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U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

BEFORE THE TOM LANTOS HUMAN RIGHTS COMMISSION

ON

VIETNAM: CONTINUING ABUSE OF HUMAN RIGHTS

AND RELIGIOUS FREEDOM

WASHINGTON, D.C.

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I want to thank the Members of the Tom Lantos Human Rights Commission for holding this hearing and inviting me to testify here today on behalf of the U.S. Commission on International Religious Freedom. Mr. Chairman, with your approval, I would like to submit my written testimony for the record and the USCIRF 2012 Annual Report on Vietnam.

USCIRF has testified before Congress on Vietnam numerous times over the past seven years. Each time we hope to bring news of dramatic change, of respect for universal rights, of the lifting of draconian controls over free expression, religion, and association, of an end to the silencing of dissent. Sadly, we again cannot report such changes today. In fact, Vietnam has been backsliding on human rights for the past several years and religious freedom conditions remain poor.

Religious Freedom Conditions

Vietnam's overall human rights record remains poor, and has deteriorated since Vietnam was removed from the "country of particular concern," or CPC, list in 2006 and joined the World Trade Organization in early 2007. Vietnam is an authoritarian state ruled by the Communist Party. Over the past four years, the government has moved decisively to repress any perceived challenges to its authority, tightening controls on freedom of expression, association, and assembly.

It issued new decrees prohibiting peaceful protest in property disputes, limiting speech on the Internet, and tightening controls on journalists and access to the internet at cafes. During 2011 alone, the government sentenced at least 33 peaceful dissidents including political reform advocates, free speech and democracy activists, and individuals protesting religious freedom restrictions.

The U.S.-Vietnamese relationship has grown quickly in recent years, but this growth has not brought needed 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 number of religious adherents continues to grow in Vietnam, and in large urban areas the Vietnamese government allows religious activity to occur openly. The government has supported the building of religious venues and the training of religious leaders. It also has allowed some large religious gatherings and pilgrimages (though not without restrictions). Government training sessions for local officials on Vietnam's religion laws have occurred, though the content remains problematic and local officials continue to commit serious abuses in ethnic minority areas. In some parts of the Central Highlands, formerly-closed churches and meeting points have been re-opened, and the government and the officially-recognized Protestant organization have established a working relationship.

Nevertheless, the government continues a policy of control, suppressing independent religious activity and arresting and detaining individuals for publicly advocating for greater religious freedoms or engaging in independent religious activity. Religious freedom conditions often depend on geographic area, ethnicity, relationships between religious leaders and provincial officials, or perceived "political" activity. In addition, lingering property disputes over venues and facilities previously confiscated by the Communist government have led to church demolitions, property confiscations, detentions, and violence.

Every religious community experiences some level of control and oversight. Independent religious activity is actively suppressed. And, religious communities who publicly challenge government policies face intimidation, detention, beatings, and attacks by what the State Department has termed "contract thugs."

The most severe violations target the Unified Buddhist Church of Vietnam (UBCV), independent Hoa Hao, Cao Dai, and Protestant groups, ethnic minority Protestants in the Central Highlands and northwest provinces, and ethnic Khmer Buddhists in the Mekong Delta. In the past several years, relations between Catholics and local governments in Hanoi, DaNang, Vinh, and Ho Chi Minh City have deteriorated. Peaceful protests in land disputes and prayer vigils to honor detained human rights defenders have led to violence by police and over a dozen arrests.

The USCIRF's 2012 Annual Report provides much detail about religious freedom conditions in Vietnam. The full report is available online at our website www.uscirtf.gov.

Ongoing Abuses

I would like to highlight a few instances from the Annual Report that demonstrate clearly that last year the Vietnamese government engaged in “systematic, ongoing and egregious” abuses of religious freedom and therefore merits continued designation by the State Department as a CPC. These relate to prisoners, forced renunciations of faith, the targeting of the Redemptorist Order, and violence in Dien Bien province.

Prisoners: Dozens of individuals are imprisoned in Vietnam for their religious activities or religious freedom advocacy. This includes Hoa Hao, Cao Dai, Khmer and UBCV Buddhists, ethnic minority Protestants and Catholics, and Vietnamese Catholics who peacefully protested in land disputes or conducted prayer vigils for detained human rights defenders.

UBCV patriarch Thich Quang Do and Fr. Nguyen Van Ly -- two of Vietnam’s best known religious freedom advocates – also remain detained. As is well-known, Father Ly was returned to prison in July 2011 to serve the remainder of his 8-year prison term after having been released on medical parole.

In the past year, two Protestant pastors -- Nguyen Conh Chinh and Nguyen Trung Ton -- and two Hoa Hao activists -- Nguyen Van Lia and Tran Hoi An -- all received prison sentences under vague national security provisions. USCIRF Commissioners and staff have met with all of these individuals and we will continue to press for their unconditional release.

Also, during the past year, as many as twenty Montagnard Protestants in Gia Lai province were detained, fined, and pressured to recant their faith. Their crime is that they want to worship independent of government oversight and registration.

The ongoing detention of individuals for their religious activities and religious freedom activism is central to USCIRF’s argument that Vietnam should be re-designated as a Country of Particular Concern.

Forced renunciations of faith: The practice of forced renunciations of faith was officially banned in 2005. The Vietnamese government hailed this prohibition as a major change and the State Department cited it when removing the CPC designation in 2006.

Nevertheless, forced renunciations, specifically targeting new Christian converts in ethnic minority areas, continue. These are not isolated cases in provincial areas, but are sanctioned by central government authorities and sometimes carried out by

special military units. Government training and instructions materials published by the central government encourage provincial officials to actively thwart the growth of Christianity among ethnic minorities, because the Vietnamese government views it as a potential security threat.

In the past year, USCIRF has gathered reports of forced renunciations of faith in the northwest provinces of Vietnam targeting Hmong Protestants. Human Rights Watch has also detailed forced renunciation ceremonies among ethnic minority Protestants and Catholics in the Central Highlands.

These ongoing efforts to force individuals to renounce their faith are particularly severe religious freedom abuses that justify Vietnam's CPC designation.

Targeting of Redemptorist Clergy and Churches: In the past year, the government has increased its harassment of the Redemptorist Order, targeting its churches and laity with violence and arrests. The government-run media continually vilify Redemptorist clergy and police forcibly break up peaceful prayer vigils organized at Redemptorist churches. Redemptorist leaders have been detained in the past year and they experience regular surveillance and assaults by "thugs" employed by the police.

The Vatican and the Vietnamese government continue to discuss conditions for the normalization of relations and new bishops are regularly ordained. Nevertheless, the abuses experienced by the Redemptorists in Vietnam, demonstrate continued deep tensions between Catholics and the Vietnamese government.

Violence in Dien Bien Province: One year ago, Vietnamese military units forcibly disbanded a large group of Hmong Protestants gathered in Dien Bien province. USCIRF has evidence that those gathered did so for religious reasons and there are credible reports of arrests, beatings, and even deaths. The facts of what happened remain unclear because the Vietnamese government has restricted access to the region and there has been no investigation of the incident. Transparency and an independent investigation to determine what happened in Dien Bien province are necessary to determine whether serious religious freedom abuses occurred.

Recommendations for U.S. Policy

We are not alone in our conclusions about religious freedom conditions in Vietnam. They are shared widely, by Members of Congress in both parties and by

Vietnamese-Americans and others committed to the advance of human rights and religious freedom in Vietnam. They are also shared by the Obama Administration. Secretary Clinton has stated publicly that Vietnam and the United States have distinct differences in the area of human rights. She has expressed her “concern about [the] arrest and conviction of people for peaceful dissent, attacks on religious groups and curbs on Internet freedom,” and said that if the U.S. and Vietnam are to ever develop a “strategic partnership,” “Vietnam must do more to respect and protect its citizens’ rights.”

These are strong words. Yet, human rights conditions continue to deteriorate in Vietnam, despite an expanding relationship in trade and security interests. The United States has the political leverage and diplomatic tools available to address ongoing religious freedom and human rights concerns. The question is whether there is the political will to use them?

The U.S. government can use its diplomatic and political resources to advance religious freedom and related human rights in Vietnam. USCIRF’s Annual Report contains many recommendations for ways U.S. policy can do just that. Let me highlight two -- CPC designation and passage of the Vietnam Human Rights Act.

CPC designation: As members of this commission know well, USCIRF has consistently urged the re-designate of Vietnam as a Country of Particular Concern (or CPC). We believe that CPC designation is warranted by the facts on the ground, as I have described. We have concluded that designation is warranted as the facts on the ground meet the statutory threshold established by Congress. In addition, and most importantly, the CPC designation worked.

When Vietnam was designated as a CPC from 2004 to 2006, the Vietnamese government released some prisoners and loosened some controls over religious activity. During that period, trade, humanitarian programs, and security cooperation all expanded. We believe a CPC designation this year will produce similar results. The idea that a vigorous human rights diplomacy will hurt progress on other bilateral interests fails the test of fact.

We know that the CPC recommendation has widespread, bipartisan support in Congress. We want to thank Members who have advocated re-designating Vietnam as a CPC. Unfortunately, the State Department decided last year not to designate Vietnam as a CPC. USCIRF will continue to make the case, with the support of those in this room, that a CPC designation reflects both American values and interests.

Passage of Vietnam Human Rights Act: In addition to a CPC designation, the Administration and Senate can demonstrate its commitment to human rights in Vietnam by signaling support for passage of the Vietnam Human Rights Act. USCIRF supports this bill and hopes it will be discussed, considered, and passed during the current session of Congress, with wide bipartisan support.

We believe that both the CPC designation and the Vietnam Human Rights Act are powerful tools to spotlight abuses of religious freedom and related rights, encourage future improvements, and clearly signal that the United States supports those in Vietnam who seek to advance both prosperity and guaranteed rights.

Conclusion

The Obama Administration's newly unveiled East Asia policy, the so-called "Asia Pivot," offers an opportunity for the United States to demonstrate that our interests in human rights and religious liberty are pursued in tandem with our interests in trade and security. U.S. engagement should therefore protect and support those in Vietnam peacefully seeking greater freedoms and the rule of law. A CPC designation would convey this, but any expansion of U.S. economic or security assistance programs in Vietnam should be linked with human rights progress and the creation of new and sustainable initiatives in religious freedom and programs in non-commercial rule of law and civil society development.

As members of this commission know well, a vibrant economy and secure borders are necessary for the strength and prosperity of any country in the modern world. However, they are not sufficient to achieve national greatness and global respect. If Vietnam is to fully join the community of nations, it must uphold and protect, in law and practice, the universal demands of human dignity, including the freedom of religion.

Vietnam and the United States share a unique and tragic history. Our engagement is no longer one of bullets and bombs, but of ideas and institutions. The Vietnamese leadership out of necessity abandoned its Marxist ideals and now simply clings to political control. The same vigilance and pressure that dragged Vietnam onto the path of a market economy need to be applied to weaken its grip on totalitarian authority and end its silencing of dissent and repression of religious communities.

U.S. policies and programs should reflect this goal and stand firmly with those peacefully seeking greater freedoms and guaranteed rights in Vietnam. Our diplomacy must send the clear message that U.S. interests in Vietnam are not only economic, but affirm the universal desire to speak freely, to worship without fear, and to organize openly without suffering persecution. This is a message that will be heard and give hope to millions of the Vietnamese people.

Again, thank you for inviting me to testify, and I will be happy to respond to your questions.