

**TIEN THANH TRAN**

**CON DAU PARISHIONERS ASSOCIATION**

**HOUSE COMMITTEE ON FOREIGN AFFAIRS**

**SUBJECT:** Highlighting Vietnamese Government Human Rights Violations in Advance of the U.S.-Vietnam Dialogue

**INTERRETER:** Dr. THANG DINH NGUYEN

Date: Thursday, April 11, 2013

Time: 10:00 a.m.

Dear Members of Congress,

Ladies and Gentlemen,

My name is Tien Thanh Tran, a parishioner from Con Dau, Danang City, Vietnam. I was a young farmer happy with my life until the day disaster struck my parish. On May 4, 2010 I attended the funeral of a 93-years old parishioner and was captured when hundreds of armed police attacked the funeral. I was interrogated and tortured for 7 days at a police detention center. My interrogators forced me to admit wrongdoings which I did not commit. After being released, I escaped to Thailand and came to the US in September 2012 after 2 years being a refugee in Bangkok. First of all, I would like to sincerely thank the US government and many of Congress members and staffers who are here today. Your speaking out in the past has given me freedom. It is my honor to speak to the US Congress about the violations of human rights at my parish in Con Dau, Danang City.

1. What happens to Con Dau Parish illustrates the persistent violations of human rights, particularly the persecution against the Catholic Church, which have been going on for almost four decades. Con Dau is a village and a coterminous Catholic parish in the Diocese of Da Nang, Central Vietnam. It has 135 years of history. The area was originally a swamp with low, uncultivable land due to salt water coming in during the full moon. The ancestors of the residents 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 parish's church. This cemetery, property of the parish, 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 where parishioners gather for evening prayers. Because the cemetery is over 100 years old, it was designated a national historic heritage site under Vietnamese law.
2. On 26<sup>th</sup> of June 2008, the People's Committee of Da Nang City issued Decision No. 5111/QD-UBND to confiscate the entire parish, thus displacing all two thousand of its residents and wiping out this historical Catholic parish, purportedly for an eco-tourism development project. This was a clear violation of Vietnam's own laws regulating the land "recovery" process as laid out in Decree No. 181-2004. This decree allows for government's "recovery" of lands for the following purposes only: national defense, national security, national interest, public benefits, and economic development projects that belong in "Group A". Group A projects do not include urban development unless they involve infrastructure for a new urban area. The eco-tourism project in Con Dau does not qualify under Group A. They have discriminated us when giving the environment reasons to remove our cemetery while creating a new cemetery for the deceased soldiers just a few hundred yards from our parish cemetery.
3. Furthermore, it is a development project of a private company (The SUN Group Ltd.) to turn a profit for its owners or stockholders, having nothing to do with public interests or benefits. The government should have let this development company negotiate directly with residents of the Con Dau Parish. Instead, on May 4, 2010 the government of Da

Nang City sent in hundreds of police to block the funeral of a 93-year old woman parishioner, claiming that the Parish' cemetery must be relocated and therefore off-limit to the parishioners. Over one hundred parishioners, including men, women, children and seniors, were brutally beat up. Sixty two parishioners were taken to the police station, where they were repeatedly tortured for days and some for weeks, including myself. Seven of them were sentenced to prison terms. On July 1, 2010 the militia caught and tortured Nguyen Thanh Nam to extract information about parishioners who posted photos and videos of police brutality on the internet. The next day he died of bleeding injuries. Some 90 parishioners trekked across Laos to seek refugee protection in Thailand. The United Nations High Commissioner for Refugees (UNHCR) has recognized the vast majority of them, including Nguyen Thanh Nam's surviving wife and children, as victims of persecution and granted them refugee status. Thirty four of them have been resettling in the US recently.

4. After the May 4 raid, the police then rounded up parishioners and, threatening imprisonment and other retaliatory measures, forced them to surrender their land and homes for insignificant compensation, at approximately \$12 USD/m<sup>2</sup>. The developer then turned around and posted billboards placing the Con Dau Parish on sale, in the form of residential plots. The sale price was \$400 USD/m<sup>2</sup>, or 33 times the level of compensation. Some of the parishioners inquired about purchasing their own land, even at the much higher price, but were told that they may not – the only option available to them was to relocate outside of Con Dau Parish. In fact, in meetings with the government, we have proposed many times that they allow us to buy each family a small lot around the parish church, but the request was flatly rejected as it is considered non-negotiable.
5. The police continue to resort to intimidation and threats so to coerce parishioners to surrender their real properties. In many instances, the police have summarily evicted the residents to allow the developer's contractor to bulldoze their homes. As recent as December 19, 2012, the police surrounded a home in Con Dau Parish while the thugs accompanying them broke into it, disrupted the family during lunch, and beat up the wife in front of her husband and two daughters. The couple managed to escape from Con Dau Parish on the same day, went into hiding in another village and then fled to Thailand and now seeking protection from the UNHCR. A month ago, six of more than 100 families in Con Dau who are still hold up in the parish, received the Order of Eviction from the local government to destroy their homes and move out of the parish. In March 20, 2013, the local government posted a Notice in the parish cemetery entrance to order all 400 graves to be removed from the cemetery by April 10, 2013. After this deadline, all are considered non-owner graves and will be removed by force. Many of these graves belong to former Con Dau parishioners who are US citizens. They have informed their Congress members about the distress they have to endure when their relative's graves become the target of eviction.
6. This confiscation of land and real properties not only violates Vietnam's own laws but also infringes on the properties of citizens of other countries. Many members of our Association are US citizens; we have retained our original ownership of real properties in

Con Dau Parish while allowing relatives to live in our homes or cultivate our farmlands. Many others among us have inherited real properties from our Vietnamese relatives. As the government continues its efforts to expropriate additional land in Con Dau Parish, the SRV practically continues to violate the right to own property of non-Vietnamese citizens, which is a violation of international laws. This is happening not only in Con Dau Parish but throughout the country. Many of the US citizens formerly from Con Dau have requested their Congress members, the State Department and the US Trade Representatives to raise the issue of expropriation of US citizens' properties during the negotiations of GSP and TPP trade agreements with the government of Vietnam.

7. As mentioned earlier, I was captured during the funeral of May 4, 2010 while I was doing my duty as a drummer in front of the funeral procession. The police beat me up with baton all over my face and stomach. While they dragged me in the street, I saw my mother stand nearby and embraced her to avoid more beating but they poked electric rods to my chest and beat her as well, so I had to let go of her. Two police officials dragged me to the waiting truck a hundred meters away. I was kicked in the stomach and beaten by thugs every few meters along the way. They handcuffed and threw me face down onto the flatbed of the truck. At the police station in Cam Le County, all 62 captured parishioners were lined up facing the walls of the hallway. Dozens of police officers took turn to kick at our backs and legs. We were then divided into 2 groups; each of us was called into a separate interrogation room. Everyone coming back from the interrogation session was bleeding or unconscious. We were horrified by the scene and cried loudly when our name were called.
8. I was called in at 7pm and the interrogation session lasted till 11pm on the first night. The police interrogator read me the verdict (attacking the police) and told me to admit it. As soon as I said I did not do it, two police officers attacked me with whatever they had on hand: chair, batons, wooden rods, etc. They hit me on my back with a stack of 4 chairs until they were all broken. My head was bleeding seriously; my body crumbled onto the floor. One of them lifted me up to take more hits until I was totally unconscious. They threw water on my face to wake me up. They called me into interrogation session every day no matter day or night. They continued to torture me because I did not admit to doing anything wrong. One day, a police Lieutenant named Thanh used a handcuff to hang one of my hands to the top of a window, leaving me to stand on my toes. He beat and told me: "I know you are a farming machines operator. You have good health but I guarantee you that you will never recover and you will not live very long after this". Another day, there was a police in civilian clothes who asked me to take off my clothes for him to check. He pointed to the bruises on my body and asked: "What happened?" I replied: "I was beaten by the police." He yelled at me: "Who is the police that beat you? I am a civilian. I'll beat you until you die, damn it!"
9. I was released after 7 days on condition that I provide information about other parishioners and report to the police station 3-5 times every week. I tried to go to the hospital and doctor's offices for medical checkup and treatment for my injuries but they refused to treat me after learning that I was from Con Dau. They only gave me some pain relief medicine and herbs for the bruises. A few weeks after arrival to the US, I

underwent medical checkup. The doctors found that both of my ear drums are broken and my left eye needed surgery to repair a hole caused by violent impact in that area. I am including the medical results as evidence.

10. At the police station, the police continued to interrogate me to find out who leaked information to the media overseas about the May 4 police raid and subsequent torture sessions at the police detention center. The interrogators beat me every time I refused to tell them what they wanted to know. After a few months, I escaped from Vietnam. I stayed in hiding in Thailand with other asylum seekers from Con Dau while applying for refugee status with the UN High Commissioner for Refugees (UNHCR). I was recognized as a refugee and came to the US in September 2012. I currently reside in Raleigh, NC.
11. I am determined to tell the world of what happened to me, to the 61 of my fellow parishioners who similarly suffered torture, and to the thousands of innocent Vietnamese who have been brutally beaten by the police of the communist regime in Vietnam. At the time of this hearing, my fellow parishioners in Con Dau are anxiously preparing themselves for another wave of forced eviction by the government of Danang City. The government has already announced that this time their houses would be bulldozed and their relatives' graves would be razed mercilessly. Defenseless, they cannot speak up to anyone in Vietnam and I feel obligated to raise the issue to you in this forum: The Vietnamese government has routinely expropriated the properties of the persecuted religious communities. Property expropriation is part of its persecution tool kit.
12. It is important for the US Congress to know that the Vietnamese government's policy of expropriating the properties of religious communities has affected many US citizens, including those originally from Con Dau Parish. Some of these affected US citizens are here with me today at this hearing. We respectfully request the US Congress to take action to not only defend the human rights of the Vietnamese people but also to protect US citizens' properties.
13. Please call on the government of Vietnam to:
  1. Stop its plan to wipe out the existence of the Parish of Con Dau, including the Parish cemetery, and allow the people of Con Dau the right to live on their ancestor's land and practice their faith.
  2. Stop all forms of torture and brutality by the police.
  3. Immediately suspend all further expropriations of land and other real properties so as not to violate the properties of US citizens.
  4. Collaborate with the US government in determining the compensations for real properties already confiscated from US citizens.
14. Also, please call on our own Administration to apply US laws in defending the properties and interests of US citizens, namely:
  1. The Foreign Assistance Act of 1961, as amended in 1964 (22 USC 2370(e)), stipulates that the President shall suspend all assistance to a country the government

of which has expropriated the properties of U.S. citizens, and the U.S. government shall vote against loans to that government from international financial institutions. I believe that the Department of State should proactively find out whether a foreign government has expropriated properties of U.S. citizens and the said statute therefore applies.

2. The Trade Act of 1974 (19 USC 2462(b)(2)) stipulates that the President shall not grant Generalized System of Preferences (GSP) status to a government that has “nationalized, expropriated or otherwise seized property of U.S. citizens or corporations without providing, or taking steps to provide, prompt, adequate, and effective compensation, or submitting such issues to a mutually agreed forum for arbitration.”
15. Thank you so much for giving me the opportunity to be here today to speak up for my people as a free man living in this free country. God Bless America.