

VIETNAM

U.S. Commission on International Religious Freedom: 2013 Annual Report

Bottom Line: Religious freedom conditions remain very poor despite some positive changes over the past decade in response to international attention. The Vietnamese government continues to imprison individuals for religious activity or religious freedom advocacy. It uses a specialized religious police force (*công an tôn giáo*) and vague national security laws to suppress independent Buddhist, Protestant, Hoa Hao, and Cao Dai activities, and seeks to stop the growth of ethnic minority Protestantism and Catholicism via discrimination, violence and forced renunciations of their faith.

The government of Vietnam continues to expand control over all religious activities, severely restrict independent religious practice, and repress individuals and religious groups it views as challenging its 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 from its designation as a “country of particular concern” (CPC). Nevertheless, authorities continue to imprison or detain individuals for reasons related to their religious activity or religious freedom advocacy; independent religious activity remains repressed; the government maintains a specialized police for dealing with religious groups; legal protections for government-approved religious organizations are subject to arbitrary or discriminatory interpretations based on political factors; and converts to ethnic-minority Protestantism and Catholicism face discrimination, intimidation, and pressure to renounce their faith.

Given these systematic, ongoing, and egregious violations, USCIRF recommends that Vietnam be designated as a “country of particular concern” or CPC. The Commission has recommended that Vietnam be named a CPC since 2001. The State Department did so in 2004 and 2005, but removed the designation in 2006 because of progress toward fulfilling a binding agreement.

Background

Vietnam’s overall human rights record remains very poor. In the wake of battles within the Communist Party’s leadership during the past several years, the government has moved decisively to repress any perceived challenges to its authority, tightening controls on freedom of expression, association, religion, and assembly. In the past year, new decrees were issued prohibiting peaceful protest, limiting speech on the Internet, tightening controls on journalists and access to the Internet at cafes, and making it more difficult for religious communities to gain legal recognition. At least 34 dissidents and human rights defenders were imprisoned, some to long sentences.

The U.S.-Vietnamese relationship has grown quickly in recent years, and security cooperation has increased in response to Chinese claims to disputed islands in the South China Sea. But increased bilateral engagement, particularly in the areas of trade and defense, have not led to improvements in religious freedom and related human rights in Vietnam. The Vietnamese government responded to some U.S. religious freedom concerns in the past, particularly after being designated a CPC in 2004. It released prisoners; expanded certain legal protections for nationally-recognized religious groups; prohibited the policy of forced renunciations of faith, resulting in fewer forced renunciations; and expanded the zone of toleration for legally-recognized religious communities to worship and organize, particularly in urban areas. Most religious leaders in Vietnam attributed these positive changes to the CPC designation and the priority placed on religious freedom concerns in U.S.-Vietnamese bilateral relations.

The CPC designation is a flexible diplomatic tool which, when it was used in the past, produced tangible religious freedom improvements without hindering other aspects of the bilateral relationship. Trade, humanitarian programs, and security cooperation all expanded in the years 2004-2006.

Religious Freedom Conditions

All religious communities experience various forms of government restrictions, oversight, control, and societal discrimination. The most severe restrictions target the Unified Buddhist Church of Vietnam (UBCV), independent Hoa Hao, Cao Dai, and Protestant groups, and some ethnic minority Protestants and Buddhists. Relations between Catholics and local government officials in Hanoi, DaNang, Vinh, and Ho Chi Minh City deteriorated as peaceful protests over land disputes have led to violence and arrests. There continue to be dozens of individuals detained for their religious activity or religious freedom advocacy, including Fr. Nguyen Van Ly and UBCV patriarch Thich Quang Do.

In this past year, groups and individuals viewed as hostile to the Communist Party or that refuse government oversight were arrested, detained, and harassed. Vietnam also issued a revised decree on religion that expanded control over religious affairs. Government officials continued to target Catholic communities, including the destruction of properties, detentions, and arrests. Police used force against Catholic clergy engaged in religious activities and continue to restrict members of the Redemptorist Order. Independent Protestants and Catholics in the Central Highlands were detained, beaten, and arrested in an ongoing campaign to repress their activities. Hoa Hao activists were sentenced for documenting religious freedom violations. Independent Hoa Hoa congregations, Cao Dai and Khmer Buddhist temples, and United Buddhist Church of Vietnam (UBCV) pagodas faced harassment and restrictions. Human rights defender Le Quoc Quan was arrested and is being held without charge.

Recommendations for U.S. Policy

The United States should continue to link the expansion of U.S.-Vietnam relations, including the creation of a regular Strategic Dialogue and new military and trade ties, with improved human rights conditions. In addition to designating Vietnam as a CPC, the U.S. government should make sure that human rights are pursued consistently and publicly at every level of the U.S.-Vietnam relationship, including any new military and trade ties. Furthermore, in order to demonstrate the importance of human rights as a U.S. interest, any new economic or security assistance programs in Vietnam should be accompanied by new and sustainable initiatives in human rights and religious freedom, internet freedom, and additional programs in non-commercial rule of law and civil society development.

In response to religious freedom violations in Vietnam, the U.S. State Department and U.S. Congress should:

- Implement fully or re-authorize the Montagnard Development Program (MDP) and consider expanding the MDP to assist all ethnic minority communities in Vietnam in providing targeted humanitarian and development funds to ethnic minorities whose demands for land rights and religious freedom are closely connected;
- 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 still in Vietnam, without the prerequisite of a referral by the United Nations High Commissioner for Refugees, and seek to expand in-country processing in areas outside of Ho Chi Minh City.
- Ensure that any new funds appropriated or allocated to expand bilateral economic or security relations with Vietnam include funding for new human rights and religious freedom, civil society capacity-building, and non-commercial rule-of-law programs, including by passage of the Vietnam Human Rights Act;
- Consider creating the Promoting Universal Rights and Rule of Law (PURRL) program (akin to the Supporting Eastern European Democracy program (SEED)) to support the development of nascent

political parties and democratic institutions, provide technical assistance for independent legal entities and courts, and support civil society capacity-building, independent media ventures, and non-commercial rule-of-law programs;

- Continue oversight, establish benchmarks, and measure progress of the U.S.-Vietnam Human Rights Dialogues by holding 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 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 at least should be commensurate with ongoing programs for Vietnamese workers, women, and rule-of-law training; and
- Continue adequate funding for Voice of America (VOA) and Radio Free Asia (RFA) programming for Vietnam and to overcome the jamming of VOA and RFA broadcasts.

Please see USCIRF's 2013 Annual Report for a more extensive review and recommendations on Vietnam.