

STATUS UPDATE: RELIGIOUS FREEDOM IN VIETNAM

HEARING
BEFORE THE
TOM LANTOS HUMAN RIGHTS COMMISSION
UNITED STATES
HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

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WEDNESDAY, AUGUST 18, 2010

HOUSE OF REPRESENTATIVES,
TOM LANTOS HUMAN RIGHTS COMMISSION,
Washington, D.C.

The Commission met, pursuant to call, at 2:03 p.m. in Room B-318, Rayburn House Office Building, Hon. Frank R. Wolf, [Co-Chairman of the Commission] presiding.

Mr. WOLF. I want to begin the hearing, and before I do I want to thank all the witnesses, but before I thank the witnesses I want to particularly thank two people, Congressman Cao, who led the effort and asked that this hearing be held, and then shortly after he did I was hit from the other side by Congressman Chris Smith.

There are not two people who are more committed on this issue than both of them, so I want to thank both of them for bringing this to the Commission's attention and asking that there be a hearing.

Both have come in from out of town for this hearing. So, one, the Vietnamese community should know that because of Congressman Cao the hearing is being held and he came in, and Congressman Smith the same way, who came in from out of town. I just want to thank them for bringing this to the Commission's attention.

I want to thank all the witnesses for being here today to discuss the current status of human rights and religious freedom in Vietnam, as well as Congressmen Smith and Cao for their leadership. I understand the Vietnamese government has its own TV here, so as we speak if we want to send a message, I hope it will be very fair and objective and that they will send this back to the Vietnamese government so that they can see what takes place in this hearing.

Unfortunately, Vietnam's human rights record remains a disgrace, despite its ascension to the World Trade Organization, a move that many had hoped would bring political as well as economic liberalization. I fear that when the United States granted Vietnam normal trade relations in 2001, we lost crucial leverage with which to pressure the Vietnamese government to improve its very, very poor record on human rights.

Over the last year, we have seen Vietnam's record on human rights and religious freedom take a turn for the worse. In its 2010 Annual Report on Freedom in the World, the nongovernmental organization Freedom House said that the Vietnamese government "continued to seize land for development in 2009 despite the global economic downturn, and those who protested such moves were harshly punished."

The case of Con Dau Parish and the Diocese of Da Nang, which we will hear more about from our witnesses, exemplifies this trend. Earlier this year, local authorities decided to demolish all the houses in the parish, along with a 135 year old cemetery in the parish grounds, to make way for a green resort. The residents of Con Dau who have protested the expropriation of their land by the Vietnamese government have faced beatings, torture, imprisonment and even death.

This is not an isolated case. Violations of religious freedom abound throughout Vietnam.

Protestants and Catholics and Buddhists alike all face persecution at the hands of the Vietnamese government. According to the NGO Human Rights Watch, in 2009 authorities arrested dozens of Montagnard Christians accused of belonging to unregistered house churches, and on several occasions police beat and shocked parishioners with electric batons when they refused to sign pledges to join the government's approved church. In December, orchestrated mobs, which included undercover police officers and local Communist party officials, assaulted several hundred Buddhist monks and nuns for three days. The repression continued in January, as Hanoi police officers attacked a Catholic church, injuring several people and destroying a crucifix.

Despite these egregious violations of religious freedom, Vietnam was removed from the State Department's list of Countries of Particular Concern, or CPCs, in 2006. Is there anybody here from the State Department? The State Department didn't even send a representative? You are here? Okay. Good. I just wanted to make sure. Thank you very much.

I, along with a number of my colleagues in Congress, have called on the Obama Administration to redesignate Vietnam as a CPC. I understand the State Department will designate CPCs in the coming months, and I urge the Department to add Vietnam back on this list. After looking at the record and seeing what has taken place, it will really be a black mark on the Administration if Vietnam is not put back on the list.

In addition to suppressing religious freedom, over the last year the Vietnamese government has ratcheted up pressure on peaceful human rights and democracy advocates, arresting numerous bloggers, lawyers and political activists. I have been disappointed with the U.S. Embassy in Vietnam, which has repeatedly subordinated issues of human rights and religious freedom to trade and commerce. The U.S. Embassy in Vietnam should serve as an island of freedom which welcomes and supports dissidents.

I remain hopeful. I believe in my lifetime we will see the fall of the communist government in Vietnam and see the day that the people of Vietnam will taste freedom after years of repression.

Again, I would like to thank all the witnesses for being here, and before we introduce you, I am going to turn to Congressman Cao, who initially asked for the hearing and is the leader on the issue of human rights and religious freedom in Vietnam and other places, and Congressman Smith, who every time there is an issue like this on the floor you can always guarantee that Congressman Smith is down there speaking out. Congressman Cao?

[The prepared statement of Mr. Wolf follows:]

PREPARED STATEMENT OF THE HONORABLE FRANK R. WOLF, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA AND CO-CHAIRMAN OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

I would like to thank all the witnesses for being here today to discuss the current status of human rights and religious freedom in Vietnam as well as Congressmen Smith and Cao for their leadership on these issues.

Unfortunately, Vietnam's human rights record remains a disgrace despite its ascension to the World Trade Organization--a move that many had hoped would bring political as well as economic liberalization. I fear that when the United States granted Vietnam normal trade relations in 2001, we lost crucial leverage with which to pressure the Vietnamese government to improve its poor record on human rights.

Over the last year, we have seen Vietnam's record on human rights and religious freedom take a turn for the worse. In its 2010 annual report on Freedom in the World, the nongovernmental organization Freedom House noted that the Vietnamese government "continued to seize land for development in 2009 despite the global economic

downturn and those who protested such moves were harshly punished.”

The case of Con Dau parish in the Diocese of Da Nang, which we will hear more about from our witnesses, exemplifies this trend. Earlier this year, local authorities decided to demolish all the houses in the parish along with the 135 year old cemetery on the parish grounds to make way for a green resort. The residents of Con Dau who have protested the expropriation of their land by the Vietnamese government have faced beatings, torture, imprisonment, and even death.

This is not an isolated incident. Violations of religious freedom abound throughout Vietnam. Christian Protestants, Catholics, and Buddhists alike all face persecution at the hands of the Vietnamese government. According to the NGO Human Rights Watch, in 2009 authorities arrested dozens of Montagnard Christians accused of belonging to unregistered house churches, and on several occasions police beat and shocked parishioners with electric batons when they refused to sign pledges to join the government approved church. In December, orchestrated mobs which included undercover police officers and local communist party officials assaulted several hundred Buddhist monks and nuns for three days. The repression continued in January as Hanoi police officers attacked a Catholic church injuring several people and destroying a crucifix.

Despite these egregious violations of religious freedom, Vietnam was removed from the State Department’s list of Countries of Particular Concern, or CPCs, in 2006. I, along with a number of my colleagues in Congress, have called on the Obama Administration to re-designate Vietnam as a CPC. I understand that the State Department will designate CPCs in the coming month and I urge the department to add Vietnam back on the list.

In addition to suppressing religious freedom, over the last year the Vietnamese government has ratcheted up pressure on peaceful human rights and democracy advocates, arresting numerous bloggers, lawyers, and political activists. I have been disappointed with the U.S. Embassy in Vietnam which has repeatedly subordinated issues of human rights and religious freedom to trade and commerce. The U.S. Embassy in Vietnam should serve as an island of freedom, which welcomes and supports dissidents. I remain hopeful that in my lifetime, we will see the fall of the communist government in Vietnam, and the people of Vietnam will taste freedom after years of repression.

Again, I would like to thank everyone for being here today.

Mr. CAO. Thank you very much, Mr. Chairman. I would like, on behalf of the Vietnamese-American community, to personally thank you and thank Congressman Smith for your tireless efforts in the past 20 plus years advocating for human rights and religious freedom in Vietnam.

Without your dedication, without your commitment, I believe that we could not have gone as far as we have in the past 20 years in trying to improve the conditions that will enable the Vietnamese people to eventually achieve democracy and religious freedom in our homeland, so again I would like to thank you, both you and Chris Smith, for your dedication and tireless efforts on behalf of the Vietnamese-American community.

Obviously the subject of this hearing today is the Vietnamese government's recent abuses in the village of Con Dau, which is part of a much larger problem that has existed in Vietnam ever since the communists took over South Vietnam in 1975. After the Vietnam War, close to one million soldiers and civilians were sent to hundreds of so-called re-education camps. These compounds were in reality a kind of cross between a Nazi-style concentration camp and a Soviet-style labor camp.

According to a 1985 article in the *Wall Street Journal*, as many as 60,000 of these detainees were summarily executed or died of starvation, disease or exhaustion. Since 1989, the U.S. has resettled 30,000 re-education camp survivors and approximately 150,000 of their family members in Vietnam under the Humanitarian Operation or the HO program. My parents are beneficiaries of the HO program.

These individuals make up arguably the most neurologically impaired group of refugees ever resettled to the United States. Focus group studies conducted from 1998 to 1999 by the

humanitarian organizations Boat People SOS and the Center for Multicultural Human Services in Falls Church, Virginia, identified some of the shocking types of torture these survivors had been exposed to.

Those findings corroborate results of a five-year study conducted jointly by the Indochinese Psychiatry Clinic of the Beth Israel Deaconess Medical Center and the Harvard Program in Refugee Trauma. It found that among survivors tested, 90 percent had posttraumatic stress disorder. Forty-nine percent had major depression.

Another study conducted by Boat People SOS and funded by the Substance Abuse and Mental Health Service Administration suggested that as many as 80 percent of the torture survivors suffered cognitive impairments. According to that study, the spouses of torture survivors also display severe symptoms of traumatization.

I speak not just on the basis of the findings of those credible studies, but also from my personal experience. As I have stated, my father spent seven years in the re-education camps and continues to suffer from posttraumatic stress disorder, as well as other physical ailments, as a result of his time spent in these camps.

When you are talking about the psychological and emotional impact on the torture survivors, a simple display of an otherwise harmless symbol or image such as the red flag of communist Vietnam may trigger flashbacks or nightmares, aggravate existing symptoms of depression and anxiety, or reverse the modest progress achieved through years of treatment.

We should be mindful of the long-term symptoms of torture. It is also our moral obligation to denounce the use of torture by governments to control the public and suppress dissident voices. The torture in Vietnam continues even today. It occurred recently in Con Dau, which brings us here today and is why we are having this hearing.

The Vietnamese government has shown no progress on the issue of human rights, and they have shown no sign of any intent to improve. As Vietnam enforces the common system of land ownership, all land is supposed to belong to the people. Land is managed by the government on their behalf. People possess land-use rights, not land ownership. This means the government can strip real property from people and organizations without just compensation or support for resettlement.

In the name of progress, farmers have been stripped of their homes and farms, which the government has turned over to private developers. On top of losing the way of life their families have known for generations, the pittance they receive as compensation does not provide them the means for suitable housing, so they are rendered both jobless and homeless. All the while, government officials are getting wealthier and wealthier on huge profits from these land deals.

Protests against these injustices are sprouting up from the north to the south. The BBC reported that on July 18, 2007, peasants waged simultaneous protests in Hanoi and Saigon. The report noted, "Peasants frequently complain about unfair compensation and criticize the laws on land use, which in their opinion have too many loopholes and are too easily abused by corrupt local government officials."

Protests can also turn violent. On May 26 of this year, the *Bangkok Post* reported on the violence surrounding a protest against land seizure for the Nghi Son refinery, 90 miles south of Hanoi. Police opened fire on protestors, killing a 12-year-old boy and wounding a man and a woman.

More systematically, property seizure has been used as a means to control religious practice. Since the 1975 Communist takeover of South Vietnam, the Vietnamese government has seized many religious institutions and effectively banned their existence.

A prime example is the complete property seizure of the Unified Buddhist Church of Vietnam in 1981, leading to its dissolution. The Unified Buddhist Church of Vietnam has since been outlawed, and its religious leaders have been constantly harassed. Other religious sects such as the Hoa Hao Buddhists and the Cao Dai have suffered a similar fate.

Almost as a rule, all land disputes against the Catholic Church in Vietnam result in violence. A great number of Catholic institutions in North Vietnam were seized in the 1950s. The same has happened in the South since the Communists took over in 1975.

Parishioners of Thai Ha Church in Hanoi were beaten by police and government thugs while attending a prayer vigil for the return of the church's properties. Those government henchmen proceeded to desecrate and destroy religious symbols and properties. Anyone perceived to be a protest leader was arrested.

This pattern of abuse has been repeated the last few years at many other parishes, including Loan Ly, Bau Sen, Tam Toa, Dong Chiem and the St. Paul of Chartres Monastery in the Diocese of Vinh Long.

As we will hear more about today, the government of Da Nang City recently ordered the people of Con Dau, a town of about 2,000 Catholics, to vacate their homes, farmlands and their historic cemetery to make way for a high-end resort to be built by a joint venture with private companies. When the people of Con Dau resisted the order, violence broke out at a funeral procession for a member of the parish. The police seized the casket and cremated the body of the deceased against her last wish.

Many members of the funeral procession were beaten and arrested and now some are facing trial. Others have fled the country and are seeking asylum. Mr. Nam Nguyen, a member of the funeral procession, was interrogated numerous times and died after a severe beating.

I want to thank the witnesses who will testify here today. Many of you have close relatives in Con Dau who have suffered grave injustices. Thank you for speaking out for them. I look forward to hearing your testimony. For those of you who are not testifying today, I ask the Chairman to allow their written testimony to be submitted for the record.

Finally, let me say that I wholeheartedly endorse House Resolution 1572's call for the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the U.N. Special Rapporteur on Religious Freedom or Belief to inquire, investigate and report on the situation throughout Vietnam and specifically in Con Dau, including the discrimination, police impunity, mistreatment in detention, desecration of religious and historical properties and the beating death of Nam Nguyen. Thank you, Mr. Chairman, and I yield back.

[The prepared statement of Mr. Cao follows:]

PREPARED STATEMENT OF THE HONORABLE AHN "JOSEPH" CAO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF LOUISIANA AND MEMBER OF THE EXECUTIVE COMMITTEE, TOM LANTOS HUMAN RIGHTS COMMISSION

I would like to thank the Tom Lantos Human Rights Commission and Chairman Frank Wolf for holding this very important hearing on human rights and religious abuses by the government of Vietnam. I am especially

appreciative to Congressman Wolf and Congressman Chris Smith for taking time out of their summer recess to come back to Washington for the hearing. As Members of Congress, their concern for the people of Vietnam has been constant, true and unfailing, and it is only through leadership such as theirs that the atrocities we are here to discuss will be effectively addressed.

The subject of this hearing—the Vietnamese government’s recent abuses in the village of Cồn Dầu—is part of a much larger problem that has existed in Vietnam ever since the communist takeover of South Vietnam in 1975. Close to one million soldiers and civilians were sent to hundreds of so-called “re-education” camps. These compounds were, in reality, a kind of cross between a Nazi-style concentration camp and a Soviet-style labor camp. According to a 1985 article in the Wall Street Journal, as many as 60-thousand of these political detainees were summarily executed or died of starvation, disease or exhaustion.

Since 1989, the U.S. has resettled 30-thousand “re-education” camp survivors and approximately 150-thousand of their family members from Vietnam under the Humanitarian Operation (HO). They make up arguably the most neurologically impaired group of refugees ever resettled to the U.S. Focus group studies conducted from 1998 to 1999 by the humanitarian organizations BPSOS and the Center for Multicultural Human Services in Falls Church, Virginia identified some of the shocking types of torture these survivors had been exposed to. Those findings corroborate results of a five-year study conducted jointly by the Indochinese Psychiatry Clinic of the Beth Israel Deaconess Medical Center and the Harvard Program in Refugee Trauma; it found that among survivors tested:

- 90% had Post Traumatic Stress Disorder;
- 49% had major depression.

Another study conducted by Boat People SOS (BPSOS) and funded by the Substance Abuse and Mental Health Service Administration (SAMHSA) suggested that as many as 80% of the torture survivors suffered cognitive impairments. According to that study, the spouses of torture survivors also displayed severe symptoms of traumatization.

I speak not just on the basis of the findings of those credible studies, but also from my personal experience. In 1996, as an intern with BPSOS, I worked with numerous survivors of Vietnamese “re-education” camps and observed the manifestation of the long-term consequences of torture. My own father was subjected to continual torture during his 7 years of incarceration in “re-education” camps.

The display of an otherwise harmless symbol or image, such as the red flag of Communist Vietnam, may trigger flashbacks or nightmares, aggravate existing symptoms of depression and anxiety, or reverse the modest progress achieved through years of treatment. We should be mindful of the long-term symptoms of torture. It is also our moral obligation to denounce the use of torture by governments to control the public and suppress dissident voices.

What brings us here today is ample evidence that the Vietnamese government has shown no progress on the issue of human rights; indeed, no sign of any intent to do better. As Vietnam enforces the Communist system of land ownership, all land is supposed to belong to the people. Land is managed by the government on their behalf. People possess land-use rights – not land ownership. This means the government can strip real property from people and organizations without just compensation or support for resettlement.

In the name of progress, farmers have been stripped of their homes and farms, which the government has turned over to private developers. On top of losing the way of life their families have known for generations, the pittance they receive as “compensation” does not provide them the means for suitable housing, so they are rendered both jobless and homeless. All the while, government officials are getting wealthier and wealthier on huge profits from these land deals.

Protests against these injustices are sprouting up from North to South. The BBC reported that on July 18th, 2007, peasants waged simultaneous protests in Hanoi and Ho Chi Minh City. The report noted, “Peasants frequently complain about unfair compensation and criticize the laws on land use, which in their opinion have too many loopholes and are too easily abused by corrupt local government officials.”

Protests can also turn violent. On May 26th of this year, the Bangkok Post reported on the violence surrounding a protest against land seizure for the Nghi Son refinery, 90 miles south of Hanoi. Police opened fire on protesters, killing a 12 year-old boy and wounding a man and a woman.

More systematically, property seizure has been used as a means to control religious practice. Since the 1975 Communist takeover of South Vietnam, the Vietnamese government has seized many religious institutions and

effectively banned their existence. A prime example is the complete property seizure of the Unified Buddhist Church of Vietnam in 1981, leading to its dissolution. The Unified Buddhist Church of Vietnam has since been outlawed, and its religious leaders have been constantly harassed. Other religious sects such as the Hòa Hảo Buddhists and the Cao Đài have suffered a similar fate.

Almost as a rule, all land disputes against the Catholic Church in Vietnam result in violence. A great number of Catholic institutions in North Vietnam were seized in the 1950s. The same has happened in the South since the Communists took over in 1975. Parishioners of Thai Ha church in Hanoi were beaten by police and government thugs while attending a prayer vigil for the return of the church's properties. Those government henchmen proceeded to desecrate and destroy religious symbols and properties. Anyone perceived to be a protest leader was arrested.

This pattern of abuse has been repeated the last few years at many other parishes, including Loan Lý, Bàu Sen, Tam Tòa, Đồng Chiêm and the St. Paul of Chartres monastery in the Diocese of Vinh Long.

As we'll hear more about today, the government of Đà Nẵng City recently ordered the people of Cồn Dầu, a town of about two-thousand Catholics, to vacate their homes, farm lands and their historic cemetery to make way for a high-end resort to be built by a joint venture with private companies. When the people of Cồn Dầu resisted the order, violence broke out at a funeral procession for a member of the parish. The police seized the casket and cremated the body of the deceased against her last wish. Many members of the funeral procession were beaten and arrested, and now some are facing trial. Others have fled the country and are seeking asylum. Mr. Nguyễn Năm, a member of the funeral procession, was interrogated numerous times and died after a severe beating.

I want to thank the witnesses who will testify here today. Many of you have close relatives in Cồn Dầu who have suffered grave injustices. Thank you for speaking out for them. I look forward to hearing your testimony. And for those of you who are not testifying today, I ask the Chairman to allow their written testimony to be submitted for the record.

Finally, let me say that I wholeheartedly endorse House Resolution 1572's call for "the United Nations (UN) Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment—and the UN Special Rapporteur on Religious Freedom or Belief—to inquire, investigate, and report on the situation throughout Vietnam and specifically in Con Dau, including the discrimination, police impunity, mistreatment in detention, desecration of religious and historical properties, and the beating death of Nguyen Nam."

Mr. WOLF. Thank you, Congressman Cao. The statement will be open for the record for submitting statements.

Congressman Smith?

Mr. SMITH. Thank you very much, Chairman Wolf, and I want to thank you especially for convening and chairing this very important hearing.

And special thanks to Anh "Joseph" Cao for suggesting that the Lantos Commission meet in an emergency session to voice our collective concern for the brutal murders and systematic mistreating of Catholics at Con Dau. Thank you also to our very distinguished witnesses for participating today, and I do look forward to hearing your testimony.

This past Sunday, August 15, the Feast of the Assumption marked the 80th anniversary of the founding of Con Dau, a Catholic village in the Diocese of Da Nang, central Vietnam. What should have been a joyous occasion has been marred by unspeakable violence.

A few months ago during a religious funeral procession, Vietnamese officials and riot police disrupted that sad and solemn occasion, shooting tear gas and rubber bullets into the crowd, beating mourners with batons and electric rods. More than 100 were injured, dozens were arrested and several remain in custody and have been reportedly severely beaten and tortured by Vietnamese officials.

At least two innocent people, perhaps more, have been murdered by the Vietnamese police,

including Nam Nguyen. His brother, Tai, is among our distinguished witnesses today, and we welcome him and we offer our condolences for the loss of his brother. It is really unspeakable what they have done to him. I read the detailed account of what they had done to him, and it is, like I said, unspeakable. Extraordinary violence committed by a regime that is out of control.

The Vietnamese government justifies this violence, torture and murder because the villagers of Con Dau had previously been ordered, some through coercion, to leave their village, property, church, century-old cemetery, their religious heritage, and to forgo equitable compensation in order to make way for a new green resort. Nothing, however -- not even governmental orders -- grants license for government sanctioned murder and other human rights abuses.

As we will hear shortly from the U.S. Commission on International Religious Freedom, this is unfortunately not an isolated incident. In fact, according to the 2010 Annual Report, "Property disputes between the government and the Catholic church continue to lead to harassment, property destruction and violence, sometimes by contract thugs hired by the government to break up peaceful prayer vigils."

In recent years, the Vietnamese government has stepped up its persecution of Catholic believers, bulldozing churches. As a matter of fact, Mr. Wolf and I, the last time we heard of the bulldozing of Catholic churches and churches that happened to be Orthodox was in Romania under the infamous reign of Nicolae Ceausescu, a brutal dictator who actually bulldozed churches sometimes with the people still in them. The Vietnamese government continues to dismantle crucifixes, and it wrecks havoc on peaceful prayer vigils.

Persecution of religious followers, however, is not limited to the Catholic Church in Vietnam. In fact, I have in my hand right here a list of nearly 300 Montagnard political and religious prisoners -- men and women who over the last decade have protested the denial of their religious freedom and have been driven off their land.

The persecution of the Montagnards, like Catholics, is ongoing. In January of this year, the government of Vietnam sentenced two Montagnard Christians to 9 and 12 years of imprisonment, respectively, for organizing a so-called -- and get this -- "reactionary underground" network. That is how the Vietnamese government refers to a house church. These cruel sentences followed the arrests of dozens of Montagnard members of house churches who refused to join government controlled churches. The arrests were accompanied by beatings and torture by electroshock devices.

We must not forget the sufferings of the Khmer Krom Buddhists, Cao Dai, Hoa Hao, the Unified Buddhist Church of Vietnam and many others. The sad reality is that the Vietnamese government persecutes any religious group that does not submit to government control.

While I am eager to listen to the testimony of the witnesses who are here, I, like my colleagues, especially Chairman Wolf, am deeply disappointed that the U.S. Department of State declined the invitation to testify. It was just a few weeks ago that Secretary of State Hillary Clinton met with officials in Hanoi and expressed concern over Vietnam's track record on human rights abuse and violations of religious freedom.

We call on and I strongly call on the President and the Secretary of State to reimpose Country of Particular Concern -- a designation that, under Mr. Wolf's historic legislation, the International Religious Freedom Act, designates a country where there is ongoing and pervasive violations of religious liberties and persecution of believers. Vietnam fits that definition like a

glove.

I also call on the Secretary to postpone indefinitely taking U.S.-Vietnam relations to the "next level" until the government of Vietnam can prove that they too are concerned. And we are talking about deeds, not promises. We want to see real deeds, tangible deeds, before any kind of loosening and expansion of our relationship with Vietnam.

Mr. Wolf and I -- and Anh, had he been here at the time, would have joined -- called on our government to link human rights issues with trade issues. The previous Administration, and this one as well, has refused to do so, and now we are reaping, sadly, a terrible, terrible abuse record because of that delinking that occurred in the last Administration, the Bush Administration, as well as the Clinton Administration and now the Obama Administration.

I respectfully ask Commissioner Van Der Meid, on behalf of the International Religious Freedom Commission, to visit Vietnam and report back to this Commission and to Congress on the situation in Con Dau and the violence and the harassment faced by Catholic villagers throughout the country.

Finally, I would like to draw your attention to a resolution that Mr. Cao, Mr. Wolf, several of my colleagues and I have introduced on July 29 to condemn and deplore the violence, threats, fines, murder and harassment in Con Dau. Our legislation, H. Res. 1572, calls for the appointment of a United National Special Rapporteur on Human Rights in Vietnam to investigate the ongoing and serious human rights violations in Vietnam, and urges the government of Vietnam to permit the U.N. Special Rapporteur on Torture and U.N. Special Rapporteur on Religious Freedom as well to investigate the events surrounding Con Dau and other similar situations in Vietnam.

In addition, our bill calls on the U.S. Embassy to visit Con Dau residents still in prison. We have a witness today whose sister and brother are still detained, if I am not correct, to visit those individuals. Have we done it? I don't think so. If we have, we need to step up that effort and also to continually raise the issue with Vietnamese authorities.

The resolution also urges the State Department to look at property disputes not as property disputes, but as a thinly veiled attempt to crush and to persecute religious believers.

In closing, I would like to mention the plight of Vietnamese refugees and asylum seekers flooding into surrounding nations. In fact, many from Con Dau have fled to Thailand seeking relief from the persecution they face in their village. We have a witness who will speak to that as well. Several hundred Khmer Krom asylum seekers are living in Thailand as well awaiting resettlement.

Mr. Chairman, again this is a very timely hearing, and as Congress comes back into session in just a couple of weeks, not only should this resolution be on the floor, but Members of both sides of the aisle, both houses of Congress and especially the executive branch have to speak from the rooftops about the outrages that have occurred, are occurring and unless remedial action is taken, will continue occurring in the future. I thank you, Mr. Chairman.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND MEMBER OF THE EXECUTIVE COMMITTEE, TOM LANTOS HUMAN RIGHTS COMMISSION

Good afternoon. Thank you, Mr. Wolf, for chairing this important hearing and special thanks to Anh “Joseph” Cao for suggesting that the Lantos Commission meet in an emergency session to voice our collective concern for the brutal murders and systematic mistreatment of Catholics in Con Dau. Thank you also to our distinguished witnesses for participating today; I look forward to your testimony.

This past Sunday, August 15, 2010, marked the 80th anniversary of the founding of Con Dau, a Catholic village in the Diocese of Da Nang, Central Vietnam. What should have been a joyous occasion has been marred by unspeakable violence. A few months ago during a religious funeral procession, Vietnamese authorities and riot police disrupted that sad and solemn occasion, shooting tear gas and rubber bullets into the crowd, beating mourners with batons and electric rods. More than 100 were injured, dozens were arrested, and several remain in custody and have reportedly been severely beaten and tortured. At least two innocent people have been murdered by the Vietnamese police.

The Vietnamese government justifies this violence, torture and murder because the villagers of Con Dau had previously been ordered, some through coercion, to leave their village, property, church, century-old cemetery, their religious heritage, and to forgo equitable compensation in order to make way for a new “green” resort. Nothing, however, not even governmental orders, grant license for government sanctioned murder and other human rights abuses.

As you will hear shortly from the U.S. Commission on International Religious Freedom (USCIRF), this is unfortunately not an isolated incident. In fact, according to the 2010 Annual Report, “property disputes between the government and the Catholic Church continue to lead to harassment, property destruction, and violence, sometimes by “contract thugs” hired by the government to break up peaceful prayer vigils.” In recent years, the Vietnamese government has stepped up its persecution of Catholic believers, bulldozing churches, dismantling crucifixes, and wrecking havoc on peaceful prayer vigils.

Persecution of religious followers, however, is not limited to the Catholic Church in Vietnam.

In fact, I have here in my hand a list of nearly 300 Montagnard political and religious prisoners—men and women who over the last decade have protested the denial of their religious freedom and being driven off their land. The persecution of Montagnards, like Catholics, is ongoing. In January of this year, the government of Vietnam sentenced two Montagnard Christians to 9 and 12 years of imprisonment, respectively, for organizing a so-called “reactionary underground” network—this is how the Vietnamese government refers to a house church. These cruel sentences followed the arrests of dozens of Montagnards members of house churches who refused to join government-controlled churches. The arrests were accompanied by beatings and torture by electroshock devices.

We must not forget the sufferings of Khmer Krom Buddhists, Cao Dai, Hoa Hao, the Unified Buddhist Church of Vietnam (UBCV), and others. The sad reality is that the Vietnamese government persecutes any religious group that does not submit to government control.

While I am eager to listen to the testimony of the witnesses who are here, I am disappointed that the U.S. Department of State declined the invitation to testify. It was just a few weeks ago that Secretary Clinton met with officials in Hanoi and expressed concern over Vietnam’s track record of human rights abuse and violations of religious freedom. I call on the Secretary to postpone indefinitely taking U.S.-Vietnam relations to the “next level” until the government of Vietnam can prove that they too are concerned about and willing to stop rampant abuse in their country and hold officials accountable for known or reported abuses.

I also respectfully ask Commissioner Van Der Meid, on behalf of the International Religious Freedom Commission, to visit Vietnam and report back to this Commission and to Congress on the situation in Con Dau and the violence and harassment faced by Catholic villagers throughout the country.

Finally, I would like to draw your attention to a resolution that Mr. Cao, Mr. Wolf and I introduced on July 29th to condemn and deplore the violence, threats, fines and harassment in Con Dau. Our legislation, H Res 1572, calls for the appointment of a United Nations Special Rapporteur on Human Rights in Vietnam to investigate the ongoing and serious human rights violations in Vietnam, and urges the government of Vietnam to permit the UN Special Rapporteur on Torture and the UN Special Rapporteur on Religious Freedom or Belief to investigate the events surrounding Con Dau and other similar situations in Vietnam. In addition, our resolution calls on the U.S. Embassy

to visit the Con Dau residents still in prison, to continually raise this issue with Vietnamese authorities, and urges more State Department scrutiny in Vietnamese property disputes, particularly ones which involve religious communities.

In closing, I would like to mention the plight of Vietnamese refugees and asylum seekers flooding to the surrounding nations. In fact, many from Con Dau have fled to Thailand seeking relief from the persecution they face in their home village, and several hundred Khmer Krom asylum seekers are living in Thailand awaiting resettlement. It is important that the U.S. Embassy work in conjunction with UNHCR after an immediate registration, towards a swift resettlement of these and all asylum seekers.

Thank you again Mr. Chairman for holding this hearing.

Mr. WOLF. Thank you, Chris. Now it is my pleasure to introduce very briefly the witnesses, and it will go in order. First will be Ted Van Der Meid. Ted worked up here on Capitol Hill for 23 years and was counsel to Speaker Dennis Hastert.

Next will be Simon Tai Nguyen, who is the brother of the man who was involved in the beating and the killing by the Vietnam police. Next, Quang Nguyen, brother of Lieu Nguyen, who escaped to Thailand, and lastly the sister of Liem and Minh Nguyen, Luan Nguyen, whose brother and sister both are still in prison, correct?

Ms. LUAN NGUYEN. Yes.

Mr. WOLF. And lastly, T. Kumar, who has appeared and has been a great champion on human rights and religious freedom with Amnesty International.

With that, we will go in that order, and then we will all finish and then have questions. Ted?

Mr. VAN DER MEID. Mr. Chairman and Members of Congress, thank you for this opportunity to testify before the Tom Lantos Human Rights Commission. With the Chairman's approval, I would like to submit my testimony for the record, along with the chapter on Vietnam from the U.S. Commission on International Religious Freedom's 2010 Annual Report. The Commission is commonly referred to as USCIRF.

The topic we are considering here today is timely. As you know, Secretary Clinton recently visited Vietnam, where she publicly criticized the Vietnamese government for its attacks on religious communities and said that our two countries have profound differences regarding protection of human rights.

USCIRF commends the Secretary's public statements and urges her to back up these words with concrete actions, including designating Vietnam as a country of particular concern for its systematic, ongoing and egregious violations of religious freedom. In addition, the State Department should support new programs to advance internet freedom and civil society development in Vietnam and work with Congress to help pass the Vietnam Human Rights Act.

USCIRF has testified numerous times before this Commission and traveled multiple times to Vietnam since 2003, the last trip being in May 2009. Sadly, we cannot conclude that religious freedom conditions have improved markedly in recent years.

Vietnam continues to backslide on human rights, and there remain too many religious freedom violations, too many individuals detained for independent religious activity or peaceful religious freedom advocacy, too many cases of discrimination and forced renunciations of faith targeting new converts to Protestantism and too many stories of government-approved violence targeting Buddhists and Catholics.

These abuses occur despite the protections found in Vietnam's constitution and despite

Vietnam's international obligations under the International Covenant on Civil and Political Rights.

The U.S.-Vietnamese relationship is rapidly growing in many different areas. The U.S. should clearly articulate our interest in human rights improvements and use all available diplomatic tools to advance that interest. U.S. policies should clearly signal support for those in Vietnam peacefully seeking to advance both prosperity and universal rights.

This hearing is also timely because the residents of Con Dau reportedly face ongoing intimidation in their land dispute with the Vietnamese government. As you already know, in order to build a resort the Vietnamese government has detained and harassed Con Dau villagers, used violence to disrupt a peacefully religious ceremony, beat to death one Con Dau resident and caused a woman reportedly to suffer a miscarriage.

The ongoing statements of Members of the Tom Lantos Commission summarized well the facts of the Con Dau case. The witnesses who follow will offer more details about what is currently taking place.

In the remainder of my testimony, I want to connect the Con Dau case to the overall decline in human rights in Vietnam and offer some suggestions for U.S. diplomatic and congressional action. The Con Dau case is similar to a number of violent clashes over the property that has recently occurred between the Catholic Church and the Vietnamese government.

In the past several years, disputes over religious property has led to harassment, property destruction, detention and violence, sometimes by contract thugs hired by the government to break up peaceful prayer vigils. In addition, lawyers for those detained at peaceful prayer vigils have been intimidated and briefly detained.

While the Con Dau village case is not a dispute between the Catholic church and the Vietnamese government, it is connected to other property disputes by the methods utilized by the authorities to disrupt a peaceful religious ceremony with physical harassment and violence, desecrating the burial of a Con Dau resident in the village's historic cemetery. It is also connected because the moving of the cemetery and villagers from their land would signal the end of a 135 history of the Catholic parish.

Over the past several years, USCIRF has expressed concern about the Vietnamese government's inability to resolve property disputes with religious communities. We also have expressed concern about the issue of police impunity and the use of thugs to intimidate Catholics peacefully protesting, confiscation of property or engaging in peaceful religious ceremonies at disputed sites.

Too often, police and government officials are not held fully accountable for abuses, which in the past included engaging in or encouraging violence against religious leaders. At this time, no one has been held accountable for the beatings and the custody or the death of the Con Dau villager.

Unfortunately, these issues are not isolated and represent an ongoing religious freedom problem in Vietnam. Buddhists and Protestants all have encountered problems due to police impunity in resolving property issues. In the last year, some monks associated with Buddhist teacher Thich Nhat Nahn were detained, sexually molested in custody and forcibly expelled from their monastery. Less than a month ago, the government employed thugs, intimidated Protestant worshippers in Phu Yen Province.

The Con Dau case is a microcosm of the larger decline in human rights conditions in Vietnam. It is an issue that will require concerted efforts by the U.S. and the international community if there is to be future progress on human rights and religious freedom.

The U.S. should urge Hanoi to uphold its own laws and hold police responsible. To address the current situation, the U.S. Embassy should visit Con Dau village and meet with its remaining residents. While we all support continuing economic growth and prosperity in Vietnam, it should not come at the price of human rights abuses, harassment and death.

In addition, the State Department should ask Hanoi to hold accountable those police and government officials responsible for the deaths and detention of Con Dau residents and uphold Vietnam's own laws, ensuring fair compensation in eminent domain cases.

The issue of police impunity should be a top priority of U.S. human rights diplomacy because it is a recurring human rights and religious freedom problem in Vietnam. What is not an issue Hanoi wants to address. There is one recent case that can be used as a model.

Several weeks ago, a police officer was charged in the death of a young motorcyclist who was detained and beaten to death after a routine traffic stop. We hope that there is an investigation and those found responsible for the death of the Con Dau residents are also held responsible.

Hanoi should also be encouraged to uphold its own laws governing eminent domain disputes. In May 2009, a prime ministerial decree was issued to ensure fair compensation when land was sought for economic development. The Con Dau residents have sought fair compensation. They have made proposals and counterproposals in order to live near their historical parish church and the graves of their ancestors. These proposals have been met with harassment, intimidation, detention, beatings and death. This is unacceptable, particularly at a time when Vietnam is seeking foreign and direct investment.

The U.S. should clearly articulate its interests in human rights and religious freedom. In recent months, the Obama Administration has accelerated its involvement with Vietnam by expanding military relations, negotiating an agreement on nuclear energy cooperation that does not include provisions required of countries in the Middle East concerning enrichment of nuclear materials and weighing in on access of sea lanes and long-disputed boundaries between Vietnam and China.

What kind of message is sent to those Vietnamese peacefully seeking to advance universal human rights and the rule of law when the U.S. offers diplomatic plums to advance Vietnamese interests without at the same time advancing U.S. interests in freedom of religion and human rights? Raising the issues publicly and consistently with Hanoi is a good start and we have commended Secretary Clinton's recent statements, but words should be backed by actions that have proven to bring results.

One way the Obama Administration can help to advance religious freedom and diminish religious freedom violations is to redesignate Vietnam as a country of particular concern or a CPC. When used in the past, the CPC designation produced tangible improvements on the ground and did not hinder progress on other bilateral issues. In fact, trade, investment, humanitarian programs and military relations expanded during the period when Vietnam was a CPC. The CPC designation can be used again to bring concrete change.

The CPC recommendation has bipartisan support in Congress. We want to thank Members

who have consistently advocated and written letters to support redesignating Vietnam as a CPC. The State Department is currently considering whether or not to designate Vietnam as a CPC, so the time is right for focused congressional engagement on this issue. Though this designation has been an uphill battle, USCIRF will continue to work with the support of those in this room toward that goal.

The Obama Administration can also be a stronger voice for human rights in Vietnam by signaling its support for passage of the Vietnam Human Rights Act, H.R. 1969. This bill has been reintroduced this year in both the House and the Senate. USCIRF supports the provisions found in this bill and hopes it will be discussed, considered and passed during the current session of Congress and signed by the President.

Protecting and promoting religious freedom is a core interest of the American people and critical to the success of many of our global interests. We believe that the CPC designation and the Vietnam Human Rights Act contain powerful tools to spotlight abuses of religious freedom and related rights, encourage future improvements and demonstrate that U.S. policy and programs are on the side of those like the villagers of Con Dau, peacefully seeking to live without fear, intimidation, corruption and police impunity.

On a personal note, Mr. Chairman, I would like to note that when I was a member of the staff in leadership that both you and Congressman Smith and Congressman Lantos were viewed as the conscience of Congress on human rights issues and on religious freedom issues, and I thank you for the opportunity to testify.

[The prepared statement of Mr. Van Der Meid follows:]

PREPARED STATEMENT OF TED VAN DER MEID, COMMISSIONER, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Mr. Chairman, Members of Congress, thank you for this opportunity to testify before the Tom Lantos Human Rights Commission. With the Chairman's approval I would like to submit my testimony for the record, along with the chapter on Vietnam from USCIRF's 2010 Annual Report.

The topic we are considering here today is timely. As you know, Secretary Clinton recently visited Vietnam where she publicly criticized the Vietnamese government for its attacks on religious communities and said that our two countries have "profound differences" regarding protection of human rights.

USCIRF commends the Secretary's public statements and urges her to back up these words with concrete actions, including designating Vietnam as a "country of particular concern," (CPC) for its systematic, ongoing, and egregious violations of religious freedom, actively supporting internet freedom and civil society development, and supporting passage of the Vietnam Human Rights Act.

USCIRF has testified numerous times before this Commission and traveled multiple times to Vietnam since 2003, the last trip being in May 2009. Sadly, we cannot conclude that religious freedom conditions have improved markedly in recent years. Vietnam continues to backslide on human rights and there remain too many religious freedom violations, too many individuals detained for independent religious activity or peaceful religious freedom advocacy, too many cases of discrimination and forced renunciations of faith targeting new converts to Protestantism, and too many stories of government approved violence targeting Buddhists and Catholics. These abuses occur despite the protections found in Vietnam's Constitution and despite Vietnam's international obligations under the International Covenant on Civil and Political Rights (ICCPR).

The U.S.-Vietnamese relationship is rapidly growing in many different areas. The U.S. should clearly articulate our interest in human rights improvements and use all available diplomatic tools to advance that interest. U.S. policy should clearly signal support for those in Vietnam peacefully seeking to advance both prosperity and universal rights.

This hearing is also timely because the residents of Con Dau reportedly face ongoing intimidation in their land

dispute with the Vietnamese government. As you already know, in order to build a resort, the Vietnamese government has detained and harassed Con Dau villagers, used violence to disrupt a peaceful religious ceremony, beat to death one Con Dau resident, and caused a woman reportedly to suffer a miscarriage.

The opening statements of Members of the Tom Lantos Commission summarized well the facts of the Con Dau case. The witnesses who follow will offer more details about what is currently taking place there.

In the remainder of my testimony I want to connect the Con Dau case to the overall decline in human rights in Vietnam and offer some suggestions for U.S. diplomatic and Congressional action.

The Con Dau case is similar to a number of violent clashes over property that have recently occurred between the Catholic Church and the Vietnamese government. In the last several years, disputes over religious property has led to harassment, property destruction, detention, and violence, sometimes by “contract thugs” hired by the government to break up peaceful prayer vigils. In addition, lawyers for those detained at peaceful prayer vigils have been intimidated and briefly detained.

While the Con Dau village case is not a dispute between the Catholic Church and the Vietnamese government, it is connected to other property disputes by the methods utilized by the authorities to disrupt a peaceful religious ceremony with physical harassment and violence—desecrating the burial of a Con Dau resident in the village’s historic cemetery. It is also connected because the moving of the cemetery and villagers from their land would signal the end of the 135 year history of the Catholic parish.

Over the past several years, USCIRF has expressed concern about the Vietnamese government’s inability to resolve property disputes with religious communities. We also have expressed concern about the issue of police impunity and the use of thugs to intimidate Catholics peacefully protesting confiscation of property or engaging in peaceful religious ceremonies at disputed sites.

Too often, police and government officials are not held fully accountable for abuses, which, in the past, included engaging in or encouraging violence against religious leaders. At this time, no one has been held accountable for the beatings in custody or the death of the Con Dau villager.

Unfortunately, these issues are not isolated and represent an ongoing religious freedom problem in Vietnam. Buddhists and Protestants all have encountered problems due to police impunity and resolving property issues. In the last year, some monks associated with Buddhist teacher Thich Nhat Hanh were detained, sexually molested in custody, and forcibly expelled from their monastery. Less than a month ago, government employed thugs intimidated Protestant worshippers in Phu Yen province.

The Con Dau case is a microcosm of the larger decline in human rights conditions in Vietnam. It is an issue that will require concerted efforts by the U.S. and the international community if there is to be future progress on human rights and religious freedom.

U.S. Should Urge Hanoi to Uphold its Own Laws / Hold Police Responsible

To address the current situation, the U.S. Embassy should visit Con Dau village and meet with its remaining residents. While we all support continued economic growth and prosperity in Vietnam, it should not come at the price of human rights abuses, harassment, and death.

In addition, the State Department should urge Hanoi to hold accountable those police and government officials responsible for the deaths and detentions of Con Dau residents and uphold Vietnam’s own laws ensuring “fair compensation” in eminent domain cases.

The issue of police impunity should be a top priority of U.S. human rights diplomacy because it is a recurring human rights and religious freedom problem in Vietnam. While it is not an issue Hanoi wants to address, there is one recent case that can be used as a model. Several weeks ago, a police officer was charged in the death of a young motorcyclist who was detained and beaten to death after a routine traffic stop. We hope that there is an investigation and those found responsible for the death of the Con Dau resident are also held responsible.

Hanoi should also be encouraged to uphold its own laws governing eminent domain disputes. In May 2009, a Prime Ministerial decree was issued to ensure “fair compensation” when land was sought for economic development. The Con Dau residents have sought fair compensation and have made proposals and counterproposals in order to live near their historical parish church and the graves of their ancestors. These proposals have been met with harassment, intimidation, detention, beatings, and death. This is unacceptable particularly at a time when Vietnam is seeking foreign direct investment.

U.S. Should Clearly Articulate its Interest in Human Rights/ Religious Freedom

In recent months, the Obama Administration has accelerated its involvement with Vietnam by expanding military relations, negotiating an agreement on nuclear energy cooperation that does not include provisions required of countries in the Middle East concerning enrichment of nuclear materials, and weighing in on access to sea lanes and long disputed boundaries between Vietnam and China.

What kind of message is sent to those Vietnamese peacefully seeking to advance universal human rights and the rule of law when the U.S. offers diplomatic plums to advance Vietnamese interests without at the same time advancing U.S. interests in freedom of religion and human rights?

Raising the issues publicly and consistently with Hanoi is a good start, and we have commended Secretary Clinton's recent statements, but words should be backed by actions that have proven to bring results.

One way the Obama Administration can help to advance religious freedom and diminish religious freedom violations is to re-designate Vietnam as a "Country of Particular Concern" or CPC. When used in the past, the CPC designation produced tangible improvements on the ground and did not hinder progress on other bilateral issues. In fact, trade, investment, humanitarian programs, and military relations expanded during the period when Vietnam was a CPC. The CPC designation can be used again to bring concrete change.

The CPC recommendation has bipartisan support in Congress. We want to thank Members who have consistently advocated and written letters to support re-designating Vietnam as a CPC. The State Department is currently considering whether or not to designate Vietnam as a CPC, so the time is ripe for focused congressional engagement on this issue. Though this designation has been an uphill battle, USCIRF will continue to work, with the support of those in this room, toward that goal.

The Obama Administration can also be a stronger voice for human rights in Vietnam by signaling its support for passage of the Vietnam Human Rights Act (S. 1159/H.R. 1969). This bill has been re-introduced this year in both the House and the Senate. USCIRF supports the provisions found in this bill and hopes it will be discussed, considered, and passed during the current session of Congress, and signed by the President.

Protecting and promoting religious freedom is a core interest of the American people and critical to the success of many of our global interests. We believe that the CPC designation and the Vietnam Human Rights Act contain powerful tools to spotlight abuses of religious freedom and related rights, encourage future improvements, and demonstrate that U.S. policy and programs are on the side of those, like the villagers of Con Dau, peacefully seeking to live without fear, intimidation, corruption, and police impunity.

Mr. WOLF. Thank you very much. The next witness.

Mr. TAI NGUYEN. [Speaking in Vietnamese.]

Mr. WOLF. Maybe if you share his microphone and then translate.

The TRANSLATOR. Yes. May I translate his testimony?

Mr. TAI NGUYEN. [Through translator.] Congressman Chris Smith, Congressman Frank Wolf, Congressman Joseph Cao and everybody present here, I want to introduce myself. My name is Tai Nguyen. I am the brother of Mr. Nam Nguyen. My English name is Simon Nguyen.

Me and my family was resettled here in the U.S. by the benefit of Congressman Chris Smith, who helped us bring my family from we were deported from Hong Kong to Vietnam, and in his plan he bring us, my family, from Vietnam to the U.S. He coming here is not an accident. He come here as the will of God.

Mr. CAO. Will you interpret in the first person?

The TRANSLATOR. Yes.

Mr. CAO. Can you interpret in the first person? Because you said "he" -- I would assume that is "I."

Mr. TAI NGUYEN. Yes. I am coming here on behalf of my brother, Nam Nguyen, who was beaten by the police on July 1, 2010.

Ladies and gentlemen, my younger brother is a healthy, young man with his family like this.

After the Communists took over South Vietnam, they have been dropping so much suffering to the people of Vietnam. They have created so much suffering to the people, to my family and to the people of Con Dau, which I come from.

Ladies and gentlemen, have you seen any sense of the government taking away the casket, taking away the body of that person? It happened in Vietnam. My brother is a member of the funeral supporting group in the funeral of Mrs. Maria Dang Thi Tan on May 4, 2010. Ladies and gentlemen, this is the aerial view of the parish of Con Dau. During the funeral, my brother is one of the six people in the funeral supporting group who pushed the cart.

During the funeral procession, the people of Con Dau was praying on the process. The funeral was facing with the police like that. The police prohibit the process to move forward, and the people protest. The people only pray to God please help. The two sides confront each other, and the police try to take away the coffin. This is the coffin. They tried to destroy it, the police force, with other weapons like that. There are about 500 police force and the local security and the homeless people.

I don't have the video clip that shows my younger brother who was beaten on his head during the funeral. My brother was beaten, and 62 other people were taken away. They were beaten. A lot more people were beaten badly. They wanted to make this appear if anybody was dead. My brother is hiding, running away and hiding at a home. A few days later, the police come over and invite him to the station.

The video clip of my brother was sent over to the media, the outside media. The police want to know who videotaped that one. Who is the leader to lead the effort to oppose the government, and what is his responsibility during that confrontation? My brother did not want to reveal anything so they beat him up and let him go home and do it again four times.

He cannot handle that anymore. He told his wife and friends that he cannot handle it anymore and if it continued like that he would die. During the night of July 2, the police come to my brother's house. My brother heard the dog bark. He is scared and tried to run away. One person in the neighborhood saw him and called the police.

The police bring more people and come to arrest him and handcuff him, kneel down, push his head into the dirt, the mud, kicking his back, beating his chest and his two temples. My brother died. Look at this injury. Blood is coming out from his ear, blood coming out of his nose.

His wife seeing him beaten so bad, so she kneeled down and begged them to forgive him. They say no. They say they are waiting for the police to come from the county. They come and beat him again, and after seeing him so bad he couldn't handle any more so they asked his wife to bring him home, wash him. My brother told his wife that he cannot handle any more, and he came to my mother's house and took her legs and he died on her arms.

Ladies and gentlemen, that is not peace. People are not allowed to come to pray for my brother after his death. They do not allow anybody to come to his house and ask to be shrouded during 24 hours. The police ask to do an autopsy, but my family do not agree with that because they say that his body has been badly -- has been struck enough so everybody see what happened, so they don't want to have an autopsy for him.

Fearing that the family will bring his coffin to someplace, so they escort the funeral to the final destination to make sure that he was buried there. And my problem is that is not because like the Communist government has said that he died because of heart attack.

Today I am coming here asking for the U.S. government to intervene, to ask for justice for my brother. Only the U.S. government can help to bring justice to my brother's death, and I am coming here to ask for your help.

We ask the U.S. government to intervene to prevent the Party Chief of the city of Da Nang, Nguyen Ba Thanh, to stop harassing my family, my people at Cao Dau, and we wish that our parish will be stayed around where they are around the church so they can worship and continue their religious life.

I want to thank you, Congressman Christopher Smith, Congressman Anh Joseph Cao, Congressman Frank Wolf, Dr. Nguyen Dinh Thang and the international human rights population. And especially I want to thank you, Congressman Christopher Smith, who helped to reunite my family here in the U.S. and bring justice to the death of my younger brother. Thank you.

Mr. WOLF. Thank you.

Mr. SMITH. Mr. Chairman, I think it would be very appropriate if we had a moment of silent prayer for Nam Nguyen in remembrance of his passing -- for all who have died, but in particular for Nam Nguyen.

[Whereupon, a moment of silent prayer was had.]

Mr. WOLF. I thank you, Chris. That was very appropriate.

Thank you very much for your testimony. I had so many thoughts, and we are going to go to the next witness, but what I would like to ask the staff is if we can get a copy of every picture and give it to the representative from the State Department to give to Secretary Clinton.

And then I have asked the staff that when we have the actual testimony in print, which they think will be in three or four days, that we get it to the representative. If you can give the staff your name and number so we can give it to Secretary Clinton and on behalf of the three of us ask that Secretary Clinton specifically read the testimony and look at the pictures.

There is actually a video? Congressman Cao said there is a video too.

Mr. TAI NGUYEN. We have the PowerPoint presentation, but we don't have it set up here. We can provide that.

Mr. WOLF. Well, if we could get a copy of that then we could give it to the representative of the State Department --

Mr. TAI NGUYEN. Yes.

Mr. WOLF. -- and specifically ask Secretary Clinton to look at it.

Quite frankly, when we come back into recess I am going to go down on the floor of the House and mention this hearing, say that we have given the testimony to Secretary Clinton, we have given the pictures to Secretary Clinton, we have given the video to Secretary Clinton, and we will then ask by letter did you, Secretary Clinton, look at this or did you not look at this.

So if you could just give that to Elizabeth before you go? Give Elizabeth the video of the testimony.

Mr. CAO. Now, do you have the actual video itself, or you just have the PowerPoint pictures?

Mr. TAI NGUYEN. The PowerPoint presentation.

Mr. CAO. The PowerPoint.

Mr. TAI NGUYEN. We have. We do, but we did not bring it with.

Mr. CAO. Can we get a copy of the video?

Mr. TAI NGUYEN. Yes.

Mr. WOLF. I will tell you what. In interest, why don't we just take a look at the video?
How long is the video?

Mr. TAI NGUYEN. We don't have the video here now.

Mr. WOLF. How long is this PowerPoint?

Mr. TAI NGUYEN. The PowerPoint presentation would be 15 to 20 minutes. Fifteen minutes. It is a summary of everything that happened from the beginning to the end.

Mr. WOLF. Are there pictures in it?

Mr. TAI NGUYEN. There are some pictures, yes. A lot of pictures in there.

Mr. WOLF. How long would it take to show the pictures? Maybe we should just put the video in now and show the pictures.

Mr. TAI NGUYEN. Yes.

Mr. WOLF. Well, let us see it.

Mr. TAI NGUYEN. Ten minutes, yes.

Mr. WOLF. Let us see it.

Mr. TAI NGUYEN. Yes.

Mr. WOLF. And let us make sure the Vietnamese government can look at it too. Make sure they get a good shot so they can see it too, Elizabeth.

Okay. We are going to take a second to do this. Why don't we start with the next one?

Mr. QUANG NGUYEN. Me.

Mr. WOLF. As soon as you are finished, we will go to the video.

Mr. QUANG NGUYEN. [Through translator.] My name is Quang Nguyen, the brother of Lieu Nguyen. I escaped from Vietnam in 1991, and I am a refugee from Thailand and stay in Thailand. Even though I am living far from my country, but my heart still always be with my homeland.

Since the day we hear the order from the government of Da Nang to do with my parish, I and many other people try to do anything we can to protest and resist that plan. I have composed music, wrote poetry and write articles so that we can put it up into the media. In order to do all those, I have to depend on my younger brother, Lieu Nguyen, including Mr. Nguyen Nam and many other people from Con Dau to help bring those information out so that we can inform the world.

The lands of our parish are the holy land. The land has been built by our ancestors through the years based on a belief in God. Therefore, this land is a heritage of our people. It is very valuable to each of us. In this holy land there was a parish church where we practiced our religion and helped our spirit.

The church is very important to our spirit life. That is a place for our fallback, a place for our strength to help our spirit life and our daily life. Besides the church, we also have a place where we practice our belief with our ancestors. That is the cemetery of the parish. Our ancestors, our brothers and sisters all lie there when they die, so it is very important for us.

This land, this cemetery, is not a normal piece of land. It is the heritage of our parish. Because of all those reasons, the people of Con Dau do not allow the government of Da Nang to take away the church and the cemetery. Because of love and for justice, we united with each

other to protest and to protect our land taken away by the government of Da Nang.

On the 27th of January 2010, the government of Da Nang bring 400 police, local police, to the village of Con Dau and ask the people of Con Dau to sign the paper to give up their land. The people of Con Dau reunited with each other, protested and opposed the order of the government of Da Nang.

At that time, the government of Da Nang fell, but in the funeral of Mrs. Maria Dang Thi Tan they tried to use this occasion so that they can suppress our people. On May 4, since 1:00 in the morning until 1:30 in the afternoon we keep communication with our people in Con Dau. We communicated by phone, and my brother informed me that the police, the special anti-riots police, is coming and surrounds us.

Since 3:00 in the morning, the police come into the cemetery and bring out the elderly, the women and the children and beat them in the cemetery. I have heard the crying of the women in the phone. My younger brother is saying during crying that they are beating us, and they are not allowing anybody to bring in food support, food supply into the cemetery. My brother told me that this way they are going to kill people of our village.

At 1:30 p.m., the police get an order to attack our people. The last word I heard from my younger brother was that he said he was beaten on his head and he doesn't know anything else. That is the last word I heard before he was arrested. After my brother was detained, he was beaten on the back, on the belly, on the neck. After two months, my brother still cannot move easily.

When my brother was detained, he was tortured along with 62 other people from Con Dau very badly. They even beat a pregnant woman. They have a very special tactic to torture them. They hang the woman up. They hang the people who was beaten and hit them, push them into the wall, push them into the ground.

If the people would not admit guilty then they say they will beat until they admit they are guilty. After they admit they are guilty they are beaten again so that they don't do it anymore. When my younger brother does not agree to sign then they put my brother's hands onto the table and hit his hands until he accepts to sign.

There was a woman who was stripped naked, and they used a shotgun to hit in her secret place. Some of the men were hit in the hidden place by the shotgun. When they are released, my brother and all other people were released, they were provided with an available written statement saying that they do not say anything about torture. They do not allow to say anything about during the detain. They have a statement to say that they do not allow to seek medical help for their injury.

When they come home, they have to cooperate with the government to accuse other people in Con Dau and have to show up every 24 hours. Because my brother does not want to go against others, his friends, go against the people of Con Dau, so he doesn't want to accuse them wrongly, and because in the cell phone that was captured by the police, the picture, the record of his taken during the funeral, so he has to leave his 93-year-old father, his wife and his children to escape to Thailand.

Being here today, I want to thank you, Congressman Christopher Smith, Congressman Frank Wolf, Congressman Anh Joseph Cao. I want to show a picture of my younger brother taken in Thailand. Not only did two people die during the crackdown, but this lady in this picture, she has

miscarried because of the torture.

In this picture are the people who work with us, who coordinate with us to send out information about Con Dau and ask for help worldwide. On this occasion I want to ask for help from all the congressmen and everybody present here to help to rescue, to save the people refugeeed in Thailand and the other 59 people who were detained and tortured in Con Dau and the people of Con Dau who are suffering from being eradicated from the parish.

I am not the only one witness here. Along with me there were some other people from Con Dau, two of them here. They have relatives. They are my cousins, and they have a brother and sister who was detained and tortured during the crackdown. One of his brothers, a younger brother, Wen Hu Nguyen, was also sickened by the police of Da Nang personally, and he was the one who escaped to Thailand. He needs help too.

One of my friends here is sitting back there. He has many cousins. A nephew was detained and tortured and so scared that they are not there to pick up the phone when we call them in Con Dau.

So we would like to ask for your help to save the people of Con Dau, to save them so that they can live peacefully in the land of their ancestors and practice their religious right. Thank you so much.

Mr. WOLF. Thank you very much for your testimony. I appreciate it.

Maybe if we could just maybe have maybe five minutes to show some of the more pertinent -

Mr. QUANG NGUYEN. Yes.

[Whereupon, a video was shown.]

Mr. TAI NGUYEN. This is the parish of Con Dau with the church in the middle at the end and the rice fields. Yes. You can pass this one to end up where we want to.

Here is Con Dau. Stay here. The middle of the screen are the church, our parish, and the one on the other side was the aerial view of the parish. Yes. The life of the people of Con Dau before the crackdown. The church, the cemetery on the left down corner, the right corner.

Their lives center around the church daily from the beginning, from sunrise to sunset. They wake up with the church bell at 4:00, go to the church, attend mass, go home, go to work. At the end of the day, everybody goes back to the church attending the prayer night and go back home. Yes.

This one is about the meeting between the government of Da Nang and the Con Dau people on their plan for development. Yes. This is the master plan for development of the area around Con Dau, and the picture on the right side was the rice field which is dried up now because the government cut off the water supply to the rice field and do not allow anybody to plant anything, just waiting to be bulldozed and developed. Yes.

The Con Dau people signed a petition. All of them, all 400 households, signed a petition to send to the central government in Hanoi asking for help. This is the picture of the crackdown and torture of people of Con Dau. You can see the procedure of the funeral peacefully and stopped by the police at the entrance of the cemetery. Yes. Yes.

You can see all these pictures with the police force reigning in from all sides. Our people only have prayer as their weapon, and there is no way they can fight against the police force. In the middle picture, this is the face of the regime. Yes. A small picture of the crackdown during

the crackdown and just before they round up, surrounding the people and beat them. Yes.

These are the pictures of the eight people of Con Dau still detained after being badly tortured. Six of them in that small picture are detained and waiting for prosecution. The one on the left down corner was Nguyen Huu Minh. He was arrested at home on May 27 right in front of his wife and his small children. They are crying so hard and don't know why their father was taken away.

At the right, the right corner, was Ms. Nguyen Thi Lieu. She was beaten so bad that she cannot walk, so they have to help her to bring her to the station. Yes. And these are a couple pictures of Mr. Nam Nguyen. This video shows his beating on his head. Because of this video clip, he was harassed and finally beaten to death. There is a small picture after that, and this is the altar on his house. The picture, yes.

I think we have seen it. Yes. The people of Con Dau are living in fear. Yes. Thank you.

[Whereupon, the video was concluded.]

Mr. WOLF. Thank you very much. We will be sure that Secretary Clinton gets a copy.

Mr. TAINGUYEN. Yes.

Mr. WOLF. Thank you.

Ms. LUAN NGUYEN. Thank you. My name is Luan Hong Nguyen, a native of Con Dau, Da Nang, Vietnam. I left Vietnam in 1975 when Saigon fall to the Communists. I am living in Fort Myers, Florida, with my husband and my children.

My parents and six of my brothers and sisters are still living in Con Dau, including my two young brothers, Nguyen Huu Liem and Nguyen Huu Minh, who were detained and tortured after the police crackdown at Con Dau Parish May 4, 2010. We don't know where they are now or their condition. My brother Liem's son was also arrested on May 4, but later released.

Both of my younger brothers are members of Con Dau Parish Council. Nguyen Huu Minh is the vice-chairman of the council. Minh was arrested at home May 25 right in front of his small children. They are very vocal in the meeting between the people of Con Dau and the city government in protests and relocation plans during the time leading to the crackdown. The government thinks that they are ring leaders and determined to isolate and punish them.

In May 2010, after hearing the harassment on the village of Con Dau, Vietnam, I call my brother, Nguyen Huu Liem, 48 years old, to fill me in to the situation. His daughter answered the phone, and she was hysterical, telling me that her father was took into custody three days now without a word of his whereabouts.

In her conversation, she was quite vocal on her answer and dependent as a way to not incur more rage against her family in case the telephone line was bugged. After several more days, I called Liem's home again and reached his wife. Liem's wife was in tears, repeating over and over that her husband had been in prison for several weeks without any know whereabouts or condition. She urged me not to call again for fear of reprisal.

After a few weeks, bad news came again when I heard from the relative that my other young brother, Nguyen Huu Minh, was arrested by police at his home right in front of his wife and small children, who cried, not knowing why their father was took away. I was depressed with the horrible news coming from the homeland for my family as well as the parish of Con Dau.

I am worried about their health and their safety because based on the people who were released, each after lieutenants beat them badly during interrogation. They said my brother,

Liem, was beaten the most because he did not admit or sign anything. My family has not meet him since the arrest.

I am asking the U.S. government and will ask the national organization to help in the release of my brother as soon as possible and the justice for my people at Con Dau where they are supposed to move off land and the church they have been tied to for 100 years. Thank you very, very much.

Mr. WOLF. Thank you very much.

Ms. LUAN NGUYEN. Thank you.

Mr. WOLF. Mr. Kumar? Thank you.

Mr. KUMAR. Thank you. Thank you very much, Chairman Wolf, Congressman Smith and Congressman Cao for organizing this important and timely hearing during a recess. That says all the urgency of the situation there.

There is urgency for two reasons. Number one, the situation inside is not improving. We have noticed that during the last one year, since last May, after they submitted their report to the U.N. Human Rights Council on this universal periodic review, after they submitted they knew they were off the hook, so they started intensifying our detention and other issues.

So what we are seeing there is across the board not only on religious freedom, but also other issues for democracy activities, human rights defenders and others are facing tough reactions from the Vietnamese government in cracking down and imprisoning them. And religious freedom advocates and religious leaders face extra music because they not only have been persecuted because they speak up; they also add another layer that they bring the religious element to it.

So that is the reality on the ground. We also have seen people have been forced to renounce their religion and also some Buddhist monks have been defrocked, especially the minority, the Khmer Krom Buddhist monks. On the ethnic issues for the ethnic minorities, especially Montagnards and Khmer Krom, they also face extra difficulties because they are ethnic minorities plus they belong to particular religions.

So the other urgency is the United States government is getting closer to Vietnam for different reasons, so this is a great opportunity for the U.S. government to get some results. Secretary Clinton was there about less than two months ago during the ASEAN summit there, and she raised issues. We appreciate and congratulate her for that, but we need this to continue. That is why this pressure is extremely important.

There is a possibility that the U.S. Administration may downplay. They may make statements, but they may downplay human rights and religious freedom issues because they want Vietnam for other reasons. I do not degrade the reasons why they need it.

So it is important that the Congress exert pressure to keep up the pressure by the U.S. Administration to ensure when they are engaging with the Vietnamese government after so many years of a not so good relationship they should not miss the opportunity to get improvement in human rights and religious freedom. That responsibility lies with the Congress to make sure they are on track.

The other opportunity obviously is the annual U.S.-Vietnam human rights dialogue. Again, that is an opportunity. It should be pushed, and we urge you to hold hearings before and after to get an assessment, what happened and whether you had any benchmarks to improve human rights

and religious freedom.

Two important points I want to raise before I close my statement. The first is where we can get some agreement with the Vietnamese government. That is good, but on the other hand, that should not be used by the Vietnamese government to cover the other abuses they are committing against their citizens.

So I don't know whether you can reach out to them or the other representative here. It is important that they also get the message that their engagement with Vietnam should not be used by the Vietnamese government to abuse their own citizens for different reasons, including religious freedom.

There was a mention of refugees in Thailand. We have seen a very negative experience as far as Thailand is concerned when they are deported. Thousands of Hmong refugees back to Laos, forcibly repatriated them. So don't take it for granted that since Thailand is a semi-democracy they are going to protect them. You will be surprised. One fine evening they may ship them back to Vietnam.

Once again, thank you very much for inviting Amnesty International for this timely and important hearing. Thanks.

[The prepared statement of Mr. Kumar follows:]

PREPARED STATEMENT OF T. KUMAR, DIRECTOR OF INTERNATIONAL ADVOCACY, AMNESTY INTERNATIONAL

Amnesty International's key human rights concerns in Viet Nam include severe restrictions on freedom of expression and assembly and the harassment, arrest and imprisonment of dissidents. Those targeted include human rights lawyers, independent trade unionists, writers, bloggers and pro-democracy activists critical of government policies. Vaguely-worded national security legislation is used to criminalize peaceful dissenting views and to detain dozens of prisoners of conscience. The authorities maintain strict control of the media, internet and civil society. No organizations independent of the state are permitted, including trade unions, political parties and groups, and churches. People who seek to form or be members of independent groups not officially approved are perceived as hostile to the state and a threat. Additionally, independent human rights monitors do not have unhindered access to Viet Nam.

Amnesty International is also concerned that members of religious groups which were active and had public support before the end of the Viet Nam war in 1975 are still treated with suspicion and can face arrest, harassment and close monitoring. These include the Unified Buddhist Church of Viet Nam (UBCV), the Hoa Hao Buddhist church, and house churches in the Central Highlands. Disputes between Catholic communities and local authorities continue, mostly over ownership of former church land and property confiscated by the state in the 1970s. Security forces have confronted peaceful protests, at times using unnecessary force resulting in injury, and short-term arrests.

Amnesty International is also concerned at the targeting of ethnic minority groups such as the Montagnards in the Central Highlands and the Khmer Krom in southern Viet Nam, with harassment, ill-treatment, as well as imprisonment for exercising their right to freedom of expression over land disputes and religious issues.

The continuing use of the death penalty in Viet Nam is also a focus of Amnesty International's work. Despite a reduction in the number of capital offences, an unknown number of executions continue to be carried out and death sentences imposed under a veil of secrecy.

Viet Nam is a state party to six major international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). It has not ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the 1951 Convention relating to refugees and its 1967 Protocol, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, and the Rome Statute of the International Criminal Court.

The Vietnamese authorities actively engaged with its first Universal Periodic Review in May 2009, and

expressed a commitment to promote and protect human rights. However, Amnesty International is disappointed that it rejected important recommendations, including to repeal or amend national security laws of the 1999 Penal Code inconsistent with international law; to remove other restrictions on dissent, debate, political opposition, and freedoms of expression and assembly; and to release prisoners of conscience.

Several states emphasized the need to reform law and practice to protect freedoms of assembly and expression, including on the Internet, so that no one is subject to criminal prosecution for acts protected under international human rights law binding on Vietnam. Many states also called on Viet Nam to allow independent media and civil society. These recommendations were regrettably rejected by Viet Nam.

Since the review in May 2009, the Vietnamese authorities have renewed and intensified attacks against peaceful dissidents, with further arrests and trials.

Amnesty International also regrets that Viet Nam did not support recommendations to adopt a moratorium on executions and to lift the secrecy surrounding the application of the death penalty, including by making public all information about the imposition and use of the death penalty.

No Media freedom

The media in Viet Nam, which is state-controlled, has portrayed those tried as “causing harm to national security and social order” and as “anti-State instigators”. At the same time, the charges leveled against them have described actions such as hanging banners from bridges, distributing leaflets, writing articles critical of government policies and sending them to foreign websites, none of which amount to internationally recognized criminal offences.

Restriction on freedom of expression

The authorities maintain strict controls over freedom of expression, including in the media and civil society. No organizations independent of the state are permitted, including trade unions, political parties and groups, and churches. People who seek to form or be members of independent groups not officially approved are perceived as hostile to the state and a threat. Additionally, independent human rights monitors do not have unhindered access to Viet Nam.

Article 69 of the 1992 Constitution affirms the right to freedom of expression, assembly and association, but only “in accordance with the provisions of the law”. The authorities frequently use vaguely worded provisions of the 1999 Penal Code to stifle freedom of expression, including criticism of government policies and reference to issues considered as politically sensitive. Other laws, such as internet decrees, the Press Law, the Publishing Law, the State Secrets Ordinance, and administrative detention provisions further restrict freedom of expression. Dissidents are imprisoned after unfair trials, held under house arrest or probation, and subject to short-term arrest and detention for questioning. Other state sanctions include surveillance, restrictions on movement, harassment and cutting off phone lines.

territorial dispute over ownership of the Spratley and Paracel Islands in the South China Sea. Some of those arrested in September 2008 had also tried to peacefully protest about China’s foreign policies while the Olympic Torch passed through Ho Chi Minh City in April 2008, and were arrested and briefly detained then. They were all charged under Article 88 of the Penal Code

Religious Freedom in Vietnam

The government maintains rigid control over all aspects of religious life in Viet Nam. Members of churches not officially approved by the state face repression, including being forced to renounce their faith, administrative detention and imprisonment. The Vietnamese authorities have a long history of persecuting religious groups they believe oppose the state. Members of such groups are regularly arrested, harassed and kept under surveillance. These include members of the evangelical Protestant community, Roman Catholics, Hoa Hao Buddhists and the Cao Dai church. The senior leadership of the banned Unified Buddhist Church of Vietnam has been under house arrest or restrictions for decades, including the Venerable Thich Huyen Quang, Supreme Patriarch, who had been under house arrest since 1982 until his death in July 2008, and newly appointed Supreme Patriarch Thich Quang Do. Human rights violations against evangelical Christian Montagnards in the Central Highlands have continued for years, and people from the mostly Buddhist Khmer Krom community in southern An Giang province likewise face persecution.

Viet Nam has relaxed some of its restrictive policies on mainly Protestant churches and freedom of religion in recent years. However the authorities continue to treat with suspicion religious groups which were active and had public support before the end of the Viet Nam war in 1975. These include the Unified Buddhist Church of Viet Nam (UBCV), the Hoa Hao Buddhist church, house churches in the Central Highlands, and Khmer Krom Buddhists in

southern Viet Nam. Security officials continue to arrest, harass and closely monitor members of religious groups perceived to be opponents of the government.

THE UNIFIED BUDDHIST CHURCH OF VIET NAM (UBCV)

The Unified Buddhist Church of Viet Nam (UBCV) was formed in 1964, and under successive governments involved itself not only in social projects such as opening schools and universities, running orphanages, day-care centers, relief activities and self-help projects, but also in political activities. The UBCV took part in demonstrations against the Viet Nam war (1959 to April 1975) and the presence of United States troops, and criticized human rights violations committed by the Vietnamese authorities.

After the end of the war in 1975, the new, communist, government attempted to bring religion under the control of the state, and tried to restrict the activities of the UBCV, arresting and imprisoning many members. In November 1981 the Viet Nam Buddhist Church was established under the wing of the Viet Nam Fatherland Front, which had authority over all mass-membership organizations. Followers of this officially sanctioned Buddhist church are allowed to practice their religious activities unhindered, whereas agents of the state have continued to subject UBCV members to harassment, surveillance, arrest, imprisonment and arbitrary detention.

THICH QUANG DO

The Most Venerable Thich Quang Do, head of the banned Unified Buddhist Church of Viet Nam (UBCV), is a leading advocate of religious freedom, human rights and democracy. He is confined to the Thanh Minh Zen monastery in Ho Chi Minh City, as a prisoner of conscience. He has protested peacefully against repressive government policies in Viet Nam since the 1950s, and has spent almost three decades either in prison, detained without trial or under house arrest in "internal exile," far from his home.

Thich Quang Do, who has been a monk since the age of 14, is an eminent scholar and writer. Between 1951 and the early 1970s he was a Research Fellow of Buddhist and Indian Philosophy for six years at universities in Sri Lanka and India, and Professor of Oriental Philosophy and Buddhist Studies at Van Hanh Buddhist University in Ho Chi Minh City. He has written two novels; a three-volume anthology of Buddhist legends; and a trilogy on the Essence of Buddhism. During his years in internal exile and prison, he wrote the *Great Dictionary of Buddhist terminology*, a six-volume, 8,000-page encyclopaedia of contemporary Buddhist terms, which was smuggled out of Viet Nam and printed overseas. He also wrote some 400 poems, published overseas in 2007 by the International Buddhist Information Bureau (IBIB).

He was appointed Secretary-General of the UBCV in 1974, and became its Supreme Patriarch in August 2008, the month after the death of the previous Supreme Patriarch, Thich Huyen Quang. At his funeral, Thich Quang Do pledged to continue to work for the legalization of the UBCV and for the promotion of human rights and democracy.

The UBCV was founded in 1964, but has been banned since 1975. Its members have come under varying degrees of repression for their peaceful activities, including imprisonment for terms of eight years or more, arbitrary detention and house arrest. Thich Quang Do opposed the establishment of the state-controlled Viet Nam Buddhist Church in 1981, which was created to lessen the influence of the UBCV. He resisted government efforts to force the UBCV to join this body. As a result, he was arrested in February 1982 and kept under house arrest for 10 years in internal exile.

After his return to Ho Chi Minh City in 1992, he organized UBCV programmes to promote social justice and aid people in need. Because of this, in 1995 police arrested him while he was on a relief mission to help flood victims in the Mekong Delta. He was charged with "sabotaging national solidarity" and "taking advantage of democratic freedoms to violate the interests of the State and social organizations" and sentenced to five years in prison, to be followed by five years' house arrest. After intense international pressure, he was released under a prisoner amnesty in September 1998, but remained under surveillance at Thanh Minh Zen monastery, in Ho Chi Minh City, with severe restrictions on his freedom of movement. Despite this, he again tried to assist flood victims in the Mekong Delta, and continued to promote UBCV social welfare programmes.

In February 2001, Thich Quang Do wrote an eight-point plan for peaceful democratic change, *Appeal for Democracy in Viet Nam*, addressed to senior members of the government. The appeal received support both inside Viet Nam, where it was circulated secretly, and from some Members of the European Parliament, and US Congress, after it was smuggled overseas. This prompted the authorities to arrest him again, and in June 2001 he was sentenced to two years' administrative detention. He was held incommunicado for two years at Thanh Minh Zen monastery, and released on 27 June 2003.

He was arrested again in October 2003, while returning to Ho Chi Minh City with other Buddhist monks from a UBCV meeting in another province. Security officials told him that he had been placed in administrative detention for an indefinite period. He was not told why he had been arrested, or whether he had been charged with any offence. He is still confined to the Thanh Minh Zen monastery. Security officials keep him under constant surveillance and monitor his phone calls. Police officials have harassed and turned away some overseas visitors, including members of the European Parliament. Local officials have on rare occasions turned a blind eye and allowed Thich Quang Do to leave the monastery for specific meetings in Ho Chi Minh City.

In May 2005 the UN Working Group on Arbitrary Detention decided that his "deprivation of liberty" was arbitrary, in contravention of Article 18 of the International Covenant on Civil and Political Rights (ICCPR), to which Viet Nam is a state party.

Thich Quang Do suffers from diabetes and high blood pressure. The authorities do not ensure that he is regularly provided with proper medical care, medication or opportunity for exercise, which is taking a toll on his health.

Thich Quang Do has won worldwide recognition for his peaceful activism and calls for religious and political freedom, and human rights in Viet Nam. He has been nominated nine times for the Nobel Peace Prize, most recently in 2008, and was the recipient of both the Norwegian Rafto Prize and the World Movement for Democracy "Democracy Courage Tribute" in 2006. He had been honoured by the Czech People in Need Foundation and received the 2001 Hellman-Hammet Award for persecuted writers.

MONTAGNARDS IN THE CENTRAL HIGHLANDS

At least six minority Montagnards in the Central Highlands were sentenced in April and September 2009 to between eight and 12 years' imprisonment on charges of "undermining national solidarity". An unknown number remain imprisoned since large-scale protests about land confiscation and freedom of religious practice in 2001 and 2004. Reports continue to emerge of incidents of arrest, detention and ill-treatment of Montagnards for practicing their religion in non-state approved churches.

Human rights violations against ethnic minority Montagnards in the Central Highlands continue. These include restrictions on movement and forcing Christians belonging to unauthorized "house churches" to renounce their religion. An unknown number of Montagnards from among the more than 250 who were sentenced to lengthy prison terms in connection with the large-scale protests in 2001 and 2004 around land ownership and religious freedom are believed to remain in prison. Many of them were sentenced to between five and 12 years' imprisonment under Articles 87 (Undermining the unity policy), 88 (Conducting propaganda against the Socialist Republic of Viet Nam), 89 (Disrupting security) and 91 (Fleeing abroad or defecting to stay overseas with a view to opposing the people's administration) of the national security section of the Penal Code.

In April 2004, thousands of Montagnard people protested against government policies in three provinces of the Central Highlands. Most of the protesters were Christians who had planned five days of peaceful protests against government policies on long-standing land disputes, restrictions on religious practice and restrictions on freedom of movement and expression imposed since the last major protests in 2001. The authorities used disproportionate force to break up the demonstrations. At least eight people were unlawfully killed and many hundreds injured in the ensuing crackdown.

During the period under review, hundreds of Montagnards have attempted to seek asylum in neighbouring Cambodia, where their situation has been precarious, with lack of protection by the Cambodian authorities. A Memorandum of Understanding (MOU) between Viet Nam, Cambodia and UNHCR, signed in January 2005 to resolve the situation of asylum-seekers, remains in place. It appears to have been violated by the Vietnamese authorities, with reports that in some cases people who had returned from Cambodia to Viet Nam under the MOU were detained, interrogated and ill-treated.

CATHOLICS

Official relations with the Catholic Church have been tense, but the Viet Nam – Vatican Joint Working Group met 23-24 June 2010 and senior government officials and church representatives agreed that the Vatican will name a non-resident representative to Viet Nam which indicates some improvement in bilateral relations. However, disputes between Catholic communities and local authorities continue, mostly over ownership of former church land and property confiscated by the state in the 1970s. Security forces have confronted peaceful protests, at times using unnecessary force resulting in injury, and short-term arrests.

FATHER NGUYEN VAN LY

Father Nguyen Van Ly is a 63 year old Catholic priest and activist for human rights and democracy. He was first jailed in the late 1970s for his criticism of government policies on religion and has already spent some 17 years as a prisoner of conscience, detained for calling for respect for human rights and freedom of expression.

In March 2007 he was sentenced to eight years' imprisonment for "conducting propaganda" against the state under Article 88 of the national security section of the Penal Code. He was accused of involvement in the internet-based pro-democracy movement Bloc 8406, which he co-founded in April 2006, and taking part in the establishment of banned political groups. He also secretly published a dissident journal, Tu Do Ngon Luan (Freedom and Democracy).

Father Ly was held at Ba Sao prison, Ha Nam province in northern Viet Nam. He was kept in solitary confinement most of the time and suffered from various health problems including high blood pressure. Father Ly suffered a stroke in November 2007 causing partial paralysis. He was moved to a prison hospital in the capital Ha Noi where doctors discovered he also had a brain tumour.

In December 2009 Father Ly was returned to prison, but was allowed to leave detention in March 2010 for 12 months on humanitarian grounds to receive medical treatment. He remains under surveillance during this temporary release period while he lives at a house for retired priests in the diocese of the Archbishop of Hue, in central Viet Nam, where he has previously stayed. Father Ly should never have been detained in the first place and Amnesty International calls for his release to be made permanent and unconditional.

KHMER KROM BUDDHISTS

Similarly, minority Khmer Krom Buddhists in southern Viet Nam have been subject to discrimination by local authorities for many years. Buddhist monks involved in disputes over confiscated land with local authorities have been arrested and de-frocked, although a handful of imprisoned Buddhist monks were released in 2009.

FOLLOWERS OF PROMINENT BUDDHIST MONK THICH NHAT HANH

In September and December 2009, the authorities orchestrated mobs, including plain-clothes police, to intimidate, harass and physically attack almost 380 followers of Buddhist monk Thich Nhat Hanh to force them to leave their monastery in Lam Dong province. All the followers fled and went into hiding before a deadline given by the local authorities to the head of the monastery to evict them.

Example:

In December 2009, Amnesty International issued an Urgent Action on eviction. Following is our urgent action. This illustrates the abuses faced by religious groups in Vietnam.

MONKS AND NUNS THREATENED WITH EVICTION

A mob with official backing is attempting to evict nearly 200 Buddhist monks and nuns from a monastery in central Viet Nam. The group have been sheltering there since they were evicted from another monastery in September, by a similar mob.

On 11 December a mob of around 100 people, some of whom the monks and nuns recognised as police officers, forced the abbot of Phuoc Hue Monastery to sign an agreement to expel the monks and nuns no later than the end of the year. The mob had gone into the monastery on 9 December, and stayed there, harassing the monks and nuns, most of whom are under 25, and pressuring the abbot to sign the agreement. They disrupted a European Union (EU) delegation investigating the situation at the monastery on 9 December. The authorities have denied any involvement, but have consistently failed to provide any protection for the monks and nuns, or ensure they are offered suitable alternative accommodation.

In September a similar mob, which included police officers, had forced the monks and nuns out of another monastery, Bat Nha. Most of the monks and nuns, who at that time numbered 379, had taken shelter at Phuoc Hue.

The authorities have been actively involved in the mob's actions: they have ordered members of Communist Party organisations to take action against the monks and nuns; pressured members of the monks and nuns' families to give up their way of life; and occasionally blocking supplies of food and other essentials to the monastery.

The monks and nuns are followers of Buddhist leader Thich Nhat Hanh, a monk based in France. He came to prominence as a Buddhist peace activist in the 1960s, and is an advocate of freedom of religion and other human rights.

AI RECOMMENDATIONS

- End restrictions on the right to practice one's religion of choice without discrimination, in accordance with Article 69 and 70 of the 1992 Constitution and international human rights standards;
- Ensure that relevant authorities, including at the local level, are aware of their duty to protect individuals' right to freedom of religion;
- End harassment and ill-treatment of ethnic minorities and restriction of their rights to freedom of expression, assembly and association, in particular Montagnards in the Central Highlands and Khmer Krom in An Giang province;
- Review the cases of an unknown number of Montagnards still serving lengthy prison sentences in connection with protests in the Central Highlands in 2001 and 2004, and to release those held solely for peacefully exercising their rights to freedom of expression and assembly, in contravention of international human rights standards.

Mr. WOLF. Thank you very much. I just will have one question, and then I am going to turn to Mr. Cao and Mr. Smith.

I personally have been very disappointed in this Administration's position, and I am leading up to the question, with regard to human rights and religious freedom. They have failed the Coptic community in Egypt and the Baha'is in Egypt. They have failed. There are a number of Catholic bishops in jail in China, and they have failed to advocate. They failed to advocate for the Uighurs, who are going through a very difficult time in China. They have been very weak in speaking out with regard to Iran, the Baha'is in Iran.

Has the American Embassy and did the American Ambassador come to the aid of your people under this circumstance? Did the American Ambassador? I have said the American Embassy should be an island of freedom and the Ambassador should be very aggressive, as it was during the Reagan Administration and other Administrations, whereby the Embassy of the United States would be viewed as an island of freedom and whereby the American Ambassador would advocate for human rights and religious freedom, Republican or Democrat, it doesn't matter.

The question is, what kind of response? Did the American Ambassador help in this case? I see people in the audience shaking their head no. No?

Dr. THANG. Can I?

Mr. WOLF. Dr. Thang, do you want to say something for the record?

Dr. THANG. May I make a quick statement here? Ambassador Michael Michalak did write back characterizing this as a land dispute and also saying that because this involves only Vietnamese citizens therefore the U.S. Embassy could not do anything. That is in writing.

Mr. WOLF. Could we see a copy of the letter? You know, I think personally if that is the case and the American Ambassador -- and then I am going to turn it over to you -- did not advocate for, I think they ought to fire the American Ambassador. I think we should have an Ambassador in Vietnam and every country who will advocate the way it has always been, the way it has been in the past.

The American Embassy has always been an island of freedom. There have always been advocates for human rights and religious freedom, and this Commission, as Mr. Van Der Meid testified, deals with international human rights and religious freedom. So the very fact that the American Ambassador did not and the Embassy did not I think is very, very embarrassing.

With that, I will just turn it over to Congressman Cao and then Congressman Smith.

Mr. CAO. Thank you, Mr. Chairman. Mr. Chairman, I want to resonate your disappointment with respect to the Secretary's position on Vietnam's human rights and the religious freedom issue. I believe that her statement saying, and this I quote, "The United States will continue to urge Vietnam to strengthen its commitment to human rights," is simply lip service.

I believe that the Secretary's statement was said simply to appease some Members of Congress like the Members of the Tom Lantos Commission, but I believe that they do not intend to carry through with the statement and that if we were to look at the news that has been received from Southeast Asia, from the Department of Defense, as well as from the Department of State, the increase in cooperation, the increase in coordination with respect to defense issues clearly shows that the Secretary does not intend to force Vietnam to address the human rights and religious freedom issues before implementing further cooperation.

So again I want to resonate my disappointment, along with my dissatisfaction, with respect to the actions of the Secretary of State. And my question, my first question, goes to Mr. Van Der Meid. Could you further elaborate the linkage between property rights and religious freedom?

Mr. VAN DER MEID. Property rights disputes per se are not necessarily religious freedom, but if it involves deterring people from their practice of faith, if it deters or impedes them in religious ceremonies and religious functions, then it certainly is an issue of religious freedom.

Mr. CAO. Now, the government of Vietnam contends that there is religious freedom in Vietnam in the sense that people are free to worship. In your opinion, what does religious freedom imply in whether or not the Vietnamese government allows such freedom?

Mr. VAN DER MEID. I can't speak to specifics, but I think the fact that religious rights go beyond religious freedom.

The Commission has been concerned about religious freedom in Vietnam. We contend that it still should be a Country of Particular Concern. We have looked at this situation, as the other witnesses have testified today, and certainly we would claim that would be an issue of religious freedom.

The Commission met last year with a Catholic priest who was imprisoned because of his faith and his actions, so we would contend that Vietnam has a long way to go in the aspect of religious freedom.

Mr. CAO. My next question goes to Mr. Van Der Meid and Mr. Kumar. What, in your opinion, would be the best approach for the U.S. to take to encourage the Vietnamese government to affirm its commitments to religious freedom?

Mr. VAN DER MEID. We would certainly advocate the redesignation of Vietnam as a Country of Particular Concern.

We think that when they had that designation previously it didn't impede the growth in business or other cooperation between the United States and Vietnam. It was a useful tool for the State Department and the Administration to have as Vietnam sought enhanced trade status. We believe that redesignating the country as a CPC would actually have benefits for Vietnam.

Mr. CAO. Mr. Kumar?

Mr. KUMAR. Yes. The best way to do is obviously the Congress should exert pressure through different channels, but bilaterally the relationship between the U.S. and Vietnam is improving and there is no sign that it is going to change.

So the Administration should have some benchmarks. Unless they have benchmarks and

review in between, the Vietnamese are going to take all these statements and just ignore it. For example, they should first make sure that all the prisoners who are in custody are released. Even Father Ly.

He was not released. You know, he was released on condition that he could be brought back any time, so he was not released at all. From Amnesty's point of view, he is still a prisoner, even though he is there going to the hospital.

Second is whenever Secretary Clinton visits Vietnam she should also meet with religious leaders and meet with the families here, those families, and go to Montagnard in the hill area, sensitive areas where the Vietnamese government will be reluctant to say no because they need the U.S. relationship at this time.

So the bottom line is whether the Administration is ready to push the envelope. They should push the envelope as they have been pushing on Burma now. That is the strategy they have to adapt.

Mr. CAO. My next question is to Mr. Tai Nguyen or Mr. Quang Nguyen. Do you know the names of any companies, American companies, that are invested in the properties of Con Dau?

Mr. QUANG NGUYEN. Yes. I have some document that says SUN Group.

Mr. CAO. SUN Group? That is the name?

Mr. QUANG NGUYEN. Yes, SUN Group.

Mr. CAO. S-U-N. S-U-N.

Mr. QUANG NGUYEN. There is a company from Ukraine, Ukraine Vietnamese. Ukraine Vietnamese, I think so, in Ukraine.

Mr. CAO. Okay.

Mr. QUANG NGUYEN. They run the business in Da Nang.

Mr. CAO. Any American companies besides the SUN Group?

Mr. QUANG NGUYEN. I don't know, but some people came. Maybe some company behind that.

Mr. CAO. Stump?

Mr. QUANG NGUYEN. Yes, behind SUN Group. We cannot find out right now, but we try.

Mr. CAO. And based on your knowledge, have any charges been brought against the person that ordered the police to crack down on the villagers? Has there been any charges brought against those police officials who were involved in the torture?

Mr. QUANG NGUYEN. [Speaking Vietnamese.]

Mr. CAO. So you are saying that not only the villagers were beaten; they were also forced to pay the expenses --

Mr. QUANG NGUYEN. Yes.

Mr. CAO. -- that the police of Da Nang incurred as a result of the incident?

Mr. QUANG NGUYEN. Yes.

Dr. THANG. Can I clarify on this? The people of Con Dau, especially the people who were detained -- 60 people were detained. Each of them had to pay a fine ranging from 1.5 million Vietnam dong to five million Vietnam dong because of their involvement in the funeral. That is not counting many other people also being fined.

Mr. QUANG NGUYEN. I can tell a little more about the situation. You know, President

Nguyen Minh Triet, he had to spend 2.6 billion dong. Then he talked to everybody. The Con Dau Parish, the parishioners, have to pay for that so everybody who attend the funeral must pay about that.

For example, my brother, my own brother, he have to pay about 1.5 million and some people pay five million. But about 500 people attended the funeral, so they could check on their monitor when they get the tape. They put everybody that must pay.

Mr. CAO. Now, I keep on hearing the name of Nguyen Bah Thanh. Does anyone have any knowledge of how this person would benefit from developing Con Dau from a Catholic parish to a resort?

Is there any evidence that you might have of his somehow being corrupted because, as I have said in my opening statement, that the laws of Vietnam provide loopholes for corrupt officials to abuse villagers, to abuse believers and to use the loopholes in the laws to benefit themselves and to benefit their families.

Do you have any knowledge? Any evidence of corruption on the part of Mr. Nguyen Ba Thanh?

Mr. QUANG NGUYEN. Yes, I have a lot about his corruption. You know, some people call him the 10 percent guy. That means every investment deal he got about 10 percent.

So Con Dau. I want to talk about the whole development, about that. About \$600 million U.S. aid, right? He gets about 10 percent in there.

Mr. CAO. You said you have documents. If you can provide me with the documents or maybe testimony from anyone it would be very beneficial to us.

Mr. QUANG NGUYEN. I don't have it right now, but I can send to you a letter, the whole thing.

Mr. CAO. Now, my last question, Congressman Smith, if you would allow me. Do you have any evidence of any officials higher than Mr. Nguyen Ba Thanh being involved in this project and how they themselves are benefitted from this project? Do you have any higher level officials? Do you have the names of them?

Mr. QUANG NGUYEN. About this question, I am not so sure about that. You know, I got some document from a Communist member in Da Nang. They write a letter and ask you one more time about corruption. I have the whole letter from them. Then some of them, they give total evidence in there. For sure I will get you the total about that.

Mr. CAO. Thank you very much.

Mr. QUANG NGUYEN. You can get that.

Mr. CAO. Thank you, and I yield back.

Mr. WOLF. Thank you. Mr. Smith?

Mr. SMITH. Thank you very much, Mr. Chairman. Let me ask first --

You know, again Anh Joseph Cao mentioned a moment ago the United States. This is Secretary of State Hillary Clinton's statement: that the U.S. will continue to urge Vietnam to strengthen its commitment to human rights. I have been in Congress now 30 years, and both Mr. Wolf and I, who both got elected in 1980, have made human rights and humanitarian issues the centerpiece of what we do. Frankly, statements like that, with all due respect to the Secretary of State, clearly lack sincerity.

It is not about a broadly stated concept -- that people who are being tortured or being

deported or being mistreated in some other way or having their religious freedom savagely taken away from them -- it is about the deeds and the duties of countries like the United States to speak real truth to power, not in glib sentences that sound good, make for a sound bite, end up in the AP or the AFP article that is then written. It looks like we were robustly raising human rights.

When I juxtapose her statement, which seemed to lack any kind of specificity, with the statement by Kurt Campbell as reported by AFP, Assistant Secretary for East Asian Affairs Kurt Campbell, said: As I look at all the friends in Southeast Asia, I think we have the greatest prospects in the future with Vietnam.

Now, why anybody in Hanoi would be worried about the United States taking Vietnam to task on human rights when that kind of flowery flattery, the idea that we are merged, joined at the hip, that we have common ground, if you will, in terms of our futures, when the Vietnamese human rights record is absolutely appalling in virtually every aspect of it, especially in the area of religious freedom.

I think it is telling that it didn't happen until June and the ratification still hasn't happened, but the International Religious Freedom prescribes an ambassador at large to deal with religious freedom. We went well over a year into this Administration without that person being picked, and that person still is not at the helm of that Religious Freedom Office.

It is a revelation of priorities, and so with great disappointment I raise the fact. And we had invited. This Commission wanted to hear from the Administration and has unfortunately again been blocked by sending no representative to appear at the witness table and not just give an accounting, but to give insight into what it is this Administration is doing with regards to religious freedom in Vietnam.

We think very little, and I think the record shows it. It should have been a no-brainer to reimpose country of particular concern, CPC, on Vietnam given its appalling backtracking since it got the bilateral agreement and ascension into WTO.

John Hanford, our former Ambassador-At-Large for Religious Freedom, felt that he had "deliverables" that the Vietnamese government was intent on providing, including no more forced renunciations of faith; that a new era was beginning in Vietnam.

He I think was extremely well meaning, but very naive, because as soon as they got, the Vietnamese government, the economic benefits there was a snap back to the old and even enhanced persecution of political and religious adherents.

We look at the Block A406. That great human rights manifesto has become a list of people that the Vietnamese government now hunts down, harasses, incarcerates and tortures. So if anything, we should have learned the lesson that this is a country that is going in the wrong direction.

So any of you who might want to comment on the Administration, particularly Mr. Kumar or Mr. Van Der Meid? I am very troubled by Kurt Campbell's statement that it looks like solidarity together. We are best of friends.

Well, best friends don't let friends commit human rights abuses, and Vietnam is now a nation that has gotten demonstrably worse, and this whole episode of a Catholic diocese just south of Da Nang being mistreated, death to at least three people, an unborn child and two individuals and perhaps many, many more.

You noted, Mr. Nguyen, in talking about your brother about the stripping of women and the

use of a shotgun. You know, wearing a uniform, police or military, ought to be a sign of respect. Instead, this is about perversion, as well as heinous torture.

So they are wearing the uniform, this anti-riot group. Whoever it is that is perpetrating these crimes against humanity, they are wearing their uniform with shame. I hope the Vietnamese government takes note of that because at least some of us, and I hope a clear majority of us in Congress, both sides of the aisle, Democrat and Republican, recognize that.

Let me ask a couple of questions. You might want to respond to Kurt Campbell's statement and the Secretary's. My wife found an old video that was on C-SPAN just the other day, C-SPAN's archive, and she pulled it up and showed it to me. I hadn't seen it. I never saw it because I actually gave it. It was a press conference over at the House on the third floor where there is a press gallery. It was on May 26, 1994.

Late in the day on a Friday when every Member of Congress except for me -- I was a little late getting back to my district that day -- had already left, the Clinton Administration delinked human rights from most favored nation status. They did it so that there would be no reaction. It was a shameless act that was taken by that Administration.

I went back and I watched it. It was about six minutes long, and everything, frankly, that I said, Mr. Wolf is saying the exact same thing, as was David Bonior, who was then the Whip for the Democrat party. All the people who cared about human rights in China -- this isn't Vietnam, but it is China -- were saying that by delinking trade with human rights we would see more of the worst. There would be a deterioration.

Everything we said at that press conference and others have said has happened with regard to China. The same is now happening with Vietnam. They got the economic benefit. It is right back to the same old battle of ways of torturing people, torturing them to death and obviously cracking down on religion.

I would ask you too. Maybe, Mr. Van Der Meid, you might want to speak to this. You know, at the United Nations everybody is all nice to each other, and I guess diplomacy is important, but at the Universal Periodic Review of Vietnam, which was done well over a year ago, the recommendations, including enhanced cooperation with U.N. special procedures and to re-engage with a Special Rapporteur on Freedom of Religion. The last time that happened was back in 1998.

Our resolution that Mr. Wolf, Mr. Anh Joseph Cao and I have introduced calls for a Special Rapporteur on Religious Freedom. We ask that Manfred Nowak, Special Rapporteur on Torture, be invited into Vietnam to investigate, to provide a report about what is going on.

I am wondering what your feelings are. It is the operative language of our resolution calling on the U.N., calling on the President of the United States and Secretary Clinton to call on Vietnam to appoint or the U.N. to appoint those two Special Rapporteurs and then another one that would look generally at the situation. What would be your feelings on that?

Mr. VAN DER MEID. It would be consistent with our recommendation to have a Special Rapporteur for Vietnam on the Human Rights Council. Also, let me expand a little bit.

Mr. SMITH. Yes.

Mr. VAN DER MEID. I certainly agree with you that words need to be backed up by strong actions, and I think that we still do have economic incentives or leverage with Vietnam. They

still want to have increased relationships with the United States and for security arrangements for other issues.

I was there with Speaker Hastert in 2006, and I think the Vietnamese people want to have a strong relationship with the United States, and I think those are leverage points that the United States government can use.

The USCIRF did have recommendations in our chapter on this, which I will put in for the record, but basically enforcing laws or the outlaw of forced renunciations of faith and establish specific penalties in the Vietnamese criminal code for anyone who carries out such practices.

And the far reaching national security provisions in Article 88 or Article 258 of the criminal code, which have resulted in the detention of advocates of religious freedom and related human rights, such as the freedoms of speech, association and assembly, revise or repeal ordinances and decrees that limit the freedom of expression, assembly or association, including new regulations banning peaceful public protest and property disputes. Those are in our recommendations on the Vietnam chapter.

Mr. SMITH. And I appreciate the Commission's consistency in not being swayed by political considerations. It is all about promoting religious freedom and doing it in the most efficacious manner, so I want to thank the Commission and I want to thank you and your colleagues on the Commission.

When Mr. Wolf put that into his legislation back in 1998, it is precisely because we had concerns that the State Department office might find itself at times less likely to speak truth to power and perhaps even compromise, so I thank you. You have been a lightning rod of truth, and I do appreciate it.

Mr. Kumar?

Mr. KUMAR. Yes. From Amnesty International's point of view, we are not against any government having a relationship with any government. That also goes with the U.S. government having a cordial relationship with Vietnam.

What is missing with Assistant Secretary Kurt Campbell's statement was -- I didn't read the full statement, by the way. I hope there is some human rights language. That is what it is missing. That should be forcefully said both publicly and privately, and also there should be some benchmarks.

I mean, simple things they can do to give some message. Secretary Clinton can meet with them, you know. You know, they can behind the scene tell them don't worry. Vietnamese, don't worry. We are just meeting. But the mere fact, and I don't know whether you remember, Congressman Wolf and Smith. You were involved in it when President Clinton went to China.

There was a call -- I still remember testifying in front of you -- urging President Clinton to meet with some political personnel. They resisted for six months. At the last minute he met with Rebiya Kadeer and others. So it is symbolism that also matters, so I will say that should be pressure now.

The danger I mentioned earlier in my opening remarks is that they are getting very close rapidly. The U.S. and Vietnam are getting extremely close, and where does human rights and religious freedom fit in is the question. That is where you come into play, we come into play, and we can say put benchmarks and we have to be very specific. That is where the Religious Freedom Office comes into play as well.

So it will be make or break. If you lose the battle then the U.S.-Vietnam relationship will be strong minus human rights.

Mr. SMITH. Let me ask perhaps any of our witnesses, but I think you two might be the most appropriate. When our U.S. Ambassador to Vietnam dismisses and vetoes contact with those who have been on visits to Con Dau, citing it as a land dispute as Dr. Thang pointed out a moment ago.

Confiscated properties have always been a human rights issue, whether it be Jewish confiscated properties or the Sandinistas, who confiscated properties in Nicaragua or Cuba. You name the place, and confiscated property has always been under the rubric of human rights issues, and its full restoration to the greatest extent practicable has always been one of the goals.

We do this as a government. I mean, part of the Holocaust work that I am very much involved with is belatedly and obviously ineffectively, compared with what the loss was, trying to make sure that those Jewish families that lost their properties in Eastern Europe or in the former Soviet Union, Russia, get back at least something that is commensurate with their loss. Obviously usually it doesn't even come close.

But to somehow put this in another category seems to me to be a false assertion on the part of the U.S. Ambassador. This is a land dispute perhaps, but I think it goes far beyond that.

Mr. Wolf and I, I remember our first work on human rights was the Soviet Union and with Romania. Nicolae Ceausescu infamously made a statement that there were no longer any more religious or political prisoners in Romania.

What did he do? He just had a pretext for every religious and political prisoner he ever arrested, and it was never for religious or political reasons and so there were no more political prisoners by decree, even though his jails were filled to overflowing with religious and political prisoners.

I think this whole problem in Con Dau is frankly a thinly disguised persecution of religion, particularly the Catholic faith, but all the other faiths are being persecuted as well. So your thoughts on that, this statement by the Ambassador?

As you get to that, in their Universal Periodic Review the Vietnam government said, and words do matter. This is their statement in response to the 123 odd recommendations made by the Universal Periodic Review Working Committee. Vietnam always respects freedom of religion. In Vietnam, the freedom of religion, belief and worship is enshrined in the Constitution and legal documents consistent with international law.

That is the Vietnamese government's response to the U.N. Do we take that at face value, or is this nothing but pure nonsense?

Mr. KUMAR. What we have observed is after UPR things have gotten worse. More people have been arrested, imprisoned and tortured. So what we felt, I presume rightfully, they at least give some weight to the Universal Periodic Review. That is why they waited after they released the document. So the human rights situation has deteriorated after UPR. That is almost a year now.

But whatever they said, they agreed to certain things. I don't have the full report with me, but they agreed to certain things, but they distanced other things. The UPR is an exercise that itself is not an end to the issue. That is one form of pressure, but it should be complemented with other pressures like the U.S. and others.

By the way, on Vietnam EU should be brought in. I mean, that is something. That link should be there to exert pressure there.

Mr. SMITH. As a member of the Human Rights Council, in your view is the United States doing enough to bring focus on Vietnam's human rights abuse today?

Mr. KUMAR. Not to my knowledge, but something we have to push to them to bring. We can. We can push them to bring the solutions. You know, given the relationship it is going to be an uphill battle because the Administration for different reasons are getting very close to Vietnam now. That is why this hearing is so important.

Just a thought, Congressman, on the U.S. Ambassador's response that it is a land dispute. I would recommend, I mean, some of you can get together and just write a letter to him asking, without mentioning that you mentioned a land dispute or anything saying that we have heard this and what is your response and let us see.

Because when we met him a couple of months ago when we were visiting him, obviously we are a human rights group so he was saying oh, every meeting he raises human rights. So it is important to put him also on the spot. I don't know whether any of you are planning to visit Vietnam. That will be a great opportunity to visit. It is important.

I mean, I remember Senator Brownback visited Father Ly in his prison.

Mr. SMITH. So did I.

Mr. KUMAR. You also went? I am sorry.

Mr. SMITH. I visited him when he was in house arrest after he was --

Mr. KUMAR. Yes. So the Vietnam, when they feel that there is pressure they will back off. The pressure is not mounting. That is the danger that we are facing.

Mr. SMITH. Thank you.

Dr. THANG. Yes, sir.

Mr. SMITH. Yes?

Dr. THANG. Can I have a comment on this? So we have about more than a hundred people from Con Dau living in the United States, and after the crackdown we sent letters, a petition, to each of the congressmen and senators from each state asking for their help to bring justice to our people.

We received many responses from the Congress people, and a few of them I received saying that other than the one that mentioned that Ambassador Michalak is saying that this is a land dispute, they also mention that the Ambassador of the United States was on top of this and he knows everything about this and he is doing everything to bring the Vietnamese government to attention.

But at the end they say but in our position we cannot do anything else because that is in Vietnam law. We cannot be involved. I think what they are saying in this letter is like Congressman Cao says. That is just lip service. I think that because our people are dying. Our people of Con Dau are suffering, and we are citizens of the United States. We are suffering too.

This is not the time for lip service. This is the time for action, time for action because people are dying, so we want to ask you to relay this message to the U.S. government, to the Administration, that it is time for action, not lip service. People are dying, and we are asking for their help, for their involvement, real involvement, intervention, not just saying something good anymore. Thank you.

Mr. SMITH. I appreciate that. Let me ask, Ted, maybe to you. First of all, before we go any further, several of us are talking about putting together a trip. We wanted to have this hearing. We want to visit Con Dau. Who knows if they will let us in, but we will make every effort.

As a Catholic, frankly, I want to go to church there, so I would ask and we would hope that Members would join us on such a trip as quickly as we can put it together. I think hopefully this terrible killing and torture and, of all things, in the midst of a burial on May 4, it brings nothing but dishonor to the Vietnamese government and why they can't see that.

But if nobody raises it, if you have not raised it, if the Commission had not raised it, Amnesty and of course the family members had not raised it so effectively, it would just pass and the Vietnamese government would have gotten away with murder once again. So your testimonies today are so of great value.

I also want to thank Boat People SOS. Dr. Thang has been leading the effort there for over what, two decades or so, since I was Chairman of the Human Rights Committee when I first met him, but they have a Save Con Dau campaign with three objectives: Stop the ongoing persecution; protect those at risk, including Con Dau residents apparently seeking refugee protection in Thailand and elsewhere; and ensure the existence of Con Dau as a Catholic parish, which leads me to the next question.

If any of us can't get in, and hopefully we will, but certainly the Commission might consider also a trip to Thailand. You know, there is a picture here of my former Chief of Staff, and Ambassador Joseph Rees is there right now, and I think Mr. Kumar made a very ominous and very wise statement when he said we may wake up and find out that people have been forcibly repatriated tonight or tomorrow night from Thailand back to a living hell and probably a jail cell and worse, so hopefully the Commission might consider a trip there as well.

Mr. VAN DER MEID. I will take that back to the Commission. I noticed the language in your resolution about asking the Commission to visit, and we may have the same problem you might have about being admitted for that purpose, but certainly the refugees in Thailand are a different issue as well.

We have also asked the State Department to investigate, and I would say that the Ambassador's letter, and this has gone way beyond a property dispute at this point in time.

Mr. SMITH. Thank you. One final statement. Just again I say this to the State Department rep who is in the room. We have been together, and we have all been raising this for years. Human rights do get in the way. It complicates the big smiles and the toasts at the embassies and the foreign ministries and all of that.

But if this country, the United States, does not speak up for those who are persecuted and suffering, who have lost brothers, who are missing individuals who are incarcerated, don't know where they are, who will?

So I think we have to rediscover our first values again, and that is the sanctity and, most important of all, the basic human rights that we hold so dear and not enable human rights abuse by looking askance as those rights abuses are being committed. I believe, with all due respect, that is exactly what we are doing with Vietnam.

Mr. WOLF. Yes, ma'am? You had your hand up.

Audience MEMBER. [Inaudible].

Mr. WOLF. Will you identify yourself and give your name for the record?

Audience MEMBER. Yes. My name is [inaudible].

Mr. WOLF. Well, sure.

Audience MEMBER. [Inaudible.]

Mr. WOLF. No. He is welcome to. Did you say they are going to build a casino here?

Audience MEMBER. [Inaudible.]

Mr. WOLF. You know, I will tell you, the State Department. You all are just really -- if they are going to put a gambling casino here and move out --

Dr. THANG. In Da Nang.

Mr. WOLF. In Da Nang. Oh, my goodness gracious.

Audience MEMBER. [Inaudible.]

Mr. WOLF. Why don't you share something before we close? If you want to share something?

Mr. QUANG NGUYEN. [Through translator.] Mr. Nguyen Ba Thanh, he has at least 100,000 acres of forest land in Da Nang without having tax.

Mr. WOLF. Could you spell his name for the record so when the Embassy looks at that and the State Department they can see? Would you spell his name for the record?

The TRANSLATOR. Nguyen Ba Thanh, the Communist Party Chief of the city of Da Nang. They lease the land to the Chinese.

Mr. WOLF. The Chinese?

The TRANSLATOR. The Chinese government.

Mr. QUANG NGUYEN. He opened a casino in Da Nang, and all the management and the service people in that casino hotel are Chinese.

Mr. WOLF. Okay. Well, thank you. Thank you very much. The Chinese are running gambling casinos in Vietnam, and the State Department is silent on human rights.

The staff just looked to see. The U.S. Ambassador's spokesman has spoken out. He is talking about climate change and health publicly, but almost never human rights. He probably is afraid to speak out because he may be fearful that he would lose his job.

Secondly, let me say, since this is a bipartisan problem, the previous Administration, the Bush Administration, failed in missed opportunities. When they could have spoken out they did not speak out, so it is kind of bipartisan. I wouldn't want this to look like we are just blaming the Obama Administration.

The Bush Administration failed, and when the President was there he failed to act, to eloquently speak out the way that Ronald Reagan spoke out when he went to Moscow and was at the Danilov Monastery and spoke out eloquently with regard to human rights and religious freedom and Gorbachev was sitting and standing right with him.

So it is kind of a bipartisan problem, and now to come back to this Administration it troubles me. Probably the greatest violation and problem on human rights is taking place in Darfur. Genocide has taken place in Sudan, and Bashir, who has been charged with genocidal activity by the International Criminal Court, was sworn in again, and one of the few governments that had the bad judgment to send a representative was the American government.

If you look at the latest reports that have come out with regard to the last several days -- and I urge Amnesty to look at it -- with regard to the Special Envoy in Sudan, they are ready to sell out the people of Darfur where there is genocide and the people to the south.

So on the greatest issue, as bad as this is, genocide, women raped, women abused -- I was the first Member of the House to go to Darfur -- this Administration is literally AWOL and so it doesn't surprise me that they are not going to speak out on this issue.

There is another chance. I hope the representative will tell the Secretary this is an opportunity, but if the Administration fails to put Vietnam on the CPC after this hearing they will go down in history with regard to ignoring things like this.

There is a quote, a song by Simon and Garfunkel called The Boxer. It says, "man hears what he wants to hear and disregards the rest." The Administration cannot disregard what we have heard here today.

I thank Congressman Cao and Congressman Smith for asking for this hearing and I thank all of you for testifying, and the hearing is adjourned.

[Whereupon, at 4:42 p.m., the Commission was adjourned.]

APPENDICES



**APPENDIX A,
SUMMARY OF EVENTS AT CON DAU – DA NANG, VIETNAM, PREPARED BY
BPSOS (JULY 27, 2010)**

HISTORY AND GEOGRAPHY:

- Con Dau is a village and a coterminous Catholic parish in the Diocese of Da Nang, Central Vietnam.
- Located 4 km south of the city of Da Nang, on the other side of the Han River and 5 km southwest of China Beach and Marble Mountain, landmarks that became famous during the Vietnam War.
- Population: 2,000 people. The majority are farmers, and all are Catholics.
- This coming August 15th, 2010 the parish will be celebrating the 85-year anniversary of the establishment of the parish and 135 years since the first religious refugees settled on this land.
- The area was originally a swamp with low, uncultivable land due to salt water coming in during the full moon. The ancestors of the people of Con Dau built a dam to prevent seawater and turned Con Dau into a habitable area. French and Vietnamese priests led this effort to build a beautiful and prosperous parish.
- The century-old cemetery of the parish, in which generations of parishioners have been buried, is located about 1km from the church,. The cemetery is a beautiful 10 hectare park with more than 2000 burial plots. In the middle of the cemetery is a concrete plaza with a chapel in which parishioners gather for evening prayer. It is the property of the parish. Because the cemetery is over 100 years old, it is a national historic heritage site under Vietnamese law.

EVENTS:

- **May 2007:** The government of Da Nang city announced a plan to sell 430 hectares of land in the Hoa Xuan district area, including the entire village of Con Dau (110 hectares), to international developers to build a high-end villa and “green resort” area.
- The government announced that it would compensate for the land and relocate all 10,000 people in the affected area to other unannounced areas. No current residents would be allowed to stay in the affected area.
- The compensation offered for the land is far less than its market value: 250,000 Vietnam dong (\$13 US dollars) per square meter for land with house and 50,000 dong Vietnam

(\$2.5 USD) for rice field land. There is widespread unhappiness about this throughout the district of Hoa Xuan. They regard the price as far too low compared to the price the government is receiving from the developers (more than one billion US dollars, over \$230 USD per square meter) or the current local market price (around 2 million dong Vietnam or \$100 USD per square meter). The government refused to increase the compensation and said that land belongs to the government and the people only have the right of use.

- **March 2008:** The government began to hold meetings with the Hoa Xuan residents, starting with the villages of Trung Luong, Cam Chanh, Lo Giang, and Tung Lam, which are near Con Dau. They explained the reasons for and benefits of this project and eventually persuaded people to sign the agreement to sell their land and move.
- At first the people of these villages fought vigorously against the move. Many of these villagers, however, are government or Communist Party officials, and many others are employed by the government and/or government-owned enterprises. Threats that resistance to the move would result in loss of employment was reportedly a major factor in securing agreement from residents of these three villages.
- Resistance to the move was even more vigorous in Con Dau, whose residents are less involved in government and Communist Party affairs than residents of neighboring villages and who regard this land as intimately tied to their faith. The cemetery and all the farm land of Con Dau are property of the Catholic parish; as noted above, the area was settled and the village built by Catholic clergy and their congregations over a period of 135 years. Several generations of Catholics are buried in the cemetery, and its chapel serves as the primary place of worship for some 500 to 600 parishioners.
- The government ordered the relocation of the cemetery to a mountainous area, far from any inhabitable place. The government also ordered the people of Con Dau to be relocated in yet another place, far away from the designated new location for the cemetery. The people of Con Dau suggested the option of letting them move closer to their church while allowing the surrounding rice fields to be included in the new resort, but the government flatly rejected that option. The government repeatedly made clear that the only option was to “empty out”. The people of Con Dau refused to sign anything and tension between the villagers and the government increased. The Communist Party chief of Da Nang city, Nguyen Ba Thanh, was particularly unhappy. A member of the Vietnamese Communist Party’s Central Committee, he is personally involved in this project and has held 10 meetings with people of Con Dau to persuade and/or or threaten them.
- **January 25, 2010:** Da Nang party chief Thanh led 100 police and government officials to Con Dau and surrounded the village for a week in an effort to force the parishioners to sign the agreement to sell their land and move out. Armed police officers and government

officials went house to house to coerce families to sign the agreement. Many parishioners left home to avoid facing the pressure. Some found it necessary to stay away for the entire week. Out of the 400 households in Con Dau, Mr. Thanh could persuade or force only 10 households to sign.

- **January 26, 2010:** The people of Con Dau sent an appeal to the central government in Hanoi to complain about the government of Da Nang City regarding the use of threats and force. The letter was signed by 400 heads of household. They requested to be relocated around their church so that they could continue to practice their religion. They also complained about the unjust compensation plan for their land. As farmers, they did not know how to make a living if relocated to an urban area without jobs. As parishioners, they wanted to stay together in the vicinity of the cemetery where their ancestors were buried. There was no response from the central government.
- The authorities started to harass and threaten the Parish Council, summoning its members to the police station every day for questioning. This disrupted the livelihood of the council members and effectively paralyzed the council. Soon the council could no longer operate.
- **March 4, 2010:** Mr. Thanh again led hundreds of armed polices and government officials to Con Dau to force families to sign the agreement so he could deliver the land to developers. Nobody signed it.
- **March 9, 2010:** Mr. Thanh met Rev. Nguyen Tan Luc, the parish priest, to ask him to tell parishioners during the mass homily to obey the government order. Rev. Luc refused to do so and stated this was an issue between the government and the people; it was not appropriate for him or the church to tell the people to vacate their land.
- **April 12, 2010:** The government issued an order forbidding future burials in the cemetery of Con Dau parish. They also posted a sign stating “Burying NOT ALLOWED” inside the cemetery. There were a dozen police agents posted to block entrance at all times. A 73 year old parishioner named Le Van Sinh was hit with tear gas in the face and became unconscious when he attempted to remove the sign, which the police had placed on his father's grave. Approximately a thousand people from Con Dau came to protest the treatment of Mr. Sinh by the police.
- **May 1, 2010:** Mrs. Dang Thi Tan, a 93 year old parishioner, died in Con Dau. The funeral was set for May 4, 2010. She had asked to be buried next to her husband and ancestors in the parish cemetery. The funeral was expected to draw a thousand parishioners as is usually the case. The police prepared for a confrontation with the parishioners at the funeral by posting within the perimeter of the cemetery more than 300 armed police officers, including a battalion consisting of special anti-riot troops (B113) mobilized from Ban Me Thuot, moved in within the perimeter of the cemetery. These

anti-riot troops were the same battalion that had suppressed demonstrations on religious freedom and land rights by Montagnards in the Central Highlands in 2001, 2002, 2004 and 2008. They were heavily armed, including with automatic weapons (AK-47s).

- **May 3, 2010:** As parishioners gathered at the chapel in the cemetery to say prayers, the police assaulted and dispersed them. The authorities had placed a ban on entering the cemetery and accessing the chapel.
- **May 4, 2010:** After the funeral mass at the church at 5am, a thousand parishioners including Ms. Dang's family members began the funeral procession to the cemetery. The special police force attacked the funeral procession when the cart carrying the casket approached the cemetery entrance. The police attempted but failed to seize the casket. There was then a six-hour standoff between the military/police forces and the mourners. The military and police repeatedly ordered the mourners to leave, and some did so, but several hundred remained. At 1:30 pm the police shot tear gas and rubber bullets at the mourners near the casket. They then tightly surrounded the area and began beating everyone who was within reach --- men and women including the elderly as well as children --- with batons and electric rods. Some of the parishioners attempted to stop the beatings by throwing mud from the rice field, but to no avail. More than 100 people were injured, some severely.
- The police captured any young men and women they could catch. They arrested 62 persons who were brought to the county police station in Cam Le. The casket was seized by the authorities and taken away in a van to the Hoa Son area where the family was forced to agree to cremation.
- The military/police attack on the funeral procession was reported widely in international news media (AFP, AP, VOA, BBC, Radio Free Asia, SBTN, VHN-TV, and others) and websites with press video clips and photos.
- The 62 young men and women arrested were detained in the county jail. According to some of the detainees who were released, the special police took turns beating the detainees badly one by one for their involvement in the funeral, accusing them of interfering with the police as they carried out their duty and of sending information to news media overseas. Some of the detainees were beaten until they were unconscious. A pregnant woman, Le Thi Van, suffered a miscarriage as a result of the beating, as well as other serious injuries that put her life at risk.
- Most of the detainees were released after several days in detention. These detainees were forced to sign the agreement to sell their land and relocate, as well as an agreement not to tell anyone that they had been subjected to torture and ill treatment, as a condition of their release. The detainees also reported that they were required to sign a self-incriminating document, admitting to the false allegation that they had assaulted the police, as a

condition for the beating to stop. A young woman named Doan Thi My Hanh was severely beaten and is now very ill. She was released but may not survive her injuries. The released detainees were ordered not to seek medical care at a hospital or with private doctors. The police told them that if any one should leak information about the beating to the outside world, all 62 will be rounded up and again subjected to beatings.

- The police filmed the funeral and searched for people they identified in the video in an attempt to discover the source of the news leak. Many young men and women in Con Dau left the village and went underground, hiding at different locations in and outside the country.
- The police summoned Mr. Nguyen Phu, a well respected 80-year old patriarch of the parish, to the police station for questioning, suspecting him of directing the funeral procession. The police walked him around in the detention center, and photographed him naked so as to humiliate him, his family and the entire parish. He continues to be summoned for questioning once a week.
- **May 13, 2010:** The public security police of Cam Le County initiated prosecution of six detainees: Nguyen Huu Liem (M, born 1963), Phan Thi Nhan (F, 1965), Nguyen Thi The (F, 1960), Doan Cang (M, 1965), Le Thanh Lam (M, 1979), and Tran Thanh Viet (M, 1971) on charges of “opposing law enforcement” and “disturbing public order.” According to some of the released detainees, the authorities also threatened to charge the six who are still in detention with “contacting reactionary forces overseas to oppose the government”, a capital crime. These six detainees are considered “ringleaders” in the movement to oppose relocation and suffered the most beatings during interrogations. They have been held incommunicado and have not been allowed to visit even their wives, husbands, parents, or children. (Family members may deliver food once a week, on Saturday, but are not allowed to visit.) Relatives suspect that some or all of these six detainees have suffered serious injuries and are being held incommunicado partly to hide the evidence of these injuries.
- There is no news about a seventh detainee, Nguyen Thi Lieu (F), who was initially kept with the other six but was then moved to a separate location. She is reported to have been severely tortured. Her whereabouts are unknown and she is not listed among those to be prosecuted.
- **May 27, 2010:** The police continued their search for parishioners suspected of actively opposing the relocation order and leaking information to news media. On May 27, 2010, the public security police arrested Mr. Nguyen Huu Minh, the Vice Chairman of Con Dau Parish Committee, and issued an arrest warrant against Nguyen Huu Vinh, a member of the Parish Committee. Mr. Nguyen Huu Minh's brother, Nguyen Huu Liem, is among the six detainees facing police prosecution. The police have issued arrest warrants against several other individuals suspected of being “instigators” or of passing pictures and

videos of the Con Dau incident to the outside world.

- The government has recently ordered the people of Con Dau to stop planting crops on their rice fields. The water supply to the rice fields has been cut off. The parish cemetery entrance is locked and parishioners are not allowed to pray at the chapel there. Every family in Con Dau has been ordered to make preparations to relocate their relatives' tombs to another location 30 miles away. Pressure has intensified on every household in Con Dau to sign the agreement for the government to come and assess their property value starting June 1, 2010. The next steps are reportedly to fill the rice fields, bulldoze the houses, and force everyone in Con Dau to move out.

- **July 1:** The police apprehended Mr. Nguyen Nam, a member of the funeral support group and beat him to death. On May 4, he was beaten with a metal baton during the attack on the funeral procession and was called to the police station 4 times after the May 4 event. The first two times, he came and was beaten badly. The third and fourth times, he was so scared and hid away. On July 1 at about 10pm, he heard the dog bark and sensed the police were coming after he refused to show up at the station. He ran away and hid at an attic of an acquaintance's house in the nearby village (Trung Luong). A person in the house reported his presence to the local troopers (du kich). The local troopers came and arrested him. They handcuffed, beat him, pushed him to the muddy grass field. The county police later came and continued the beating until his wife came and begged them to release him and promise he will report to the station tomorrow. They released him around 3am Friday. He came home severely injured in the head, face, and chest; and the skin on both hands was pulled and scratched. He kept throwing up blood along with dirt and grass. Blood poured out from his ears. He told his wife to take care of the kids because he thought he might not live any longer. Around 11am Friday, he came to his mother's house nearby to meet his 78 years old mom. He died in his mom's arms while throwing up lots of blood with dirt and grass (probably sucked in when the police tried to drown him on the muddy field). After his death, [a friend] stopped by to pay tribute to the corpse laying on the bed. He saw blood still coming out from his ears and mouth. Blue scars on both side of his head (near the ears) and especially on his chest. Skin on his hands was pulled out and severely scratched from the joint down.

- The local government immediately went on alert and came to his house and watched closely everybody who came to visit... They ordered the family to put him in the coffin as soon as possible. The family was forbidden to say anything about his death, nor the reason. The people of Con Dau were told not to communicate to anybody about the death of Mr. Nam. Most phone calls to Con Dau were not picked up. The people of Con Dau did not want to talk about this incident because of concern for their own safety. Photographs of the corpse was prohibited. Witnesses reported that Mr. Nam's chest was smashed, his body was covered with bruises, and there were signs of bleeding at his temples.

- **July 25:** The government has stopped irrigation water to the rice fields, essentially denying residents of Con Dau of their livelihood.
- The government authorities has forced the victims, starting with those among the original 62 detainees, to pay a fine from 4 to 6 million Vietnamese dong each to cover the expenses of the police crackdown, which totals 2.6 billion Vietnamese dong. Using photographs and video clips The authorities are identifying parishioners participating in the funeral procession in order to fine them.

**APPENDIX B,
ANNUAL REPORT OF THE U.S. COMMISSION ON INTERNATIONAL
RELIGIOUS FREEDOM: VIETNAM CHAPTER (MAY 2010)**



UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Annual Report 2010



**Annual Report of the
United States Commission on International Religious Freedom**

May 2010
(Covering April 1, 2009 – March 31, 2010)

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(July 2009 – June 2010)

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Stephen R. Snow, Senior Policy Analyst

Front Cover: URUMQI, China, July 7, 2009 – A Uighur Muslim woman stands courageously before Chinese riot police sent to quell demonstrations by thousands of Uighurs calling for the government to respect their human rights. The Uighurs are a minority Muslim group in the autonomous Xinjiang Uighur region. Chinese government efforts to put down the ethnic and religious protest resulted in more than 150 dead and hundreds of arrests. (Photo by Guang Niu/Getty Images)

Back Cover: JUBA, Southern Sudan, April 10, 2010 – School children participate in a prayer service on the eve of Sudan's first national elections in more than two decades. Those elections are called for under the Comprehensive Peace Agreement between North and South Sudan, the full implementation of which is widely believed to be essential to averting another bloody civil war marked by sectarian strife. Although the elections were deeply flawed, many Southern Sudanese saw them as a necessary milestone on the road to a January 2011 referendum on Southern Sudan's political future--the final major step in the peace agreement. (Photo by Jerome Delay/Associated Press)

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Vietnam

FINDINGS: The government of Vietnam continues to control government-approved religious communities, severely restrict independent religious practice, and repress individuals and groups viewed as challenging political authority. Religious activity continues to grow in Vietnam and the government has made some important changes in the past decade in response to international attention, including its designation as a “country of particular concern” (CPC). Nevertheless, individuals continue to be imprisoned or detained for reasons related to their religious activity or religious freedom advocacy; police and government officials are not held fully accountable for abuses; independent religious activity remains illegal; legal protections for government-approved religious organizations are both vague and subject to arbitrary or discriminatory interpretations based on political factors; and new converts to some Protestant and Buddhist communities face discrimination and pressure to renounce their faith. In addition, improvements experienced by some religious communities are not experienced by others, including the Unified Buddhist Church of Vietnam (UBCV), independent Hoa Hao, Cao Dai, and Protestant groups, and some ethnic minority Protestants and Buddhists. Property disputes between the government and the Catholic Church continue to lead to harassment, property destruction, and violence, sometimes by “contract thugs” hired by the government to break up peaceful prayer vigils. In the past year, the government harassed monks and nuns associated with Buddhist teacher Thich Nhat Hanh and forcibly disbanded his order.

Given these ongoing and serious violations, the uneven pace of religious freedom progress after the CPC designation was lifted, the continued detention of prisoners of concern, and new evidence of severe religious freedom abuses, USCIRF again recommends that Vietnam be designated as a CPC in 2010. The Commission has recommended that Vietnam be named a (CPC) every year since 2001. The State Department named Vietnam a CPC in 2004 and 2005, but removed the designation in 2006.

PRIORITY RECOMMENDATIONS: Religious freedom conditions have not improved as quickly or as readily as have other areas of the U.S.-Vietnamese relationship, and there continues to be a marked deterioration of the human rights situation overall. Nevertheless, there is reason to believe that the government of Vietnam will engage on human rights concerns. Non-governmental organizations (NGOs) have engaged Hanoi on religious freedom concerns over the past year, and religious freedom was a part of the renewed annual U.S.-Vietnam human rights dialogue. However, the frequency of these exchanges is neither as structured nor as focused on concrete results as those that took place between 2004 and 2006, when Vietnam was named a CPC and was seeking entrance to the World Trade Organization (WTO). USCIRF continues to urge the Obama administration to re-evaluate the diplomatic and political resources employed to advance religious freedom and related human rights in its relations with Vietnam. USCIRF also encourages the Administration to view CPC designation as a flexible tool in light of its previous success in spurring serious diplomatic engagement and achieving measurable improvements, while not hampering progress on other areas in the U.S.-Vietnam relationship. Additional recommendations for U.S. policy towards Vietnam can be found at the end of this chapter.

Religious Freedom Conditions

Overall Human Rights Situation

Vietnam's overall human rights record remains poor, and has deteriorated since Vietnam joined the WTO in January 2007. Vietnam is an authoritarian state governed by the Communist Party. Over the past two years, the government has moved decisively to repress any perceived challenges to its authority, tightening controls on the freedom of expression, association, and assembly. New decrees were issued prohibiting peaceful protest in property disputes and limiting speech on the internet. In 2007, as many as 40 legal and political reform advocates, free speech activists, human rights defenders, labor unionists, journalists, independent religious leaders, and religious freedom advocates have been arrested. Others have been placed under home detention or surveillance, threatened, intimidated, and harassed. In 2009, a new wave of arrests targeted bloggers, democracy advocates, and human rights defenders, including lawyer Le Cong Dinh who defended prominent human rights activists. Over the past year, two journalists were arrested and convicted in connection with their reporting on high-level corruption, and several journalists and editors at leading newspapers were fired. Several Internet bloggers were also jailed after writing about corruption and protesting China's actions in the disputed Spratly and Paracel Islands; one was convicted and sent to prison.

Given the prominence of religious leaders in advocating for the legal and political reforms needed to fully guarantee religious freedom, their continued detention must be considered when measuring religious freedom progress in Vietnam. Over the past two years, individuals motivated by conscience or religion to peacefully organize or speak out against restrictions on religious freedom and related human rights continue to be arrested or detained, including Nguyen Van Dai, Nguyen Thi Hong, and over a dozen members of the Hoa Hao and Cao Dai communities. There are also an unknown number of ethnic minority Montagnards, including religious leaders, still detained after 2001 and 2004 demonstrations for religious freedom and land rights. The Most Venerable Thich Quang Do and other UBCV leaders and Fr. Phan Van Loi remain under administrative detention orders and are restricted in their movements and activities.

In 2009, the government released six Khmer Buddhists jailed in 2007 for taking part in peaceful demonstrations against restrictions on religious practice. Fr. Nguyen Van Ly was granted temporary medical parole in March 2010 after suffering two major strokes in prison. Human rights activist Le Thi Cong Nhan was released in March 2010 after completing a three year prison term; she is now under home detention orders. USCIRF was able to meet while they were still imprisoned Le Thi Cong Nhan and Nguyen Van Dai in 2007 and Fr. Nguyen Van Ly and Nguyen Van Dai in 2009.

Despite significant restrictions and governmental interference, the number of religious adherents continues to grow in Vietnam. In large urban areas, the Vietnamese government continues to expand the zone of permissible religious activity for Catholics, non-UBCV Buddhists, some Protestant groups, and government approved Hoa Hao and Cao Dai communities, including allowing large religious gatherings and pilgrimages. Religious leaders in Hanoi and Ho Chi Minh City report fewer restrictions on their normal worship activities in recent years, and the government largely continues to support the building of religious venues and the training of religious leaders. Nevertheless, lingering property disputes over venues and facilities previously confiscated by the Communist government created serious tensions between Hanoi and some religious communities, leading to church demolitions, property confiscations, detentions, and societal violence. In some parts of the Central Highlands, particularly Gai Lai province, most of the churches and meeting points closed after 2001 and 2004 religious freedom demonstrations were re-opened, and the government and the officially-recognized Protestant organization have established a working relationship. However, groups that do not worship within government approved

parameters or are suspected of sympathizing with foreign groups seeking Montagnard autonomy face a growing number of problems, including property destruction, detentions, and beatings.

When designated as a CPC, Hanoi released prisoners, expanded some legal protections for nationally recognized religious groups, prohibited the policy of forced renunciations of faith (which resulted in fewer forced renunciations), and expanded a zone of toleration for worship activities, particularly in urban areas. Nevertheless, during USCIRF's October 2007 and May 2009 trips to Vietnam, religious leaders reported that while overt restrictions on their religious activity slowed in the past decade, there continue to be serious problems with the legal and policy framework the government uses to oversee religious activity. Improvements often depended on geographic area, ethnicity, the relationship established with local or provincial officials, or perceived "political" activity. Most religious leaders attributed these changes to the CPC designation and the priority placed on religious freedom concerns in U.S.-Vietnamese bilateral relations.

Implementation of Vietnam's Legal & Policy Framework on Religion

The 2004 Ordinance on Religion and Belief requires religious groups to operate within government approved parameters. The Ordinance promises those who succeed at gaining "national" legal status fewer government intrusions in regular religious activities. However, the registration process is ill-defined and implementation of the Ordinance is problematic. Some provincial officials ignore recognition applications, require religious groups to include the names of all religious adherents in a church, or pressure religious leaders to join groups already given legal recognition, despite theological or other objections. In addition, the Ordinance provides for two levels of legal recognition, neither of which offers the same protections as "national" recognition. In fact, at the first level, "permission for religious operation," religious groups report government intrusions in daily religious activity, including seeking from religious leaders the names of congregants or limiting participation in and the scope of worship services. Religious groups whose applications for legal recognition are denied or who do not meet the Ordinance's vague standards are technically illegal and can be closed without warning.

Contrary to its provisions, local officials have told religious groups and a visiting USCIRF delegation that the Ordinance does not apply in their provinces. The central government has also delayed implementation and enforcement of the Ordinance and issued a training manual on how to deal with religious groups that counsels restricting rather than advancing religious freedom. The manual, issued by the central government's Committee on Religious Affairs, has gone through several revisions because of international scrutiny. Nevertheless, problematic language remains regarding measures to halt the growth of religious communities.

A USCIRF delegation traveled to Vietnam in May 2009 and ascertained that new converts to Protestantism in ethnic minority areas face official intimidation and discrimination if they do not renounce their faith (see discussion below under *Hmong Protestants: Northwest Provinces*). There are also reports that new monks and nuns of Buddhist teacher Thich Nhat Hanh face similar tactics as do individuals who frequent pagodas affiliated with the UBCV.

Provisions of the Ordinance do not meet international standards and are sometimes used to restrict and discriminate rather than promote religious freedom. For example, national security and national solidarity provisions in the Ordinance are similar to those included in Vietnam's Constitution and override any legal protections guaranteeing the rights of religious communities. These include Article 8 (2) of the Ordinance, which prohibits the "abuse" of religion to undermine national unity, to "sow division among the people, ethnic groups and religions" or to "spread superstitious practices", and Article 15, which provides that religious activities will be suspended if they "negatively affect the unity of the people or the nation's fine cultural traditions." The government continues to significantly limit the organized activities

of independent religious groups and individuals viewed as a threat to party authority on these grounds. There are some reports that Vietnamese officials are considering revising the Ordinance on Religion and Belief, which would offer the international community an opportunity to engage the government on ways to change Vietnam's legal structure on religion so that it conforms to international standards.

In the past year, religious groups without legal status —whether because they do not meet established criteria, are deemed politically unreliable, or refuse to accept government oversight— were harassed, had venues destroyed, and faced severe discrimination. In addition, there were reports that ethnic minority Protestants were arrested and detained because their meeting points were not legally recognized or they were not affiliated with the government approved religious organization.

The government continues to extend legal recognition to, and allows religious venues to affiliate with, 11 officially recognized religious groups: Buddhism, Islam, Catholicism, Protestantism, Hoa Hao, Cao Dai, Pure Land Buddhist Home Practice, Bani Muslim Sect, Threefold Enlightened Truth Path, Threefold Southern Tradition, and the Baha'i Community. In the past year the government has extended legal status to the Mysterious Fragrance from Precious Mountains and the Four Gratuities and the Vietnam Christian Fellowship. In October, 2009, the Assembly of God denomination was granted permission to operate, an initial legal status that had previously been denied because the Assembly of God did not meet the Ordinance requirement for "20 years of stable operation."

Prisoners of Concern

In the past, the State Department maintained that one of the reasons Vietnam's CPC designation was lifted was because there are no longer any "prisoners of concern." USCIRF contends that there remain dozens of prisoners of concern in Vietnam. As discussed above, a number of individuals remain incarcerated for actions related to their religious vocation, practice, activity, or conscience. Along with those incarcerated, over a dozen religious leaders are held under long-term administrative detention, including United Buddhist Church of Vietnam (UBCV) leader Thich Quang Do and Catholic Fr. Phan Van Loi. In addition, hundreds of Montagnard Protestants arrested after the 2001 and 2004 demonstrations for religious freedom and land rights remain in detention in the Central Highlands. The circumstances and charges leveled against them are difficult to determine, but there is enough evidence available to determine that peaceful religious leaders and adherents were arrested and remain incarcerated. The continued detention of prisoners of concern, and the existence of vague "national security" laws that were used to arrest them, should be a primary factor in determining whether Vietnam should be designated as a CPC.

In the past, the State Department has contended that only those individuals who are arrested "for reasons connected to their faith" will be considered in evaluating religious freedom conditions in Vietnam, as if the internationally recognized right to the freedom of religion guarantees only the freedom to worship. This narrow definition excludes from consideration anyone arrested or detained for peaceful public advocacy to protect religious freedom, including expressing support for the legal or political reforms needed to fully ensure it. The State Department's criterion also excludes those who monitor the freedom of religion and are arrested or otherwise punished for the publication of their findings. It also excludes those who, motivated by ongoing restrictions on religious practice or the arrests of fellow-believers, peacefully organize or protest to draw attention to government repression. The State Department's standard for determining who is a religious "prisoner of concern" draws an arbitrary line between "political" and "religious" activity not found in international human rights law.

USCIRF contends that in all the most recent cases of arrest, detention, and imprisonment, religious leaders or religious-freedom advocates engaged in legitimate actions that are protected by international treaties and covenants to which both the United States and Vietnam are signatories. In addition to the

freedoms to believe and to worship, the freedom to peacefully advocate for religious freedom and express views critical of government policy are legitimate activities guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. They protect not only the right to freedom of thought, conscience, and religion¹⁴ but also the related rights to freedom of opinion and expression¹⁵ and to freedom of peaceful assembly and association.¹⁶ Moreover, the right to freedom of thought, conscience, and religion or belief is “far-reaching and profound” and “encompasses freedom of thought on all matters [and] personal conviction,” as well as “the commitment to religion or belief.”¹⁷

In the past several years, Montagnard Protestants have been subject to a number of short-term detentions, disappearances, and one possible beating death in custody. According to reports from NGOs and several members of the European Parliament, Montagnard Protestant Puih H’Bat was arrested in April 2008 for leading an illegal prayer service in her home in Chu Se district, Gai Lai province—an area where there have been protests in the past over land rights and religious freedom abuses. In fact, according to Human Rights Watch, police arrested dozens of Montagnards in that area in April 2008 and forcibly dispersed crowds peacefully protesting recent land confiscations. Given historical animosities, past repression, and the region’s remoteness, it is difficult to determine the exact reasons why Puih H’Bat was arrested, though the fact that police have refused to allow her family to visit her and the lack of police and judicial transparency in the case is disturbing. Also in the same Gai Lai province district, as many as 11 Montagnard Protestants were detained in February 2009 after police reportedly entered a worship service and asked everyone present to renounce their faith or join the officially recognized Southern Evangelical Church of Vietnam (SECV). Everyone who refused was arrested. Nine were released a month later, and two remain in detention. The State Department was able to confirm from other religious leaders in the region that these individuals were arrested for trying to organize an independent Protestant organization, which the Vietnamese government has refused to allow in this area since the large religious freedom protests in 2001 and 2004. In other parts of Gai Lai province, however, ethnic Montagnard Protestants associated with the government-approved SECV have established a working relationship with provincial officials, leading to the re-opening of many religious venues closed after 2001, new religious training courses for pastors, and the building of at least one new church property.

In the past year’s reporting cycle, the government released six Khmer Buddhist prisoners of concern, including Cambodian monk Tim Sarkhorn and five Khmer Buddhist monks convicted for leading February 2007 religious freedom protests in Soc Trang province. The five monks were not allowed to rejoin their monasteries or return to their studies, and Tim Sarkhorn, though released from prison in July 2008, was held under house arrest and constant police surveillance until early April 2009. The U.N. High Commissioner for Refugees (UNHCR) granted them refugee status, and they were resettled in Europe. The situation of the Khmer Buddhist has been an underreported problem in Vietnam. The State Department, despite travelling to Soc Trang province in October 2007, did not report on the arrests of Khmer monks until after they were released.

In March 2010, Le Thi Cong Nhan was released from prison after completing her prison sentence. The USCIRF delegation met with her in prison during a 2007 visit. She continues to serve a sentence of administrative parole, which is essentially house arrest. After granting interviews to international media after her release, she was detained and interrogated by police and remains under close scrutiny.

¹⁴ Universal Declaration of Human Rights (UDHR), Art. 18; International Covenant of Civil and Political Rights (ICCPR), Art. 18.

¹⁵ UDHR, Art. 19; ICCPR, Art. 19.

¹⁶ UDHR, Art. 20; ICCPR, Arts. 21 & 22.

¹⁷ United Nations Human Rights Committee General Comment 22, Article 18 (Forty-eighth session, 1993), para 1.¹⁸ Criteria for reviewing textbooks and other educational materials have been developed by several international bodies, including UNESCO. For the UNESCO criteria, see http://www.unesco.org/education/pdf/34_71.pdf.

Also in March, Fr. Nguyen Van Ly was released on medical parole after suffering several strokes in prison. He will be returned to prison once his health improves. A USCIRF delegation was allowed to meet with Fr. Ly in May 2009 and discovered that he has been held in solitary confinement for over two years. Fr. Ly has been imprisoned numerous times for his religious freedom and human rights advocacy, including after he submitted testimony to a 2001 USCIRF hearing on Vietnam. USCIRF has consistently advocated for his unconditional release.

Buddhists, Hoa Hao, and Cao Dai

The government continues to actively discourage independent Buddhist religious activity and refuses to legally recognize the UBCV and some Hoa Hao and Cao Dai groups. Government-approved organizations oversee Buddhist and other indigenous religions' pagodas, temples, educational institutes, and activities. Approval is required for all ordinations and ceremonies, donations, and expansions of religious venues. The government-approved leaders of Buddhist, Hoa Hao and Cao Dai organizations also vet the content of publications and religious studies curricula offered at schools.

The Vietnamese government requires the UBCV and independent Hoa Hao, and Cao Dai groups to affiliate only with the government approved religious organization. Those who refuse face ongoing and serious religious freedom abuses, including arrests, detentions, fines, forced renunciations of faith, destruction of property, and other harassment. This fact is important when deciding whether religious freedom conditions have improved in Vietnam overall, given that these groups, along with the ethnic minority Khmer Buddhists, represent the largest number of religious adherents in Vietnam.

The UBCV is Vietnam's largest religious organization with a history of peaceful social activism and moral reform. The UBCV has faced decades of harassment and repression for seeking independent status and appealing to the government to respect religious freedom and related human rights. Its leaders have been threatened, detained, put under pagoda arrest, imprisoned, and placed under strict travel restrictions for many years. The freedom of movement, expression, and assembly of UBCV leaders continues to be restricted. Monks, nuns, and youth leaders affiliated with the UBCV face harassment and threats. Senior UBCV monks, including the Most Venerable Thich Quang Do with whom USCIRF delegations were able to meet in both 2007 and 2009, remain under some form of administration probation or pagoda arrest. Charges issued in October 2004 against UBCV leaders for "possessing state secrets" have never been rescinded. Local attempts by monks to organize UBCV provincial boards or carry out charitable activities also are thwarted. Police routinely question UBCV monks and monitor their movement and activities. Foreign visitors to UBCV monasteries have been assaulted and harassed.

In the recent past, UBCV monks have been detained, threatened and ordered to withdraw their names from provincial leadership boards and cease all connections with the UBCV. Government officials have taken steps to make sure that government affiliated monasteries do not affiliate overtly with the UBCV. In 2008, police and government officials in Lam Dong province sought to depose Thich Tri Khai from his post as superior monk of the Giac Hai pagoda, reportedly offering bribes to anyone who would denounce him and urging 12 monks in the region to sign a petition supporting his ouster. Two hundred and thirty nine monks affiliated with the UBCV signed a letter opposing the government's action and, as a result, were threatened and subjected to "working sessions" with police. In April 2008, police arrested Thich Tri Khai, who went into hiding; two UBCV monks attempting to visit Khai were detained and questioned by police. Also in April 2008, police harassed, assaulted, and briefly detained monks from, and vandalized, the Phuoc Hue monastery in Quang Tri province. The monastery's head Abbot, Thich Tu Giao, had declared allegiance to the UBCV. Police also assaulted and detained Thich Tu Giao's mother and members of the Buddhist Youth Movement. Local officials set up barriers on roads leading to the pagoda and put up signs claiming the pagoda was a "Forbidden Area." It was the second time police vandalized

the pagoda. The previous year, police destroyed a newly built kitchen and warehouse, and stole money contributed by local Buddhists for other buildings.

UBCV adherents also experience harassment and intimidation. During its visits to Vietnam, the USCIRF delegation learned that the Vietnamese government's Religious Security Police (*cong an ton giao*) routinely harasses and intimidates UBCV followers, warning that if they continue to frequent known UBCV pagodas they may be arrested, lose their jobs, or their children expelled from school. The government has actively sought to suppress the activities and growth of the Buddhist Youth Movement.

The State Department also reports that, in the past year, a UBCV monk was detained and later expelled from his monastery for distributing humanitarian aid and food to land rights protestors in Hanoi. A UBCV monk in Ho Chi Minh City resigned from monastic life reportedly due to being constantly harassed by police for his activities organizing a Buddhist Youth Movement. A UBCV nun was also forced to leave the pagoda she founded in Khanh Hoa Province reportedly because she openly affiliated with the UBCV.

There also continue to be reports of harassment and disbandment of religious ceremonies and other activities UBCV monks conduct. For instance, police in the past year routinely interrogated the Venerable Thich Vien Dinh and other monks from the Giac Hoa Pagoda in Saigon and issued fines for minor building code violations. Officials also have prevented them from holding festivals on *Vesak* (Buddha's Birthday) and the Lunar New Year. In late January, 2010, police reportedly raided the pagoda in order to break up a ceremony of the Buddhist Youth Movement. Parents and children were warned to cease participating in the group. Routine systematic harassment of UBCV monks and affiliated pagodas occurs in the provinces of Quang Nam-Danang, Thua Thien Hue, Binh Dinh, Khanh Hoa, Ba Ria-Vung Tau, Dong Nai, Hau Giang, and An Giang.

The Vietnamese government continues to ban and actively discourage participation in independent factions of the Hoa Hao and Cao Dai, two religious traditions unique to Vietnam that claim memberships of four and three million respectively. While not providing details, the State Department continues to report repression of independent groups that includes intimidation, loss of jobs, discrimination, and harassment of Hoa Hao followers and imprisonment of individuals who peacefully protest religious freedom restrictions.

Both the Cao Dai and Hoa Hao groups report ongoing government oversight and control of their communities' internal affairs, including their rituals, celebrations, funerals, and selection of religious leaders, and even of government approved organizations. Other complaints concern the government's rejection of the Cao Dai charter drawn up before the 1950s, official unwillingness to allow the community to maintain its own independent source of income, and the seizure without compensation of Cao Dai properties after 1975. Some Cao Dai traditionalists have refused to participate in the government-appointed management committees and have formed independent groups. Eight Cao Dai were arrested in 2005 for protesting government intrusion in Cao Dai affairs; five remain in prison at the time of this report.

Independent Hoa Hao groups face severe restrictions and abuses of religious freedom, particularly in An Giang province. According to the State Department, members of the independent Hoa Hao Central Buddhist Church (HHCBC) face "significant official repression," and there is continued friction between independent Hoa Hao and government officials in the Mekong Delta region, including reports of confiscation and destruction of HHCBC affiliated buildings. HHCBC religious leaders refuse to affiliate with the government-approved Hoa Hao Administrative Council (HHAC) and are openly critical of it, claiming that it is subservient to the government. HHCBC leaders and their followers have been arrested for distributing the writings of their founding prophet, had ceremonies and holiday celebrations broken up by police, had sacred properties confiscated or destroyed, and individual followers have faced

discrimination and loss of jobs. At least 12 Hoa Hao were arrested and sentenced for protesting religious freedom restrictions, including four who were sentenced to four years in prison for staging a peaceful hunger strike.

The Vietnamese government's ongoing repression of the language, culture, and religion of ethnic Khmer living in Vietnam has led to growing resentment in the Mekong Delta. Khmer Buddhism is associated with the Theravada branch of Buddhism and has religious and ethnic traditions distinct from the dominant Mahayana Buddhist tradition practiced in most parts of Vietnam. Some Khmer Buddhists have called for a separate religious organization, distinct from the government-approved Vietnamese Buddhist Sangha (VBS). Religious freedom concerns continue to be central to demands of ethnic minority Khmer for human rights protections and preservation of their unique language and culture.

As many as one million ethnic minority Khmer Buddhists live in Vietnam, mostly in the Mekong Delta region. Long simmering tensions emerged there in 2006 and 2007, as Khmer Buddhist monks peacefully protested government restrictions on their freedom of religion and movement and Khmer language training. On January 19, 2007, according to Human Rights Watch, Buddhist monks in Tra Vinh province protested the arrest of a monk for possessing a publication from an overseas Khmer advocacy group. The protesting monks were interrogated and accused of allegedly separatist activities, and three monks were detained in their pagodas for three months and later defrocked. In February 2007, more than 200 monks staged a peaceful demonstration in Soc Trang province protesting the government's restriction on the number of days allowed for certain Khmer religious festivals and calling on the government to allow Khmer Buddhist leaders—not government appointees—to make decisions regarding the ordinations of monks and the content of religious studies at pagoda schools. The protestors also called for more education in Khmer language and culture. Provincial officials initially promised to address the monk's concerns, but several days later, monks suspected of leading the protest were arrested and some reportedly were beaten during interrogations. At least 20 monks were defrocked and expelled from their pagodas, and five monks sentenced to between two and four years in prison. Defrocked monks were sent home to their villages, where they were placed under house arrest or police detention.

Five young monks arrested for leading the demonstrations were given sentences ranging from one to five years. In interviews with USCIRF, the monks described severe restrictions on the religious life of Khmer Buddhists. They stated that they had applied to hold a demonstration and it was not, as the government maintains, a spontaneous event. They also described in detail, the beatings and torture they endured in detention, including one monk stating that he was beaten every day for one year.

After the 2007 demonstrations in Tra Vinh and Soc Trang, provincial officials and police expanded surveillance and restrictions on Khmer Buddhists religious activity and pressured Khmer Buddhist leaders to identify and defrock monks critical of the government. In July 2007, the Vietnamese government arrested Tim Sarkhorn, a Cambodian Khmer Buddhist monk on charges of "illegally crossing the border." As mentioned above, the five Khmer monks and Tim Sarkhorn were released in early 2009. They were not allowed to return to the monkhood and are now living as refugees in Europe.

The Vietnamese government, through the Vietnamese Buddhist Sangha (VBS), began an academy in 2008 in Can Tho that focused on Theravada Buddhism. The government provided land for the building and expansion of a larger academy. In addition, the government expanded the Pali language school in Soc Trang Province, the site of the demonstrations. It is unclear whether these actions will be sufficient to address long-standing grievances over religious restrictions and discrimination based on ethnicity.

Crackdown on the Lang Mai Buddhists of Bat Nha Monastery

In September 2009, over 300 Lang Mai (Plum Village) Buddhist monks and nuns, followers of the well-known Buddhist Zen Master Thich Nhat Hanh, were forcibly removed from Bat Nha monastery in Lam Dong province. In 2008, the central government's Religious Affairs Committee stated that the Lang Mai Buddhists were no longer welcome in Vietnam and claimed that some monks and nuns in Bat Nha lacked legal rights to live at the monastery. The abbot of Bat Nha, under pressure from the government, ordered Thich Nhat Hanh's followers to leave. Beginning in June 2009, government officials and police harassed the Lang Mai monks and nuns, turning off water, electricity, and telephone lines, and threatening adherents who came to study at the monastery. In July, local civilians and undercover police entered the monastery, threatened the residents, and confiscated food, furniture, and other property.

Finally, in September 2009, police cordoned off the monastery and allowed more than 100 civilians and undercover police to enter and forcefully evict the Lang Mai Buddhists. Monks were beaten, degraded, and sexually assaulted. Over 200 Buddhist monks and nuns sought temporary refuge at the nearby pagoda of Phuoc Hue. Two senior monks, Phap Hoi and Phap Sy, were arrested. A senior monk at another Lang Mai meditation center in Khanh Hoa province has gone into hiding to avoid arrest.

On December 31, 2009 police and government officials forcibly evicted the 400 monks and nuns residing at Phuoc Hue pagoda. 200 Lang Mai followers left to seek asylum in Thailand and, as of this writing, are seeking religious worker visas to reside in the U.S., Germany, Australia, and France. Another 200 monks and nuns returned to their home provinces in Vietnam, where police harassment continues and authorities threaten family members with job loss and reduced government benefits unless they renounce their Lang Mai affiliation.

In 2005, the Vietnamese government had welcomed Thich Nhat Hanh and the establishment of the Lang Mai order in Vietnam. His return was hailed as evidence of religious freedom progress by both Hanoi and the State Department when the CPC designation was removed in 2006. The government's crackdown on the Lang Mai Buddhists started in late 2007, after Thich Nhat Hanh privately, and later publicly, urged the government to ease restrictions on religion. In addition, the Lang Mai teachings were very popular and therefore threatening to government officials and the leadership of government approved Vietnamese Buddhist Sangha (VBS). Thousands of Vietnamese attended Buddhist ceremonies, lectures, and monastic retreats led by Thich Nhat Hanh and other senior monks. The Bat Nha monastery grew quickly, drawing hundreds of novices and young people to study from all over Vietnam. Local officials and police regularly discouraged potential novices from joining the Lang Mai community.

In October 2009, 180 Vietnamese academics, poets, teachers, and scientists, including Vietnamese Communist Party members, sent a petition to the government requesting an investigation. In addition, the local VBS management board in Lam Dong province sent a memorandum to national VBS leadership in Hanoi deploring the way the Lang Mai Buddhists had been treated. The Lang Mai Buddhists continue to seek a monastery in Vietnam to host their order and allow monks and nuns to live together in community.

Montagnard Protestants: Central Highlands

In some parts of the Central Highlands, particularly for those churches and meeting points affiliated with the SECV in Gai Lai province, religious freedom conditions have improved somewhat since Vietnam was designated as a CPC in 2004. Religious activity is tolerated within government approved parameters, and the government has re-opened closed religious venues and allowed new churches to be built, and provincial authorities have granted permission for some religious training classes to be conducted.

Religious freedom conditions have not improved uniformly, however, in all parts of the Central Highlands or Central Coast regions. There continue to be reports of restrictions, land seizures, discrimination, destruction of property, and other egregious religious freedom abuses that target independent or unregistered Protestant religious venues. In particular, in Dak Lak province, there was active harassment of independent Protestant groups who refused to join the SECV or those suspected of affiliation with the banned *Tin Lanh Dega* (Dega Protestant Church), which the government claims combines religion with advocacy of political autonomy. A 2007 study by the UN High Commissioner for Refugees, based on interviews with Montagnard asylum-seekers in Cambodia, found that few self-identified adherents of *Tin Lanh Dega* sought political autonomy or had a political agenda, apart from “enhancement of their human rights position” and the “need to gather in independent church communities.” Respondents unanimously expressed suspicion of the SECV, as an organization lead by Vietnamese and controlled by the Vietnamese government. Even those *Tin Lanh Dega* leaders who expressed a desire for greater political autonomy sought to advance this position peacefully, according to the study.

Government suspicion of a *Tin Lanh Dega* organized political movement has led to dozens of detentions and at least one beating death in recent years. According to Human Rights Watch and the European Parliament, Montagnard Protestant Y Ben Hdok died while in detention at a provincial police station in Dak Lak province in May 2008. Police claim that he was detained for suspicion of inciting demonstrations, though the family claims that he was organizing a group to seek asylum in Cambodia for reasons including religious persecution. In previous years, USCIRF has raised the cases of other ethnic minority Protestants beaten to death in police custody. There were no new developments related to the 2006 and 2007 deaths of Y Ngo Adrong or Y Vin Het. In the latter case, credible reports indicated that the ethnic minority Protestant was beaten to death by police officers for refusing to recant his faith.

According to the State Department, the Vietnamese government closely scrutinizes all ethnic minority religious communities in the Central Highlands, both legally recognized and independent groups, particularly in Dak Lak and Bien Phuoc provinces. In March 2008, religious leaders from the Inter-Evangelistic Movement (IEM) in Bien Phuoc were reportedly beaten and insulted by police when they traveled to Dak Nong province to hold services. On November 11, 2008, Vietnamese government officials issued fines and summons to everyone affiliated with an independent Protestant church of EahLeo hamlet, Dak Lak province. The church was later charged with operating an illegal Bible school for people outside the province and ordered to dismantle the school and cease religious activity because it was not legally recognized. The church continues to meet in another location. Also in November, in EaSup hamlet, Dak Lak province, police and provincial officials confiscated lumber purchased to build a chapel and issued an order telling the church in EaSup not to meet. In December 2008, hundreds of police and provincial officials destroyed a new Protestant church structure in Cu Dram hamlet; ethnic minority Protestants who protested the demolition were beaten with sticks and electric prods and some were severely injured and later were refused medical treatment. Leaders of this Cu Drom hamlet church continue to be threatened with arrest at this writing. Other independent ethnic minority congregations in EaSol and Thay Ynge hamlets and Krong Bong district of Dak Lak report that their leaders regularly are summoned to police stations and forced to sign papers agreeing that they will not gather “new” Christians for worship and that churches cannot be organized with believers from other hamlets or districts. Vietnamese government policy does not permit anyone who belongs to an unofficial religious group to speak publicly about their beliefs.

In the past year, dozens of Montagnard Protestants were detained, beaten, and threatened in Chu Se district, Gai Lai province because they were suspected of belonging to unregistered Protestant churches or planning to convey information about rights abuses to activists abroad. USCIRF was able to confirm that 11 individuals in this district were arrested and asked to renounce their faith in February 2009. Two remain in detention at this time. Human Rights Watch reports that police routinely raided unregistered

churches in the Central Highlands, mostly in parts of Dak Lak and Gai Lai provinces. On several occasions church members were beaten and shocked with electric batons when they refused to sign pledges to join the government-approved Southern Evangelical Church of Vietnam (SECV). In January 2010 two Montagnard Protestants were sentenced to prison terms of nine and twelve years for allegedly organizing “reactionary underground” networks. Though the details of this case are not entirely clear, there are reports that the two men were organizing unregistered church groups.

Similar charges were leveled against two Protestant evangelists working in Phu Yen province. In January 2010 police detained pastor Y Du reportedly because police suspected that he helped organize 2004 demonstrations for land rights and religious freedom in Dak Lak province. Pastor Du was beaten and dragged behind a motorbike. He was imprisoned in Phu Lam prison in Phu Lam district. Police reportedly told local Protestants that they do not have enough evidence to charge Pastor Du, but they will continue to hold him until he provides evidence against another Protestant pastor, Mai Hong Sanh, for organizing demonstrations. Along with Pastor Du, Phu Yen province officials continue to detain Pastor Y Co until he signs a “confession” concerning his prior involvement in public protests. He has reportedly refused numerous times to sign the document.

Provincial officials in the Central Highlands also target ethnic minority Protestants for official discrimination. Children reportedly are denied access to high school based on outdated laws prohibiting entrance of children from religious families. Protestants reportedly are denied access to government benefits readily available to non-Protestants, including housing and medical assistance programs. In addition, local officials reportedly pressure family elders, threatening to take away their government benefits unless they convince younger family members to renounce their faith. Montagnard Protestants have long complained of targeted discrimination, but at least one eyewitness report indicates that provincial officials are being trained in discriminatory tactics. At a 2007 religious training workshop in Kontum conducted by central government officials, local police and government officials were taught how to deny medical, educational, housing, financial, and other government services to “religious families” and families of recent converts. In addition, officials were instructed to divert foreign aid projects from known Protestant villages. It is unclear if this incident in Kontum is an isolated case, as the details of the official content of these training courses are unknown. The central government continues to conduct training courses for provincial officials on implementing Vietnam’s legal framework on religion.

Hmong Protestants: Northwest Provinces

The government continues to view with suspicion the growth of Christianity among Hmong in Vietnam’s northwest provinces. According to the State Department, over the past several years, the Vietnamese government has started to allow Hmong Protestants to organize religious venues and conduct religious activities in homes and “during the daytime.” However, unlike in some parts of the Central Highlands, the government has moved very slowly to extend legal recognition to Hmong Protestant churches. The number of legally recognized churches and meeting points has reached 100 in the past year, but an estimated 1,000 religious groups are seeking affiliation with the Evangelical Church of Vietnam (ECVN). Hundreds of applications for legal recognition have been declined or ignored, despite provisions in the Ordinance on Religion and Belief requiring government officials to respond to applications in a timely manner.

The Vietnamese government recognizes that there is a “genuine need” for religion in the northwest provinces, opening the way for at least some religious activity in the region to be legally recognized. However, government policy seems focused on making sure that “new” religious growth is controlled and “new” converts discouraged. According to the State Department, over the past year, local officials repressed Protestant believers in some parts of the northwest provinces by forcing church gatherings to cease, closing house churches, and pressuring individuals to renounce their religious beliefs, though often

unsuccessfully, despite the prohibition on forced renunciations in the Prime Minister's 2005 Instruction on Protestantism.

In the recent past, Hmong religious leaders reported that security officials attended religious services, checked church membership lists, and forced anyone not on the list to leave. In some locations, security officials reportedly barred anyone under the age of 14 from attending services, banned mid-week meetings and programs for children and young people, and insisted that religious leaders be chosen under their supervision. Since USCIRF's last Annual Report, in Bat Xat district, Lao Cai province, police harassed and confiscated food and other materials from a group of unregistered "house church" Protestants celebrating Christmas. In another village in Bat Xat district, police reportedly confiscated livestock and other belongings from members of another Protestant "house church" celebrating the Lunar New Year.

In August 2008, in Huoi Leng commune, Lao Cai province, a Protestant house church leader claimed that local officials constantly were pressuring him to give up his faith and threatening his congregants with deportation and cattle prods. Also, in Si Ma Cai district, Lao Cai province police beat and choked two Hmong Protestants in an attempt to force them to recant their faith. Police told them that there "could not be....Christians in the district." In Son La province, ethnic minority Catholics reported that government officials and police regularly threatened the loss of government benefits and services unless they returned to traditional religious practices and in Ha Giang province, local officials have used similar tactics and refused to allow a Catholic priest residence in the province.

In other regions, local authorities reportedly encouraged clan elders to pressure members of their extended families to cease practicing Christianity and return to traditional practices. Religious leaders also report that local authorities sometimes use "contract thugs" to harass, threaten, or beat them, according to the State Department. For example, in July 2007, a veterans group in Ha Giang province burned down a home where ethnic minority Protestants met for worship and damaged other buildings in an attempt to stop all worship activities. Though such activities are prohibited by law, there are no known cases of prosecution or punishment for attempted forced conversions or property destruction.

In the past year, several unregistered religious gatherings were broken up or obstructed in the Northwest Highlands. Local authorities reportedly used "contract thugs" to harass or beat ethnic minority Protestants. During the USCIRF delegation's visit to Dien Bien province, local congregations reported detentions, discriminations, and efforts to get Hmong Protestants to recant their faith, including the arrest of two individuals for conducting religious training in multiple villages. There are also credible reports that Vietnamese police in Dien Bien Dong district, Na Son commune arrested and beat Hmong Protestant Sung Cua Po after he converted to Christianity in November 2009. Before his arrest, police incited local villagers to harass and stone his house, beat his wife, and fined other Protestants in the commune in order to get him to return to traditional Hmong religious practices. Government authorities also threatened the heads of his extended family with the loss of government services unless they pressured him to deny his faith. Sung Cua Po's house was destroyed in late March, 2010 along with the homes of 14 other Christian families in Dien Bien Dong district. He and his family have disappeared.

Unfortunately, cases like Sung Cua Po are not isolated. Abuses and restrictions targeting ethnic minority Christians in the Northwest provinces continue. Central government policy supports the actions of provincial officials. In 2006, the Committee on Religious Affairs in Hanoi published a handbook instructing provincial officials in the northwest provinces on how to manage and control religious practice among ethnic minorities. USCIRF was critical of the handbook because it offered instructions on ways to restrict religious freedom, including a command to "resolutely subdue" new religious growth, "mobilize and persuade" new converts to return to their traditional religious practice, and halt anyone who "abuses religion" to undermine "the revolution"—thus seemingly condoning forced renunciations of faith.

Although the 2006 handbook recognizes the legitimacy of some religious activity, it also indicates that the Vietnamese government continues to control and manage religious growth, label anyone spreading Christianity in the northwest provinces as a national security threat, and use unspecified tactics to “persuade” new converts to renounce their beliefs.

In 2007, the Committee on Religious Affairs promised to revise the handbook and, since its 2007 visit to Vietnam, USCIRF has received two new versions. Neither, however, offers much improvement on the original. In the 2007 revision, provincial officials continue to be urged to control and manage existing religious practice through law, halt “enemy forces” from “abusing religion” to undermine the Vietnamese state, and “overcome the extraordinary...growth of Protestantism.” This last instruction is especially problematic, since it again suggests that the growth of Protestantism among ethnic minority groups should be viewed as a potential threat to public security and that it is the responsibility of officials to stem it. The 2007 revised version also states that local officials must try to “solve the root cause” of Protestant growth by “mobilizing” ethnic groups to “preserve their own beautiful religious traditions.” A 2008 version of the handbook contains all the language in the 2007 revision but adds a final chapter which chides local officials for “loose control” over Protestantism, leading to an increase in illegal meetings places. Local officials are instructed that these meeting places “must be...disbanded.” These instructions are inconsistent with Vietnam’s international obligations to protect the freedom of religion and belief and can be read as instructions to abuse and restrict religious freedom.

Catholics

The relationship between the Vietnamese government and the Catholic church continues to be tense in some parts of Vietnam. Catholicism in Vietnam continues to grow rapidly and the church has expanded both clerical training and charitable activities in recent years. However, in response to peaceful prayer vigils at properties formerly owned by the Catholic church, police have used tear gas and batons and detained participants. In addition, government officials have employed “contract thugs” to assault and intimidate Catholics attending prayer vigils.

Tensions escalated in January 2008 after Catholic parishioners conducted large-scale prayer vigils at the residence of the former papal nuncio in Hanoi that the government had confiscated in 1954. In February of that year, after the government promised to resolve the problem, the prayer vigils ceased. However, on September 19, 2008 city officials announced that they would turn two sites formerly owned by the Catholic church into public parks and make the former papal nuncio's home a library. City officials immediately began demolishing buildings on the site of the Papal Nuncio and the former Redemptorist monastery in Thai Ha parish. Large-scale protests followed, with as many as 15,000 Catholic parishioners attending a special mass and prayer vigil conducted by Archbishop Kiet on September 21, 2008. Police used violence to disband crowds at the two sites and used “contract thugs,” some wearing the blue uniforms of the Communist Youth League, to harass and beat Catholic parishioners and vandalize churches. Eight individuals who participated in the vigils were arrested, and authorities detained and beat an American reporter covering the events.

The Hanoi People’s Committee has called for the “severe punishment” and removal of Archbishop Kiet and the transfer of four priests from the Thai Ha parish for “inciting riots,” “disrespecting the nation,” and “breaking the law.” Catholic leaders in Hanoi have refused these demands and the Catholic Bishops Conference issued a public defense of the Archbishop and local priests, raising concerns about the government’s commitment to religious freedom, the right of property, the government’s control over the media, and other human rights issues.

On December 8, 2008 the eight individuals arrested for participating in the prayer vigils at the Thai Ha parish were tried jointly at the Dong Da People's Court in Hanoi and convicted of disturbing public order

and destroying public property. Seven were given suspended sentences ranging from 12 to 15 months; of these, four were also sentenced to additional administrative probation ranging from 22 to 24 months. The eighth individual was given a warning. All were released with time served. The eight Catholics filed an appeal of the guilty verdict which was denied in April 2009.

Disputes over property continued in the past year. In July 2009, as many as 200,000 Catholics peacefully protested in Quang Binh province after police destroyed a temporary church structure erected near the ruins of the historic Tam Toa Church in Vinh Diocese. Police used tear gas and electric batons to beat parishioners who resisted, arresting 19, of whom seven were charged with disturbing public order. Charges are pending in this case.

In January 2010, an estimated 500 police and army engineers used explosives to blow up a crucifix at the cemetery of Hanoi's Dong Chiem Parish Church. Catholic laypeople that came to the site were held back by police and several people were beaten for protesting the action. The government alleges that the crucifix was erected illegally. In February 2010, Catholic laypeople and nuns who traveled to the Dong Chiem site to join peaceful prayer vigils were assaulted, harassed, and in one case briefly detained by police. Reportedly, not all Vietnamese government officials condoned the destruction of the crucifix. The local government in Dong Chiem released a statement expressing disagreement with the action.

The government maintains veto power over appointments of bishops, but often cooperates with the Vatican in the appointment process. Catholic leaders in Ho Chi Minh City reported that they often move ahead with ordinations without seeking government approval. In 2007 two bishops and two priests were rejected because of inappropriate "family backgrounds." In 2009, the government approved three Vatican affiliated bishops in Hanoi, Ho Chi Minh City, and Buon Ma Thuot. All students must be approved by local authorities before enrolling in a seminary and again prior to their ordination as priests, and the province of Thien-Hue restricted the number of seminarians. However, the government allowed a new Jesuit seminary to be built in Ho Chi Minh City and permitted several local dioceses to conduct religious education classes for minors on weekends and some sizeable medical and charitable activities.

During a May 2009 visit, a USCIRF delegation discovered severe restrictions on Catholic activities in Son La and Ha Giang provinces. In Son La, bishops and priests were restricted from traveling to dioceses in northwest Vietnam and provincial authorities refused to register a local Catholic diocese and mistreated lay Catholic leaders. Among ethnic minority Catholics in Ha Giang, some communities face pressure by authorities to renounce their faith. Following discussions by USCIRF with local officials, Catholics in Moc Chau District of Son La were able to celebrate Christmas and Easter last year and a priest is now allowed to give communion twice a month at a Catholic meeting point.

Despite evolving tensions between Catholics and the Vietnamese government in the past several years, Hanoi continues to discuss with the Holy See conditions for the normalization of relations and other issues of concern. In December 2009, President Nguyen Minh Triet met with Pope Benedict XVI at the Vatican. Hanoi hosted a visit from a high-level Vatican delegation in February 2009. The delegation announced that Pope Benedict hoped to visit Vietnam by the end of 2010.

Human Rights Defenders

Over the past year, the Vietnamese government has harassed, threatened, detained and sentenced lawyers and human rights defenders who have assisted religious communities and other vulnerable populations in cases against the state.

In January 2010, human right lawyer Le Cong Dinh was sentenced to 16 years imprisonment for "conducting propaganda" against the state. As a lawyer, he defended human rights and religious freedom

advocates Nguyen Van Dai and Le Thi Cong Nhan in 2007. Le Cong Dinh is one of a growing number of peaceful human rights defenders challenging convictions based on Vietnam's vague national security laws and other laws inconsistent with the Vietnamese Constitution and international covenants and human right treaties to which Vietnam is a signatory.

In March 2010, unidentified intruders assaulted human rights activist Pham Hong Son and vandalized his home. They threatened additional action unless he stopped writing articles in the online journal *To Quoc*, which was started, according to its founders, to "defend human rights, free expression and religious freedom...using moderate language and reasonable arguments." USCIRF delegations met with Pham Hong Son in both 2007 and 2009. He is a peaceful reform advocate previously imprisoned for circulating via the internet an essay on democracy downloaded from the website of the U.S. Embassy in Hanoi.

On March 1, 2009, Ho Chi Min city police raided the law office and seized the property of, and detained for questioning, human rights lawyer Le Tran Luat, who is defending Catholics arrested for taking part in peaceful prayer vigils in Hanoi. The government revoked his legal license in April 2009. The official media has alleged tax fraud and other business related improprieties in what is often an act of political intimidation that signals a future arrest. Hanoi lawyer Le Quoc Quan also had his legal license revoked, allegedly because he was under investigation for assisting in the Thai Ha protests, and he has been unable to get his license renewed. Le Quoc Quan also was arrested in 2007 when he returned to Vietnam after completing a fellowship at the National Endowment for Democracy. His activities remain restricted and he is under constant surveillance, but was able to travel.

Mennonite pastor and human rights advocate Nguyen Thi Hong was given a three year sentence in January 2009 for "fraud" and other illegal business practices, allegedly for debts incurred by her late husband in 1999. Her lawyer claims that the debts were repaid and that she was singled out for her work as a human rights advocate and her association with the Mennonite group of Pastor Nguyen Quang which has not been allowed to legally register.

U.S. Policy

The U.S.-Vietnamese relationship expanded in many areas since relations were normalized in 1995. The United States is Vietnam's largest trading partner and U.S. investments in Vietnam topped \$1.5 billion in 2009. The U.S. and Vietnamese governments hold regular dialogues on human rights and the return of Americans who died during the Vietnam War. Vietnam will chair ASEAN, the Association of South East Asian Nations, in 2010.

The United States and Vietnam engage in a wide range of cooperative activities in the areas of peacekeeping, humanitarian assistance and disaster relief, search and rescue, maritime and border security, law enforcement, and nonproliferation. The countries cooperate on counternarcotics and regional security issues, including an annual political-military strategic consultation. Vietnam has hosted multiple visits by American nuclear powered carriers and destroyers and humanitarian supply ships. In June 2008, Prime Minister Dung announced plans to take part in the multinational Global Peace Operations Initiative (GPOI) to train international peacekeepers.

Vietnam's suppression of political dissent and religious freedom remains a source of bilateral contention. Since spring 2007, Vietnam's government has arrested dozens of political dissidents, and in 2008 and 2009 further tightened controls over the press and freedom of speech. The U.S. government has commercial rule of law programs in Vietnam and has funded small human rights related programs for woman, labor, and religious freedom. The Vietnam Education Foundation has brought 300 Vietnamese to the United States for graduate study in the past five years. The U.S.-Vietnam Fulbright program

remains one of the largest per capita, with an estimated 2,500 Vietnamese students and scholars coming to the U.S. to study in the past decade.

Recommendations

I. Pressing for Immediate Improvements to End Religious Freedom Abuses, Ease Restrictions, and Release Prisoners

In addition to designating Vietnam as a CPC, the U.S. government, in both its bilateral relations and in multilateral fora, should urge the Vietnamese government to:

Prisoner Releases

- release or commute the sentences of all religious prisoners of concern, including those imprisoned or detained on account of their peaceful advocacy of religious freedom and related human rights including, among others, Nguyen Van Dai, Le Cong Dinh, Nguyen Thi Hong, members of ethnic minorities in the Central Highlands and northwest provinces, the Cao Dai and Hoa Hao followers, and those held under some form of administrative detention or medical parole, including Le Thi Cong Nhan, Father Nguyen Van Ly, Father Phan Van Loi, the Most Venerable Thich Quang Do, and other UBCV leaders detained since the 2003 crackdown on the UBCV's leadership; and
- publicize the names of all Montagnard Protestants currently in detention for reasons related to the 2001 and 2004 demonstrations, allow visits from representatives of the International Committee of the Red Cross or other independent foreign observers, and announce publicly that a prompt review of all such prisoner cases will be conducted.

Revise Laws to Meet International Human Rights Standards

- amend the 2004 Ordinance on Religious Beliefs and Religious Organizations, Decree 22, the "Prime Minister's Instructions on Protestantism," and other domestic legislation to ensure that such laws do not restrict the exercise of religious freedom and conform to international norms regarding the freedom of thought, conscience, and religion or belief, including revising the vague national security provisions in the 2004 Ordinance;
- enforce the provisions in the Prime Minister's "Instructions on Protestantism" that outlaw forced renunciations of faith and establish specific penalties in the Vietnamese Criminal Code for anyone who carries out such practices;
- end the use of such far-reaching "national security" provisions as Article 88 or Article 258 of the Criminal Code, which have resulted in the detention of advocates for religious freedom and related human rights such as the freedoms of speech, association, and assembly;
- revise or repeal ordinances and decrees that empower local security police to arrest, imprison, or detain citizens in administrative detention for vague national security or national solidarity offenses, including Ordinance 44, Decree 38/CP, and Decree 56/CP, and Articles 258, 79, and 88, among others, of the Criminal Code, and end their de facto use to detain advocates;
- revise or repeal ordinances and decrees that limit the freedom of expression, assembly or association, including new regulations banning peaceful public protests of property disputes;
- end the harassment, threats, arrest, and revocation of legal licenses of human rights lawyers who take up political sensitive cases;

- establish a clear and consistent legal framework that allows religious groups to organize and engage in humanitarian, medical, educational, and charitable work;
- investigate and publicly report on the beating deaths of Hmong and Montagnard Protestants and prosecute any government official or police found responsible for these deaths; and
- implement the recommendations of the UN Human Rights Council pursuant to Vietnam's May 2009 UN Universal Periodic Review, including cooperation with various UN mechanism and special procedures.

Protect Peaceful Religious Practice

- establish a non-discriminatory legal framework for religious groups to engage in peaceful religious activities protected by international law without requiring groups to affiliate with any officially registered religious organization, for example:
 - allow the banned Unified Buddhist Church of Vietnam (UBCV) or the Khmer Buddhists to operate legally and independently of the official Buddhist organizations and the Vietnam Buddhist Sangha, including allowing the UBCV's Provincial Committees and Buddhist Youth Movement to organize and operate without restrictions or harassment;
 - allow leaders chosen by all Hoa Hao adherents to participate in the Executive Board of the Hoa Hao Administrative Council or allow a separate Hoa Hao organization, such as the Hoa Hao Central Buddhist Church, to organize legally and operate with the same privileges as the Administrative Council;
 - allow Cao Dai leaders opposed to the Cao Dai Management Council to form a separate Cao Dai organization with management over its own affairs;
 - allow Protestant house church groups in the Central Highlands, central coast, and north and northwest provinces to organize independently and without harassment, and allow them to operate, if desired, outside of either the Southern Evangelical Church of Vietnam (SECV) or the Northern Evangelical Church of Vietnam (ECVN);
- allow all Hoa Hao groups freely and fully to celebrate their founding Prophet's Birthday, allow the printing and distribution of all the groups' sacred writings, and allow the rebuilding of the Hoa Hao Buddhist Library in Phu Tan, An Giang province;
- approve the registration applications of all 671 ethnic minority churches in the north and northwest provinces and allow them to affiliate immediately with the Evangelical Church of Vietnam (ECVN), consistent with the deadlines established in the Ordinance on Religious Belief and Religious Organizations;
- create a national commission of religious groups, government officials, and independent, non-governmental observers to find equitable solutions on returning confiscated properties to religious groups;
- end the harassment and restrictions on monks and nuns affiliated with the Plum Village (Lang Mai) order associated with Thich Nhat Hanh, rescind the government decree to disband the order in Vietnam, and allow them to live and worship together legally and in community without harassment; and

- issue public orders to disband the Religious Security Police (*cong an ton giao*) and hold accountable all officials who beat, harass, or discriminate against those exercising the universal right to the freedom of religion and belief.

Train Government Officials

- revise the *Training Manual for the Work Concerning the Protestant Religion in the Northwest Mountainous Region* to reflect fully international standards regarding the protection of religious freedom and remove language that urges authorities to control and manage existing religious practice through law, halt “enemy forces” from “abusing religion” in order to undermine the Vietnamese state, and “overcome the extraordinary...growth of Protestantism;”
- issue clear public instructions for provincial officials on the registration process, consistent with the provisions of the Ordinance, including by restating the timetables for responding to applications; providing redress for denials; and ceasing unreasonable demands for information or other conditions placed on registration applications, such as demanding the names of all members of religious communities, requesting management changes, requiring denominational leaders to convene conferences to undergo indoctrination classes, and requesting that denominational leaders become informants on other religious groups;
- issue a “National Handbook for Religious Work” to train the estimated 21,000 new government officials engaged in “religious work” that should include an unambiguous statement about the need to respect international standards regarding religious freedom; guidelines for interpreting the Ordinance on Religion and Belief; detailed procedures on how to oversee the legal recognition process; a clear explanation of the duties of provincial officials under the law; and a description of the rights of religious communities under Vietnamese law and international human rights standards, including providing avenues to report inappropriate actions by local officials or police; and
- issue a public statement clearly stating that the denial of educational, medical, housing, and other government services or economic assistance, including foreign aid, based on religious belief, affiliation, or ethnicity is contrary to Vietnamese law and that government officials found using such tactics will be prosecuted under the law.

II. Establishing New Priorities for U.S. Assistance & Refugee Programs

The U.S. government should assist the government of Vietnam and other international governmental and non-governmental organizations to develop protections for religious freedom and refugees in Vietnam, including by taking the following actions:

- support the work of regional human rights organizations and civil society mechanisms to focus attention on Vietnam while it is the 2010 ASEAN chair, including supporting the participation of prominent dissidents, religious leaders, and legal reform advocates from Vietnam in regional human rights conferences, symposia, training, and capacity building;
- fully implement the Montagnard Development Program (MDP) created as part of the House and Senate Foreign Operations conference report of 2005 and continued in the 2008 conference report, and consider expanding the MDP to assist all ethnic minority communities in Vietnam to provide targeted humanitarian and development funds to ethnic minorities whose demands for land rights and religious freedom are closely connected;
- ensure that rule of law programs include regular exchanges between international experts on religion and law and appropriate representatives from the Vietnamese government, academia, and religious

communities to discuss the impact of Vietnam's laws and decrees on religious freedom and other human rights, train public security forces on these issues, and discuss ways to incorporate international standards of human rights in Vietnamese laws and regulations;

- work to improve the capacity and skills of Vietnamese civil society organizations, including medical, educational, development, relief, youth, and charitable organizations run by religious organizations;
- offer some Fulbright Program grants to individuals and scholars whose work promotes understanding of religious freedom and related human rights;
- encourage the Vietnam Educational Foundation, which offers scholarships to Vietnamese high school-age students to attend school in the United States, to select youth from ethnic minority group areas (Montagnard and Hmong), from minority religious communities (Cao Dai, Hoa Hao, Catholic, Protestant, Cham Islamic, and Khmer Buddhists), or former novice monks associated with the Unified Buddhist Church of Vietnam and Khmer Buddhists;
- work with international corporations seeking new investments in Vietnam to promote international human rights standards in Vietnam and find ways their corporate presence can help promote and protect religious freedom and related human rights; and
- expand funding for additional Voice of America (VOA) and Radio Free Asia (RFA) programming for Vietnam and to overcome the jamming of VOA and RFA broadcasts;
- seek access to the Central Highlands to monitor the safe resettlement of Montagnards repatriated from Cambodia and continue to assist the UN High Commissioner for Refugees (UNCHR) and other appropriate international organizations as they seek unimpeded access to the Central Highlands in order voluntarily to monitor repatriated Montagnards consistent with the Memorandum of Understanding (MoU) signed on January 25, 2005 between the UNHCR, Cambodia, and Vietnam;
- increase the use of Priority 1 authority to accept refugees facing a well-founded fear of persecution, both those who have escaped to other countries in the region and those who are still in Vietnam, without the prerequisite of a referral by the United Nations High Commissioner for Refugees, including seeking to expand in-country processing in areas outside of Ho Chi Minh City; and
- allow all monks and nuns affiliated with the Plum Village Buddhist order to enter the United States from Thailand under temporary religious worker visas (R-1), and remove any obstacles to the immediate granting of their visas so that they are able join a functioning religious community in the United States until their order in Vietnam is reestablished.

III. Recommendations for U.S. Congressional Action

The U.S. Congress should:

- pass the Vietnam Human Rights Act (H.R. 1609 / S. 3678) and fully appropriate the funds authorized in the Act, including for programs in religious freedom, human rights, refugees, rule of law, public diplomacy, and anti-trafficking measures;
- ensure that any new funds appropriated or allocated to expand bilateral economic or security relations are met with corresponding funding for new human rights, civil society capacity-building, non-commercial rule of law programs in Vietnam, and consider creating a pilot program for Vietnam as an Asian counterpart to Supporting Eastern European Democracy (SEED) program--which could be called Promoting Universal Rights and the Rule of Law (PURRL);

- continue oversight, establish benchmarks, and measure progress of the U.S.-Vietnam Human Rights Dialogues, renewed in 2007, by holding appropriate hearings on the progress report the State Department is required to submit to Congress on the trajectory and outcomes of bilateral discussions on human rights as required by Sec. 702 of PL 107-228;
- appropriate additional funds for the State Department's Human Rights and Democracy Fund for new technical assistance and religious freedom programming that should be at least commensurate with new and ongoing programs for Vietnamese workers, women, and rule of law training; and
- engage Vietnamese leaders on needed legal revisions and protections of individuals related to the far-reaching national security provisions that are currently used to arrest and detain peaceful advocates for religious freedom and related human rights.

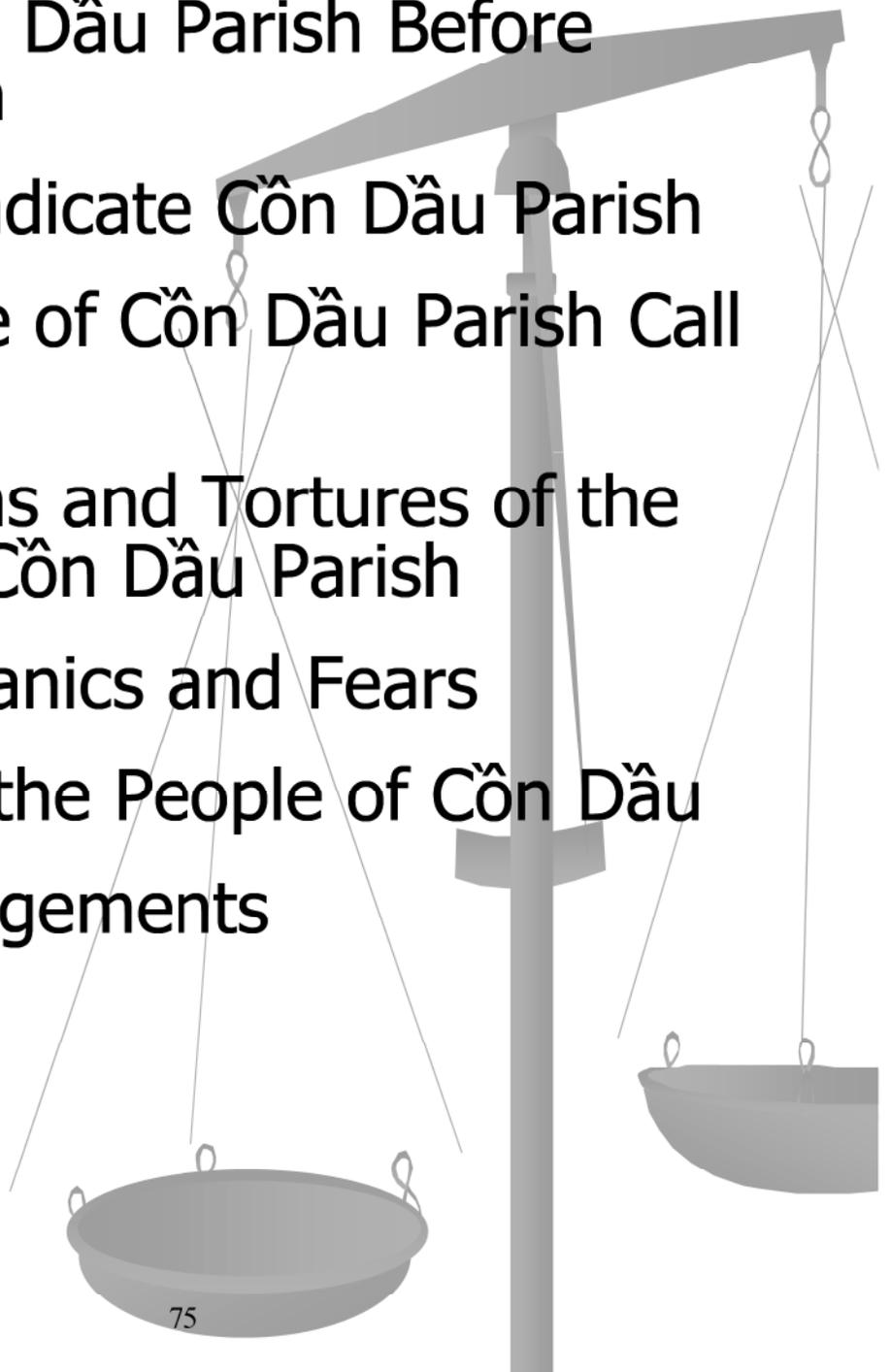
**APPENDIX C,
CON DAU SLIDESHOW, SUBMITTED BY TAI NGUYEN**

Please Rescue the People of CỒN DẦU



Content

- History of Cồn Dầu Parish
- Life of Cồn Dầu Parish Before Crackdown
- Plan to Eradicate Cồn Dầu Parish
- The People of Cồn Dầu Parish Call for Help
- Crackdowns and Tortures of the People of Cồn Dầu Parish
- Living in Panics and Fears
- Wishes of the People of Cồn Dầu
- Acknowledgements



Life of Cồn Dầu Parish Before the Crackdown

- The people of Con-Dau made their living by growing rice on the fertile plains of Con Dau that had been enriched more than a century.
- Although not wealthy, but the people were happy and content with their lives and their close relationships with each others in the very closely knit religious community.



Arial view of
Con Dau

Life of Cồn Dầu Parish Before the Crackdown

(Continued)

- The people of Con-Dau are very religious and tightly bonded in their Catholic community.
- Their lives centered around the church.

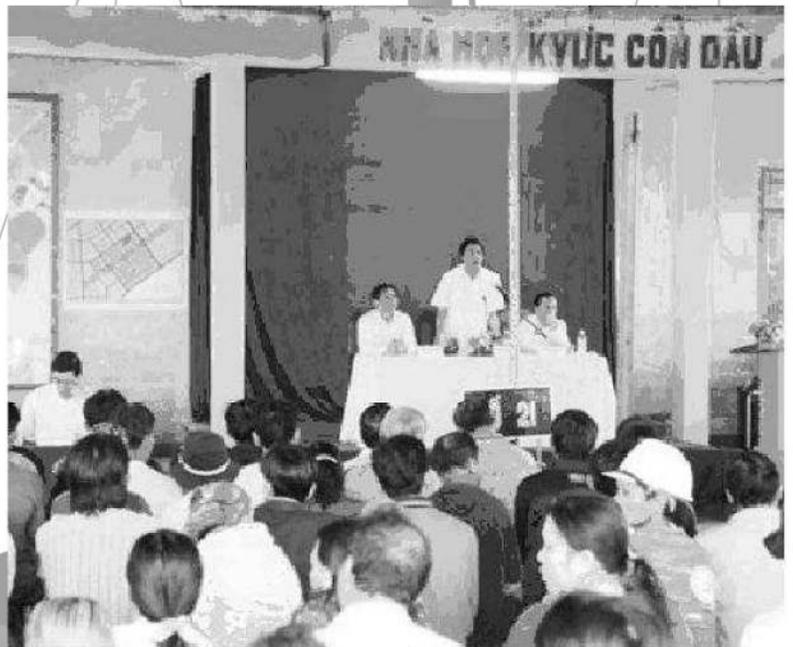


Plan to Eradicate Cồn Dầu Parish

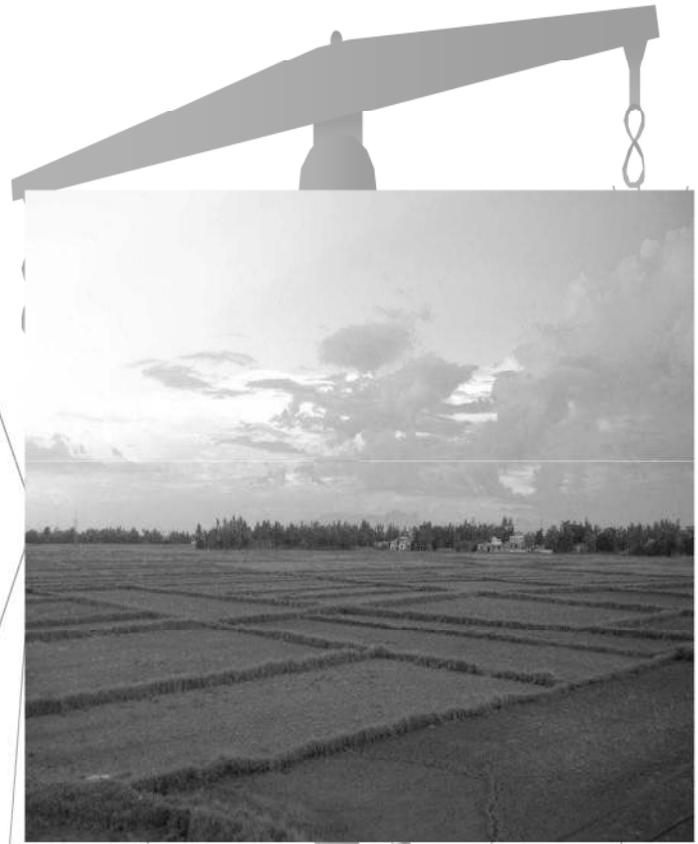
- In 2007 the Da Nang government decided to lease Con-Dau land to foreign investors to build an upscale community.
- The authorities wanted to eradicate Con Dau parish by: forcing the relocation of its residents, removing the parish cemetery to a far away mountain, and keeping the parish church where it is.
- The people of Con Dau resisted this plan.



A government meeting with Con-Dau residents



Plan to Eradicate Con-Dau Parish (Continue)



Currently the communist government blocks all water sources to Con-Dau farms, thereby, leaving the farmers with little means to survive

The People of Cồn Dầu Parish Call for Help

- Several protests at the local levels have failed. The parishioners of Con Dau submitted a signed petition to the government and called for public support at home and abroad. The Con Dau residents requested that:
- They be allowed to stay together as a parish, around their church and next to their cemetery, which has been designated a national heritage



The People of Cồn Dầu Parish Call for Help (Continued)

- Together the parishioners joined in signing the petition



Crackdown and Torture of the People of Cồn Dầu Parish

- On May 4, 2010, taking advantage of Mrs. Dang Thi Tan's funeral, the Communist Party Secretary of Da-Nang City - Nguyen Ba Thanh – ordered several hundred police along with thugs hired by them to brutally attack innocent people attending the funeral.
- The people of Con-Dau had no weapons, but only prayers praying to God to save them.



Crackdown and torture of the People of Cồn Dầu Parish – During the Funeral (Continued)

- The mobile “anti-riot” police attacked the mourners at the funeral procession.



Crackdown and Torture of the People of Cồn Dầu Parish - During the Funerals (Continued)

- The police attempted to apprehend the coffin to excite the crowd into the conflict.
- The police brutally beat the people attending funerals, including women and children.
- Some were beaten until unconscious or out pouring of blood.



Crackdown and Torture of the People of Con Dau Parish – After the Funeral of Đặng Thị Tân

Police torture

- After the funeral, the government began a dirty campaign against those resisting, or displaying discontentment or any unfavorable actions against the government during the brutal attack, such as those suspected of taking pictures with their cell phones, those suspected of leaking or communicating information about the attack to outside of Con Dau, those assisting the injured, and those blocking or slowing down the advancement of the police during the attack, etc...
- Police arrested sixty-two persons that were present at the funeral and detained them at the county police station and tortured them.
 - They used a wide varieties of torturing “tricks”.
 - They forced fellow Con Dau to witness each other being tortured.
 - Women were stripped naked and beaten mercilessly.
 - They even tortured a pregnant woman, which led to a miscarriage.
 - They required many captured-then-released people of Con Dau to make daily appearance at the local police station for interrogation, and sometimes being tortured and/or beaten.

Crackdown and Torture of the People of Con Dau Parish – after the Funeral of Đặng Thị Tân (Continued)

- Eight persons are convicted and imprisoned unfairly. Their holding locations and conditions are unknown.
 - Mr. Nguyễn Hữu Liêm
 - Mr. Trần Thanh Việt
 - Mr. Lê Thanh Lâm
 - Mr. Đoàn Củng
 - Mr. Nguyen Huu Minh
 - Mrs. Nguyễn Thị Thế
 - Mrs. Phan Thị Nhẫn
 - Mrs. Nguyễn Thị Liễu



Crackdown and Torture of the People of Con Dau Parish – Beaten to death



- Mr. Thomas Nguyễn Thành Năm, 43 years old, a healthy individual, provided the main source of income for his family. He was very religious. He was a member of the funeral possession.
- On the funeral day, the police beat him on the head, which resulted in severe bleeding and swellings.
- After that he was released, but was regularly called back to the police station for interrogation. The police forced him to accept the statement that he fought back the police during the attack, and he was also forced to make fault accusations of other parishioners of fighting back the police.
- During each required appearance at the police station, he and many others were regularly brutally beaten. So one day, Mr. Nam was so frightened and did not show up.



Mr. Nam was beaten on the head on the day of the funeral



Mr. Thomas Nguyễn Thành Năm

Crackdown and Torture of the People of Con Dau Parish – Beaten to death (Continued)



- At about 10 PM on July 2, 2010, the police came Mr. Nam's home to make an arrest. Mr. Nam fled to a neighboring village (Trung Luong), but the police eventually captured him.
- They handcuffed, ordered him to kneel, knocked his head down the mud, kicking his chest, face and temples. His wife begged the police on her knee, she cried and asked for forgiveness, but the police ignored her and continued the beating. They released him around 3 AM of the following day because he was about to die.
- Knowing that he was not going to recover, Mr. Nam said farewell to his wife and their children. Around Noon on July 3, 2010, slowly he managed to walk over to his mother's house next door, and there he vomited blood and mud along with weeds.
- He stopped breathing at 1 pm on July 3, 2010 in the hands of the 83 years old mother, leaving his wife with three young children.



Crackdown and Torture of the People of Con Dau Parish – Beaten to death (Continued)

- After Mr. Nam's death, the government mobilized a large crowd of police to guard his body, funeral and all the surrounding streets so as to prevent people from witnessing the body closely and possible riots.
- The government demanded his body be shrouded within 24 hours, and ordered that no one was to be allowed to film or take pictures, or to discuss any details about the cause of Mr. Nam's death. The government made great efforts to keep secret of the beating and tortures.



Crackdown and Torture of the People of Con Dau Parish – Beaten to death (Continued)

- When Mr. Nam's body was exposed in preparation for shrouding, people witnessed numerous wounds and bruises on the abdomen, chest, over his two temples.
- Flesh around his wrist was severely bruised with traces of blood that were caused by the police dragging him in hand-cuff at the time of his arrest.
- Blood continued to overflow his two ears, nose and mouth during his body was prepared to be shrouded.



Living in Panic and Fear

- After the brutal crackdown by the authorities, which resulted in the death of Mr. Nam, the people of Con-Dau have been living in constant fear and confusion.
- Since the funerals, the police continued cracking down other people who were suspected of involvement in the funerals. Numerous people were called to the police station, and were often beaten during interrogations.
- A number of Con Dau residents have escaped to Thailand to seek international protection.
- Con-Dau villagers were threatened with serious consequences if they tried to communicate information about the conflict in Con-Dau with the outside world.
- The government came to each home to force people to sign paper accepting government's unjust terms of giving up the right to their lands and rice fields. Hundreds of residents have been fined from 1.5M to 5M dong (2 to 7 months of income).
- Currently, the police are still guarding roads to Con-Dau, and those people who were previously arrested and released are required to report to the police station of Con-Dau daily for interrogations.
- Many Con Dau residents are in hiding.

Acknowledgments:

- On behalf of the people of Con Dau, we are overwhelmed with gratitude to the American people who are not only expressed sympathy but also interests in supporting justice in Con Dau.
- We greatly appreciate BPSOS Organization of Dr. Nguyen Dinh Thang for its effort in formulating a strategy and actively working to support the fight against unjust government's actions in Con Dau.
- Thank you, Congressman Joseph Cao, Congressman Christopher Smith, CA state Congressman Tran Thai Van, TX state Congressman Hubert Vo for their coordination with other lawmakers to introduce House Resolution No. H Res 1572, calling for the U.S. State Department, United States Commission on International Religious Freedom, and the United Nation to investigate and condemn the unjust Da Nang government actions in Con Dau.
- Many Thanks to everyone presents in this meeting today. Together we can unite and reach out to other supporters around the world and call on our congressmen to pass House Resolution No. H Res 1572 so as to rescue our people of Con Dau from the brutality of Da Nang government
- We also would like to expression our sincere thanks to all individuals and organizations around the world supporting our struggle for our people at Con Dau.

**APPENDIX D,
CON DAU PHOTOS, SUBMITTED BY TAI NGUYEN**











