

## June 20, 2005: "Human Rights in Vietnam"

Testimony by Nina Shea, Vice-Chair Before the House International Relations Committee Subcommittee on Africa, Global Human Rights and International Operations

Human Rights in Vietnam

Monday, June 20, 2005

A Strategic Opportunity: Human Rights & the Prime Minister's Visit

Mr.

Chairman and Members of the Committee let me begin by thanking you for holding this important and timely hearing. It is an honor for me to be here.

Prime Minister Phan Van Khai arrives in Washington today to hold a historic meeting with President Bush. It has been thirty years since the end of the Vietnam War and ten years since our two countries have normalized relations.

Relations between

our two countries have strengthened and improved in many important areas. Trade is up to almost \$7 billion a year and Vietnam seems poised to enter the World Trade Organization (WTO). Military ties are growing as our naval ships now regularly visit Vietnamese ports. The U.S. is also popular with Vietnamese youth.

These are encouraging signs and ones that should be capitalized on. A secure and prosperous Southeast Asia is in the interest of both our countries.

But

significant issues remain, particularly in the area of human rights, including religious freedom. More than any other issue, differences over human rights and religious freedom have the potential to inhibit the forward momentum in our bilateral relationship. Relations can never fully develop until the Government of Vietnam protects and promotes the fundamental human rights of all its citizens.

These concerns should not be swept aside during the Prime Minister's visit. It is crucial that the U.S. Government speaks with one strong voice that economic and security interests should not precede human rights.

In his meeting with the Prime Minister, President Bush has the chance to explain why human rights are an important U.S. foreign policy concern and how progress on human rights is needed before there is full cooperation on other bilateral interests.

#### Human Rights and Freedom in Vietnam: The Current State of Affairs

Mr. Chairman, the Government of Vietnam's human rights record remains poor and freedoms of speech, assembly, association and religion continue to be significantly restricted. Though Vietnam is in some respects a less repressive society now than it was ten or fifteen years ago, we should not conclude that Vietnam's economic openness has lead directly to political openness or greater respect for human rights.

Our deepening economic and commercial relationship with Vietnam may encourage economic reform and transparency and it may draw Vietnam further into a rules-based international trading system, but the evidence suggests that it has not encouraged greater political freedom for Vietnamese citizens.

The human rights situation in Vietnam has not improved since passage of the Bilateral Trade Act of 2001. One has seen the brutal and ongoing suppression of ethnic Montagnards who marched for land rights and religious freedom in April of 2004, the jailing of Pham Song Hong and others for posting articles critical of the government on the Internet, the silencing and jailing of journalists for exposing corruption, and the mass arrests of Buddhist monks from the Unified Buddhist Church of Vietnam (UBCV), despite promises by Prime Minister Khai that pressure on the group would cease. UBCV monk Thich Thien Minh, released in February after sixteen years in prison, did not see many improvements in human rights and religious freedom. He said, "I have exchanged my small prison for a bigger one."

The lessons of recent history are quite clear-economic freedom and political freedom cannot be separated. People want to experience the benefits of liberty undiluted and governments who try to check this desire will find they are trying to hold back the rolling tide of the human spirit.

I am sure that the other panelists today will discuss in more detail other human rights concerns. So, with the remainder of my remarks, I would like to focus on religious freedom in Vietnam and particularly on U.S.-Vietnam relations since Vietnam was designated, by the Secretary of State, as a country of particular concern.

#### Vietnam As Country of Particular Concern (CPC): Evidence that International Religious Freedom Act (IRFA) Works

The Commission has followed events in Vietnam closely. Commissioners and staff have traveled to Vietnam and we have established contact with religious leaders, scholars, and human rights activists inside and outside of Vietnam.

Over the past fifteen years, the government of Vietnam has slowly carved out a noticeable "zone of toleration" for government approved religious practice. However, at the same time, it has actively repressed, and targeted as subversive, religious activity it cannot control or that which refuses government oversight. Targeted in particular are leaders of the Unified Buddhist Church of Vietnam (UBCV), ethnic minority Christians in the Central Highlands and northwest provinces, "house-church" Protestants, and followers of religious minority groups such as the Hoa Hao and Cao Dai. This repression has not abated in the last year.

Since 2001, the Commission recommended that Vietnam be designated as a country of particular concern (CPC) for ongoing, egregious, and systematic abuses of religious freedom under the International Religious Freedom Act of 1998. The State Department followed our recommendation and designated Vietnam as a CPC in September of last year.

Since the CPC designation, the State Department and the Vietnamese government have engaged on the issue of religious freedom. The government of Vietnam has made some gestures, including the release of several prominent dissidents, a directive to stop forcing Protestants to recant their faith, and another to streamline the application process for religious groups registering with the government.

The State Department cited these actions as progress when it announced last month that it had reached an "agreement" with Vietnam to avoid more stringent actions, including economic sanctions, for countries designated as a CPC. Though the agreement is secret, from public statements we know that basically Vietnam promised to implement its new laws and the U.S. promised to consider removing the CPC designation.

We should not downplay the significance of this action and Ambassador-At-Large for International Religious Freedom John Hanford should be commended for the time and effort he has invested in Vietnam. The agreement reached was the first such diplomatic agreement signed with a CPC country since the passage of IRFA in 1998. We should see this as evidence that both vigorous diplomatic action and the use of the CPC designation produced results that might lead to future improvements in religious freedom in Vietnam.

But, Mr. Chairman, the key words here are "might" and "future." The actions taken only signal promises of improvement and not actual measurable progress. Promises do not mean progress. And, these actions do not address the human rights violations that landed Vietnam on the CPC list in the first place.

Religious prisoners remain behind bars, churches remain closed, and restrictions and harassment on all of Vietnam's diverse religious communities continue.

### Don't Lift the CPC Designation Without Concrete Results

There are a number of important religious freedom concerns that are not addressed by Vietnam's recent action, including:

- Leaders of the Unified Buddhist Church of Vietnam (UBCV) continue to be harassed and detained, and there is no legal framework for the UBCV, the Hoa Hao, Cao Dai, and others to register with the government and operate independently with leaders of their own choosing;

- There are an estimated 100 religious prisoners in jail or under some form of house arrest for religious activity, according to human rights groups, although actual numbers are difficult to obtain because of the lack of judicial transparency;

- And hundreds of churches, home worship centers, and meeting places remain closed, and forced or coerced renunciations of faith continue in some parts of the country.

- The government continues to impose limits on the number of candidates allowed to study for Roman Catholic priesthood, controls the appointment and promotion of Catholic clergy, and has seized church properties.

Troubling reports continue to arrive of new arrests and pressure on religious and ethnic minorities in Vietnam.

- Despite promises to ban forced renunciations of faith, evidence from the Central Highlands suggesting that the Prime Minister's "Instructions on Protestantism" is being used by security forces to compel ethnic minority Protestants to join the government-approved Protestant organization, give up their distinctive faith tradition, or face criminal penalties.

- On February 25 at 7 a.m., two police officers from Ia To commune, Ia Grai District, Gai Lai Province summoned two men and a woman for interrogation. They were asked whether they followed Dega Christianity or the "Christianity of [Prime Minister] Phan Van Khai". They were asked who in their village followed "the religion that is political" and where they worshiped, and ordered to cease following Dega Christianity. They did not agree to stop. The police hit one of the men with their fists and beat the second man until he lost consciousness. The three were released from detention the same day. They were warned that they would be arrested if they were caught practicing their religion again.

- From March 15-18, police surrounded many villages in Ia Hru, Ia Ko, and Ia Pet communes in Gai Lai provinces. Officials called Montagnard representatives from villages in these communes for full day meetings at the district headquarters in Cu Se, where they were lectured by district authorities as well as "police from Hanoi" (most likely officials from the Ministry of Public Security) and warned not to follow "Dega Christianity". In some cases they were forced to sign pledges agreeing to abandon Christianity and politics. Officials also conducted meetings in the villages during this time in which they instructed villagers not to hold religious gatherings.

- The events above

happened in the Central Highlands, but forced renunciations also continue among the Hmong in Vietnam's northwest provinces. Police and security forces continue to summon Hmong Christian villagers to "re-education" where they are told to give up their faith traditions, are harassed, beaten and sometimes forced to drink wine.

- Mr.

Chairman, the Commission has 21 of these police summons, most dated less than one month ago, in Pu Nhi Commune, Dien Bein Dong District, Dien Bien Province. I have a copy of the summons for the Committee.

- Also,

Mr. Chairman, security forces have arrested church leaders, destroyed church property, and continue to harass followers of the Mennonite Church of Vietnam.

Mr.

Chairman, I have a letter here from Truong Tri Hien, the Acting Secretary of the Mennonite Church of Vietnam. The letter documents, in great detail the arrests and harassment faced by his religious community over the past eighteen months. It is a sad and telling testimonial to the continued pressure that religious groups face in Vietnam. He wants the Commission to give the letter to the Committee and distribute it to those concerned about religious freedom in Vietnam.

Pastor Hien is taking a great risk compiling and sending this letter and he knows it. We are told that he is in hiding in a third country. He is awaiting an interview with the Department of Homeland Security so he can come to the United States and meet with you, Mr. Chairman, in person.

It is obvious to me that the situation in Vietnam can be summed up as "repression as usual." Though promises of future improvement are encouraging, we should not reward Vietnam too quickly by lifting the CPC designation.

Policy Recommendations:

We know that human rights remain a problem for U.S.-Vietnam relations. But the question that always arises is what can we do about it?

The Commission's 2005 Annual Report includes policy recommendations that we believe can improve U.S. human rights diplomacy for Vietnam. In general, the Commission recommends that U.S. diplomatic and assistance programs be expanded and re-prioritized to directly promote freedom of religion and related human rights in Vietnam. Non-humanitarian assistance programs have been declining in Vietnam, except for new HIV/AIDS funding and assistance programs to help Vietnam enter the WTO. We believe that new public diplomacy, economic development, and technical assistance programs should be targeted to address ongoing human rights problems.

We have made specific recommendations for Congressional and Administration action in the areas of public diplomacy, economic development, education, good governance, and rule of law programs for Vietnam.

I will append them to my remarks for the record.

Conclusion:

If the Government of Vietnam were to take further steps to honor its international commitments and improve its respect for human rights, U.S.-Vietnam relations will improve for the long term and serve as the basis for a strong and healthy relationship built on mutual interests, the rule of law, and the "non-negotiable demand of human dignity."

Thank you Mr. Chairman and I welcome your questions.