaulted.

Two Falun Gong practitioners are serving two year sentences for "illegally using information in computer networks" (2013 USCIRF report).

In June 2013, Khmer-Krom monk Ven. Danh Tol testified before the US sub-committee on religious repression that the government of Vietnam continues to violate religious freedom and make every action to control and put the Khmer-Krom Theravada Buddhism under state control.

7.2. Confiscation and destruction of Church property: In August 2012, police forced Bahnar Christians in Dak Pnan village to remove religious relics and replace the picture of Jesus with Ho Chi Minh's photo.

8 - Latest incidents: On 23 May 2013, eight of fourteen young Catholics and Protestants were brought before a court of appeal, the combined sentence for 14 of them was 80 years of imprisonment. Both Reporters Without Border and Human Rights Watch denounced the persecution of these people who only exercised their freedom of expression.

Also on 23 May 2013, RFA reported that 13 Hoa Hao Buddhists were harassed and threatened with electric rods by the police after attending a praying session; a Khmer Krom (KK) temple was surrounded by over 100 police officers, hundreds of KK Buddhists threatened, 2 arrested and 3 KK monks forced to renounce their monkhood.

In May 2013, representatives of VIC arranged to meet at Saigon's Redemptorist Church to discuss ways to improve religious rights and human rights in Vietnam. On 28 May, Tra Vinh province police arrested Protestant Pastor Nguyen Hoang Hoa to prevent him from going to Saigon to attend the meeting. On 29 May police surrounded Lien Tri temple to prevent Buddhist monk Most Ven. Thich Khong Tanh from leaving to attend the meeting. A large number of police surrounded the church where representatives of the Catholic Church, Cao Dai Church and Hoa Hao Buddhist Church were attending the meeting.

On 30 May 2013, the Vietnamese authorities blocked at the last minute a pre-arranged meeting between a nine-member delegate from UK Parliament and Embassy with The Most Ven. Thich Quang Do at Thanh Minh Monastery. The same tactic happened in September 2012, when US Ambassador to Vietnam David Shear took a pre-arranged trip to Vinh province to meet with Bishop Nguyen Thai Hop. On his arrival, the authorities informed him that the meeting would not go ahead.

9. Recommendations:

9.1. VIC supports USCIRF's call for Vietnam to be re-designated as a 'country of particular concern' (CPC).

9.2. Vietnam to submit a regular public report to the UN Human Rights Council (HRC) detailing any improvement in religious freedom based on UN approved benchmarks and recommendations from the previous UPR.

9.3. Vietnam to ensure access to all detainees and to release all individuals who have been jailed or detained for exercising or advocating freedom of religion and freedom of expression.

9.4. Vietnam's application for a seat at the Human Rights Council not to be considered unless article 18 of ICCPR is implemented.

9.5. Vietnam to issue a standing invitation to international human rights organizations and UN Special Rapporteurs on freedom of religion and belief.

9.6. Vietnam to establish a permanent and independent human right monitoring body.

9.7. Vietnam to respect religious organisations as legal civil institutions with all the rights pertaining to civil institutions and organisations.

9.8. Vietnam to respect the right of religious organisations to decide on internal matters including the right to select trainee and train priests and monks, appoint office holders, the right to private property, the right to preach, to provide education, carry out charity work, the right to liaise with fellow religious institutions overseas etc... In short, ND 92 that gives the government the right to control religious organisations should be repealed.

9.9. The Vietnamese communist government to return all the land and properties that they have misappropriated from religious organisations since 1954 when they took control of the North and since 1975 when they took control of the South.

9.10. Testaments provided and reports from international human rights organisations prove that the Vietnamese Communist government applies a dual policy of heavy interference and terrorisation against religious practitioners. This policy must stop.

9.11. Most importantly, VIC believes that Vietnam needs a new constitution that guarantees its people basic freedoms to replace the existing one that puts the VCP's interests before national interests (see VIC's media release Appendix 1).