

VIETNAM

The government of Vietnam continues to control religious communities, severely restrict and penalize independent religious practices, and brutally repress individuals and groups viewed as challenging its authority. However, 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). Nonetheless, violations of religious freedom in Vietnam are systematic, ongoing, and egregious, and for this reason USCIRF recommends that Vietnam be designated as a CPC, or “Country of Particular Concern,” under the International Religious Freedom Act of 1998 (IRFA). The Commission has recommended that Vietnam be named a CPC since 2001. The State Department named Vietnam a CPC in 2004 and 2005, but removed the designation in 2006.

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, intimidation, and heavy pressure to renounce their faith. The CPC designation proved useful; when named a CPC between 2004 and 2006, Hanoi released prisoners, expanded certain legal protections for nationally-recognized religious groups, prohibited the policy of forced renunciations of faith, and expanded a zone of toleration for worship activities, particularly in urban areas. Notwithstanding these positive changes, the government of Vietnam continues to abuse the human rights, including religious freedom, of those who do not worship within its restrictive legal framework.

BACKGROUND

The Vietnamese government continues its policy of detaining prisoners of concern, and new evidence has surfaced of severe religious freedom abuses, including forced renunciations of faith, violence targeting religious communities, and new arrests of religious leaders and human rights defenders. 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. The government of Vietnam in 2004 issued the Ordinance on Religious Beliefs and Religious Organizations that requires religious groups to operate within approved parameters and mandates that religious groups register, while not clearly defining the registration process. Religious groups whose registration applications are denied or that do not meet vague legal standards technically are illegal and can be harassed or disbanded without warning. In ethnic minority areas, the government issued a training manual on religious groups that counsels restricting rather than advancing religious freedom. Despite the fact that the practice was banned in 2005, forced renunciations of faith also remain a national policy and have been used by the government to stop the growth of Protestantism and other minority religious groups.

RELIGIOUS FREEDOM CONDITIONS

Over the last year, religious groups without legal status, including Buddhists, Protestants, and Catholics, were harassed, beaten, abused, had venues destroyed, and faced severe discrimination. Human rights defenders also were detained.

Buddhists: In 2010, some monks associated with Buddhist teacher Thich Nhat Hanh were detained, sexually molested in custody, and forcibly expelled from their monastery. In 2009, the government forcibly disbanded the “Plum Village” Buddhist order, including allowing the beating, sexual degradation, and detention of monks. The government represses the language, culture, and religion of ethnic Khmer Buddhists. In 2007 the government arrested, defrocked, and expelled Khmer monks from their pagodas. Additionally, five people suspected of leading demonstrations were sentenced to between one and five years in prison. Officials continue to harass and threaten Lang Mai Buddhists with job loss and reduced government benefits unless they renounce their faith. The Unified Buddhist Church of Vietnam (UBCV) and independent Hoa Hao, and Cao Dai groups also face forced renunciations of faith, among other abuses, if they dissent from government policies.

Catholics: In May 2010, in response to disobeying an order to cease burials in a cemetery, Con Dau villagers refused to sell their land, and as many as 60 Catholics from the village were detained; those taken into custody reported beatings, sleep deprivation, and forced confessions. In February 2010, police assaulted, harassed, and in one case briefly detained Catholic laypeople and nuns who traveled to the Dong Chiem site to join peaceful prayer vigils. Between 2009 and 2010, at least four religious leaders and a legal advocate for the Catholic community of Con Dau were arrested and detained. In the past several years, including in 2010, police have used tear gas and batons against, and have detained, participants at peaceful prayer vigils at properties formerly owned by the Catholic Church.

Protestants: In the last year, the government arrested and detained Protestants because their meeting points were not legally recognized. Protestant children in the central highlands have been denied access to high school based on laws prohibiting the entrance of children from religious families. A USCIRF delegation traveled to Vietnam in May 2009 and found that new converts to Protestantism, mainly in ethnic minority areas, face official intimidation and discrimination if they do not renounce their faith. Hundreds of Montagnard Protestants arrested after demonstrations in 2001 and 2004 for religious freedom and land rights remain detained in the Central Highlands. The government also employed thugs to intimidate Protestant worshippers in the Phu Yen province. Beating deaths and disappearances of Montagnard Protestants suspected of being part of the *Tin Lahn Dega* (a group which the government believes advocates for political autonomy) are the most egregious abuses of religious freedom and related human rights occurring in the Central Highlands of Vietnam.

Human Rights Defenders: The Vietnamese government continues to harass, threaten, intimidate, detain, and sentence lawyers and human rights defenders who have assisted religious communities or religious freedom advocates in cases against the state. In April 2011, the Vietnamese government sentenced human rights defender Cu Hu Va Huy to seven years imprisonment under vague national security crimes. In January 2010, human rights lawyer Le Cong Dinh was sentenced to 16 years' imprisonment for "conducting propaganda" against the state.

RECOMMENDATIONS FOR U.S. POLICY

To advance religious freedom, the U.S. government should designate Vietnam a CPC and re-evaluate the diplomatic and political resources it employs to advance religious freedom and related human rights in Vietnam. In addition:

- Any new U.S. economic or security assistance to Vietnam should be coupled with new and sustainable initiatives in human rights and religious freedom and programs in non-commercial rule of law and civil society development.
- U.S. policy and programs should protect and support those in Vietnam peacefully seeking greater freedoms and the rule of law;
- The Vietnamese government should be urged to release or commute the sentences of all religious prisoners of concern and publicize the names of all Montagnard Protestants currently in detention for reasons related to the 2001 and 2004 demonstrations;
- The Vietnamese government should be urged to amend the 2004 Ordinance on Religious Beliefs and Religious Organizations to ensure that the Ordinance conforms to international religious freedom norms;
- The Vietnamese government should be urged to 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;
- Establish a non-discriminatory legal framework for religious groups to engage in peaceful religious activities without requiring groups to affiliate with any officially registered religious organization; and
- The Vietnamese government should be urged to investigate and prosecute those responsible for the beating deaths of Hmong and Montagnard Protestants.

Please see USCIRF's 2011 Annual Report for a more extensive review and recommendations on Vietnam.