

Testimony of Quan Q. Nguyen, M.D.
Chairman of Rallying For Democracy in Vietnam

Before the House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights and International Organizations
on May 25th, 2017

Regarding: "Vietnam: Why religious freedom and human rights are critical to US national interests-
Current Human Rights Situation In Vietnam
With Emphasis On Religious Freedom"

Honorable Chairman Chris Smith and Distinguished Members of the Subcommittee:

42 years ago, when the communist forces began to occupy South Vietnam, I left my country on a small boat, and escaped to America. I have been lucky to be able to rebuild my life here, and it is truly an honor to testify before this distinguished Subcommittee about the long struggles of the Vietnamese people. Thank you for holding this hearing and allowing me to share some important issues that I believe should be brought to light.

Overview

At the beginning of the 21st century, the Vietnamese people are still suffering from a totalitarian regime. Vietnam is a one party system where there is no separation of administrative, judiciary, and legislative branches. The Vietnamese Communist Party (VCP) strictly controls the government at all levels, manipulates the National Assembly, controls all mass media, and deprives the Vietnamese people of all basic human rights. There are no free and fair elections, and no independent unions to protect the millions of Vietnamese workers. People who disagree and express their own opinions in a peaceful way are imprisoned.

The VCP and their cruel offspring have driven Vietnam to the brink of bankruptcy through a centrally oriented economy and wasteful, inefficient investments. Incredible wealth is in the hands of corrupted apparatchiks, while the majority of people live in poverty. The cost of living is soaring; the price of electricity, water, and gasoline are rising day by day; the Vietnamese "dong" is losing its value while wages and salaries are stagnant. Workers have to toil day and night, yet cannot make a decent living. The situation in Vietnam is ripe for transformation. The people in Vietnam deserve support for their quest for freedom and democracy from the international community, particularly the U.S. In that spirit, I would like to draw attention to the following important issues:

Religious Freedom

To the communists, "religion is opium" and they strictly follow that crazy idea! The Hanoi government's policy has always been to repress religious freedom. There is an unfortunate misconception from the West that the mere existence of churches and temples in Vietnam implies that there is freedom of religion. This is far from the truth. Per the latest report of the U.S. Commission on International Religious Freedom, religious freedom in Vietnam has deteriorated significantly. The Vietnamese Communist uses Decree 92 issued in August 2012 to strictly control all religions in Vietnam. All Churches need to be registered and accepted by the

government. The registration procedure is very complicated and allows the government to refuse applications of Churches considered as non friendly to the government. For years now, the communist government has refused to recognize The Unified Buddhist Church. If you want to become a monk, nun, or priest, you have to notify and get permission from the local government. All promotions or appointments inside the Church have to be accepted by the government. Even if the Vatican wants to appoint a new Cardinal, Archbishop, or Bishop, it needs to inform and get approval from the Vietnamese government.

At the end of every year, each Church is required to notify the local government of its detailed plans for the next year, such as the dates and times of events being held, what are the purposes, and how many people will attend. Bishop of Kontum Patriarch Hoang Duc Oanh was actually refused permission to organize a Christmas Mass. The government of Vietnam uses force and imprisonment to keep priests and monks following the party line. Father Nguyen Van Ly, The Most Venerable Thich Quang Do, Pastor Nguyen Cong Chinh and several leaders of local indigenous Cao Dai & Hoa Hoa Churches are all examples of how religious leaders who advocate religious freedom or criticize the government on its serious violations are imprisoned or placed under house arrest.

The overnight death of Mr. Nguyen Huu Tan, a Hoa Hao Buddhist follower in a police station in Vinh Long, and the violent attacks of Vietnamese security forces on peaceful manifestations of Catholics in Central Vietnam against the destruction of the environment have caused people's anger and upset.

The government continues to seize several properties belonging to the Catholic and Buddhist Churches. Last year, they pressured Lien Tri Temple to stop its activities and to sell its land to the local government for a development project. The local government also pressured the Fathers of the The Redemptorists Vietnam (Đòng Chúa Cứu Thế Việt Nam) to stop its healthcare program for the veterans of the South. In light of these religious freedom violations, the U.S. government should push for the following actions:

1. The Vietnamese government should implement the UN principles on religious freedom, including the release of those imprisoned for beliefs and practices, and fully restore their rights of citizenship, property, and residence permits.
2. The Vietnamese government should stop repressing indigenous religious groups such as Hoa Hao and Cao Dai. They should also stop promoting its state church to interfere with the Buddhist and Catholic religions.
3. The Vietnamese government should allow religious freedom, otherwise, they will be placed back on the CPC, be punished, and suffer damaging consequences.

On November 18, the National Assembly finally ratified the Law on Belief and Religion amid extensive criticism from human rights and religious groups. They are worried that the law restricts religious freedoms rather than protects them. In an open letter to the Vietnamese government prior to the ratification of the law, several organizations and lawmakers rejected a clause stating that "religious groups must be registered and approved by the government in order

to practice”. This clause should be omitted as it gives the government the power to continue to oppress the people. The law will go into effect starting January 2018.

Freedom of Information & Expression

The Vietnamese government strictly controls all mass media including the internet, and censors all information to the people. According to 2017 Reporters Without Borders' World Press Freedom Index, Vietnam ranks 175/180 countries. The Committee to Protect Journalists, also ranked Vietnam among the 10 worst countries worldwide. Several dissidents and human rights activists have been harassed, arrested, and tried over the last 5 years on criminal charges including espionage and other vague crimes against “national security” for peaceful expression of their opinions on the internet. Vietnam’s authorities rely on a combination of restrictive laws, Internet controls, and outright repression to block the free flow of information, but thanks to social media, Vietnamese citizens are increasingly gaining access to independent sources of news. Vietnam is second in the world only to China in the number of jailed netizens. The cases of Lawyer Nguyen Van Dai, “Mother Mushroom” Me Nam, Pastor Nguyen Cong Chinh, and Tran Huynh Duy Thuc are good examples. They have committed no crime, and have only expressed their own opinions in a peaceful way. They should be released immediately without any conditions.

Labor Rights

There are no independent unions to protect the millions of workers in Vietnam. Vietnamese workers have no health insurance, no worker compensation, no rights to go on strikes, nor collective bargaining. Most of the workers have to resort to bribery to get jobs. They are required to work overtime without pay, while frequently being subjected to abuse and maltreatment. The unique Vietnam General Confederation of Labor (VGCL) is strictly controlled by the Communist Party. It represents the party and employers, but not the workers. Prominent worker leader, Nguyen Hoang Quoc Hung, who tried to form an independent union outside of the VGCL is currently in jail. I am glad to hear that President Trump scrapped the TPP, because if it were to remain, Vietnam certainly does not meet the requirements to become a member.

Civil Societies

After the US-VN Human Rights Dialogue in April 2013, the State has been very quiet on the Civil Society front. It was only after State President Truong Tan Sang's meeting with U.S. President Barack Obama in July 2013 that Civil Society began to be referred to as "having a feedback characteristic." By the end of 2013, people started to talk about the contributing voice of Civil Society and "Civil Society with Vietnamese Characteristic." Activists started to form organizations, groups, societies, etc. without being disbanded. Recently, a new proposition was advanced -- that Civil Society exists not just in capitalism, but in socialism as well. However, this new viewpoint has yet to be included in textbooks on socialism. It is highly recommend that the U.S. delegation push more for the freedom to form NGOs. Furthermore, the Vietnamese government should officially recognize them and allow them to function appropriately.

Bilateral Human Rights Dialogue :

A 2-day bilateral human rights dialogue with the Communist was recently concluded. Bilateral dialogues can play an important role in increasing understanding and narrowing differences. However, dialogue without concrete progress is not just an empty exercise, but

counterproductive. By making concrete progress on human rights, the Vietnamese government will pave the way to becoming a major partner to the U.S., and play an important role in bringing stability and prosperity to the region.

The Coming Visit Of Prime Minister Nguyen Xuan Phuc

So far, The Vietnamese government has not made any significant strides in improving on human rights issues. Mr. Phuc's invitation to visit the U.S. at this moment will send a wrong signal to the Vietnamese Communist regime that they have the nod from our government to arrest and attack dissidents without legitimate cause.

Steps to Improve The Human Rights Condition In Vietnam

Vietnam is suffering an ill economy, trade deficit, discontent, and anger from the people, as well as serious threat from China. In that context, Hanoi is looking to the USA and other Western countries to save its tattered economy and sagging regime. However, the current situation in Vietnam on human rights, labor rights, transparency, intellectual property rights, etc. DO NOT meet the requirements from the USA. We are looking to Congress to emphasize that Vietnam needs to carry out fundamental reforms in these areas, and to make sure they become reality before Vietnam is considered a true strategic partner of the US in the region. There should be no waivers or delays implementing the requirements. International monitors need to strictly enforce treaty provisions beyond written or verbal agreements with Vietnam (since the Vietnamese communist leaders are known for breaking their commitment and promises, as exhibited after entering the WTO).

The reforms that Vietnam must carry out will ultimately help to democratize Vietnam. Only a democratic Vietnam can be U.S.'s true reliable strategic partner in Asia. Therefore, this is a golden opportunity for the U.S. to convince the Hanoi government to embark on this win-win journey for all, which would allow Vietnam to become a democratic country and to simultaneously secure a comprehensive strategic partnership with the United States. This will prosper Vietnam, bring peace and stability to the region, and neutralize the pressure from China. Vietnam should seize this opportunity and react positively by ensuring more human rights. A comprehensive road map for Vietnam to follow would be helpful.

Mr. Chairman & distinguished members of Congress:

I have been lucky to live in America's free society where I can express my own opinions without being intimidated or harassed. Therefore, I believe that it is my responsibility to speak for my compatriots back home who do not have these privileges. Thank you for giving me the opportunity to do so today.

Respectfully yours,

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