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Statement at Hearing on

## **Vietnam: Why Religious Freedom and Human Rights are Critical to U.S. National Interests**

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

May 25, 2017

Mr. Chairman and distinguished Committee members,

Vietnam's new leadership in the Communist Party and in government has finally shown its true and brutal nature. Over the past twelve months we have observed a major backsliding in the overall human rights conditions in Vietnam. Of particular concern to us is the worsening situation of independent religious communities and the government's increasing use of torture and land expropriation to target such communities.

I would like to start with the case of Pastor Nguyen Cong Chinh and his wife, Mrs. Tran Thi Hong. Pastor Chinh was sentenced to 11-years in prison for his pastoral services to Montagnard Christians in the Central Highlands. In prison, he was subjected to different forms of torture, including solitary confinement, beatings, and denial of medical treatment. Prison guards even mixed pieces of broken glass and fragments of lead wire in his daily food rations.

His wife, Mrs. Hong, has to take care of the couple's four children and an adopted son. A very petite and frail woman, every month she treks 600 km each way to visit Pastor Chinh in prison. Still she never missed an opportunity to advocate for her husband's freedom. On March 30 last year, she met with then-Ambassador-At-Large David Saperstein during his visit to the Central Highlands; she asked for urgent intervention as her husband's health rapidly deteriorated. Fifteen days later she was taken in for interrogation by the public security. They wanted to know what she had told the U.S. Ambassador-At-Large. As she refused to satisfy their demand, they tortured her. The police later dumped her in front of her home. She was unable to walk and had to be carried into her house by neighbors. She suffered injuries to her head, knees, legs, hands, and feet. She experiences pain and difficulty moving her arms. Here is a picture of Mrs. Hong after the interrogation.

The interrogation session went on, almost every day for a month and a half, except for a week's interruption around President Obama's state visit to Vietnam. It miraculously stopped in early June after Ambassador At Large Saperstein called the Vietnamese embassy in the U.S. and the UN Special Rapporteurs on FORB and on Torture issued a stern public statement.

The persecution aimed at Pastor Chinh and Mrs. Hong is not the random act of renegade public security agents. It reflects the consistent policy of the leadership of the Communist Party and the central government: to eradicate all independent Christian house churches in the Central Highlands. In July 2002, the Communist Party created the Central Highlands Steering Committee to oversee the implementation of this policy. In 2004, the Ministry of Public Security established its Central Highlands Security Bureau (PA90) to execute the plans set by the said Steering Committee. The Ordinance on Belief and Religion of 2004 did not change that policy. That only thing that changed was the tactics used by the government of Vietnam in order to get off the CPC list.

On February 27, 2015, the website of General Tran Dai Quang, then Minister of Public Security, published an article extolling the exploits of the public security forces in the Central Highlands: *"...When I arrived in the Central Highlands, our task of rescuing the people from the evil Hà Môn cult was accomplished only recently. The Security Team of the Police Force of the Town of Kontum performed deeds that were representative of the indefatigable efforts of security forces throughout the Central Highlands in our fight against reactionary enemy forces disguised as ethnic religious groups... Unlike the clear front line facing the regular police when it fights crimes related to drugs, financial misdeeds, and typical crimes, the security front is not clearly delineated. It is not easy to tell who our enemies are..."* General Quang is now Vietnam's President.

Over the past three and a half years we have systematically documented incidents of torture, forced renouncement of faith, arrest and imprisonment and extrajudicial killings targeting ethnic Christians in the Central Highlands. According to our latest information, there are currently at least 53 Montagnard Christians in prison because of their faith. We have also documented 94 incidents of forced renouncement of faith, 11 incidents of torture, and 3 cases of extrajudicial killing. In 2016 and the first five months of this year, there have been 9 new prison sentences. The most recent one involves Pastor A Dao of the Montagnard Evangelical Church of Christ in Kontum Province. He was arrested soon after returning from the Conference on FORB in Southeast Asia, which BPSOS co-organized, in Dili, East Timor last August. On April 28, he was sentenced to 5 years in prison on the fabricated charge of aiding Montagnards to illegally flee Vietnam. During the eight months pre-trial detention, his interrogators cruelly tortured him as he rejected their false allegations. After his arrest, public security agents in the provinces of Dak Nong, Dak Lak, Gia Lai, Kontum and Quang Ngai threatened and detained many members of his church, forcing them to renounce their faith. Facing threats of imprisonment and torture, two thirds of this church's 1,500 members have reluctantly joined government-controlled Mennonite and Baptist churches. The Montagnard Evangelical Church of Christ has practically been eliminated in Quang Ngai and Kontum Provinces.

We have also documented at least 2 cases of extrajudicial killings of Montagnard Christians. Pastor Ksor Xiem of the Dega Church in Gia Lai Province was taken to the police station on Christmas eve of 2015. He refused to recant his faith and got brutally beaten by his interrogators; 15 days later he died of fatal injuries caused by torture. The public security then proceeded to force Pastor Xiem's assistant, Preacher Ksor Phuong, to disband the Dega Church.

Two days after last year's Christmas, Y Ku Knul, member of a Montagnard house church that belongs to Christian and Missionary Alliance (CMA) in Dak Lak Province, did not return home after his regular farming work. Two days later his wife found his body hung on a tree. There were bruises on his chest and marks on his lower body and legs similar to those left by police electric batons. The public security prohibited his family from seeking autopsy by an independent medical professional. The public security had targeted his family since 2014, when the victim's youngest son, 21 years old, started doing missionary work in Cambodia. On December 4-7 of last year, this young man participated in a training seminar on freedom of religion or belief and human rights in general, which BPSOS organized in Bangkok, Thailand with the support of international human rights organizations such as Amnesty International, Christian Solidarity Worldwide, International Committee of Jurists, FORUM-ASIA, etc. He is now seeking asylum in Thailand.

As you may remember, Mr. Chairman, these two cases are reminiscent of the case of Deacon Hoang Van Ngai, a Hmong Christian in Dak Nong Province in the Central Highlands. In March 2013 he was beaten to death in police custody, but the police informed his families that he committed suicide by electrocution – he reportedly inserted his finger into an electric outlet. The problem was, there was no electric outlet in the cell where he was held. In April 2014, his cousin, Hoang Van Sung, in Cao Bang Province was taken to the police for being behind a petition demanding investigation into Ngai's death. Ten days later Sung's corpse was delivered to his family in a coffin. The police ordered his family not to open his coffin and stood watch until it was buried. They threatened all members of these two victims' extended family that they would suffer the same fate if they ever speak about the victims' death in police custody.

This brings us to the recent case of a young Hoa Hao Buddhist who died earlier this month in the custody of the public security of Vinh Long Province. On May 2, Nguyen Huu Tan was abducted by the police and taken to the Provincial Public Security Department. That evening, some 70-80 public security agents escorted him home to search his home, without a search warrant. They found receipts of money transfer from the U.S. and a small piece of yellow cloth. The public security accused him of receiving money from reactionary forces in the U.S. and planning to display the flag of the defunct Republic of Vietnam (aka South Vietnam) and took him away without arrest warrant. It was 2:00 am on May 3. At 7am the police called Tan's family members to the detention center of the provincial public security department. At around 11am they saw people carrying a coffin walking in. Shortly thereafter, Tan's father and wife were taken inside the detention center and shown the corpse of Tan – his throat was thoroughly slit. The public security authorities explained that Tan had committed suicide with a letter opener, at 11:03am. If that story were to be believed, then the Vietnamese authorities must have displayed uncanny prescience: They had already ordered the coffin before Tan's suicide. Very much like the case of Hoang Van Sung, Tan's body was delivered to his home in a coffin. His family's request for an independent autopsy was denied. The family was told to immediately bury the victim and not to invite any neighbors or relatives to the funeral. The Vietnamese authorities now threaten to arrest two surviving brothers of Tan unless Tan's family drops their demand for investigation.

According to Tan's surviving wife, the piece of yellow cloth found by the public security was actually the lining of a gift box; the receipts that they found were for remittance sent to the family by Tan's older sister who lives in Savannah, Georgia. This sister is here, in the audience. Accompanied by her husband, Mrs. Nguyen Thi My-Phuong arrived last night to be at this hearing. I would like to acknowledge her presence.

The use of torture remains rampant in Vietnam despite the UN Convention Against Torture in 2002, which Vietnam signed in 2002.

The other form of persecution against religious and indigenous communities often used by the Vietnamese authorities is expropriation of their lands, temples, churches and other real properties. The Vietnamese government has expropriated 95% of the over 532 original religious properties of the Cao Dai Religion. The government continues to expropriate the few remaining facilities such as Tuy An Temple in Phu Yen Province in April 2015, An Ninh Tây Temple in Long An Province in March 2016, and Phu Thanh A Temple also in Long An Province in March of this year.

Similarly, 90% of all pagodas belonging to Unified Buddhist Church have been expropriated; last year the government demolished Lien Tri Pagoda near Saigon and is threatening to take over Phuoc Buu Pagoda, Phat Quang Pagoda, Phap Bien Pagoda in Ba Ria-Vung Tau; Ba La Mat Pagoda and Long Tho Pagoda in Dong Nai; An Cu Pagoda in Danang City.

Of the thousands of facilities belonging to the Hoa Hao Buddhist Church, only one temple remains: The Quang Minh Tu Temple in An Giang Province – it has been under attack by the police for years. Its clergy members served long-term prison sentences. Their followers have been blocked from attending important religious ceremonies.

Entire Catholic parishes have been targeted. Last week, Thong Nguyen, a young Catholic activist from the Diocese of Vinh, presented to Mr. Chairman the situation of Dong Yen Parish, an all-Catholic fishing community. In 2011 the government of Ky Anh District in Ha Tinh Province ordered the relocation of all parishioners to make way for the Formosa Steel Plant. Of the original 4,000 parishioners, 800 have refused to move; they are determined to fight for the preservation of their century-old parish. On March 17, 2015, the government sent in its mobile police to seize land, destroy homes, and bring down religious edifices, turning a once thriving community into a desolate sight. As the demolition team cordoned off the Dong Yen church for destruction, female parishioners used themselves as human shields to protect the most important symbol of their community and faith. The police brutally attacked them causing injuries to several parishioners, including four women – one of them being pregnant – and a Catholic nun. As punishment, 153 children were barred from education for more than two years.

As you remember, Mr. Chairman, your Sub-Committee has held many hearings on the case of Con Dau Parish in Danang City. Seven years ago, the government of Danang City sent in hundreds of anti-riot police officers to brutally break up the funeral of a 93-year old parishioner, steal the casket and beat up the mourners. More than 100 parishioners were

injured, including children, pregnant women and the elderly. Sixty-two parishioners were arrested and brought to the police station, where they were all subjected to torture, some for two weeks. Six of them were later sentenced to prison terms. One parishioner who escaped arrest was later caught and tortured to death. Over 130 parishioners fled to Thailand and Malaysia to seek refugee protection.

The Danang City government has since handed the 110 acres of land that belonged to Con Dau Parish to Sun Group Corporation. This private developer divides up the 142-years old Con Dau Parish into small lots to sell to individual investors for a total worth estimated at 1.2 billion US dollars. Among the victims of this massive land expropriation are many U.S. citizens who inherited real properties in Con Dau from their parents. Of the original 400 families, 93 are still fighting for their parish.

Ironically, the 2017 APEC Summit will be hosted later this year by the government of Danang City, known to have blood on its hands. The Chair of Danang City People's Committee, who in his former capacity of Director of Department of Planning and Investment delivered Con Dau Parish to Sun Group, would most likely be the one welcoming President Trump at the Summit's opening ceremony. Sun Group Corporation is priding itself, through public ads, that its InterContinental Peninsula Sun Danang Resort has been selected as the main venue for summit activities.

In view of President Trump's meeting with Vietnam's Prime Minister Nguyen Xuan Phuc at the White House next week and attendance of the APEC Summit in Vietnam later this year, I offer the following recommendations:

- (1) At the meeting with the Prime Minister of Vietnam, our President should deliver a very strong and clear message that expansion of trade and other areas of cooperation with the U.S. is contingent upon Vietnam's commitment to:
  - a. End its use of torture against members of independent religious communities, dissidents, bloggers, journalists and human rights advocates;
  - b. Cease all attempts to force people of faith to renounce their faith or abandon their religious affiliation; and
  - c. Move the APEC Summit away from Danang City and summit activities away from any facility owned or operated by Sun Group.
- (2) Our State Department should:
  - a. Verify the list of religious prisoners that I am providing to this Sub-Committee and report their conditions to Congress;
  - b. Investigate close to 200 Vietnamese government officials implicated in gross violations of human rights that we have documented in over 100 incident reports submitted to UN Special Procedures; and
  - c. Place those found to be responsible for such gross violations on the sanctions list under the Global Magnitsky Human Rights Accountability Act and/or on the Designated Persons List under the Frank Wolf International Religious Freedom Act.

(3) Concerned members of the U.S. Congress should select a number of typical persecution cases to test the Vietnamese government's good faith in complying with international human rights treaties that it has signed, including the UN Convention Against Torture and the International Covenant on Civil and Political Rights. The Vietnamese government should demonstrate such compliance by investigating all reported incidents and prosecuting government officials who violate the basic human rights of others.

Photos:



Mrs. Tran Thi Hong after the interrogation session on April 14, 2016



Y Ku Knul, member of Montagnard house church in Dak Nong, December 29, 2016

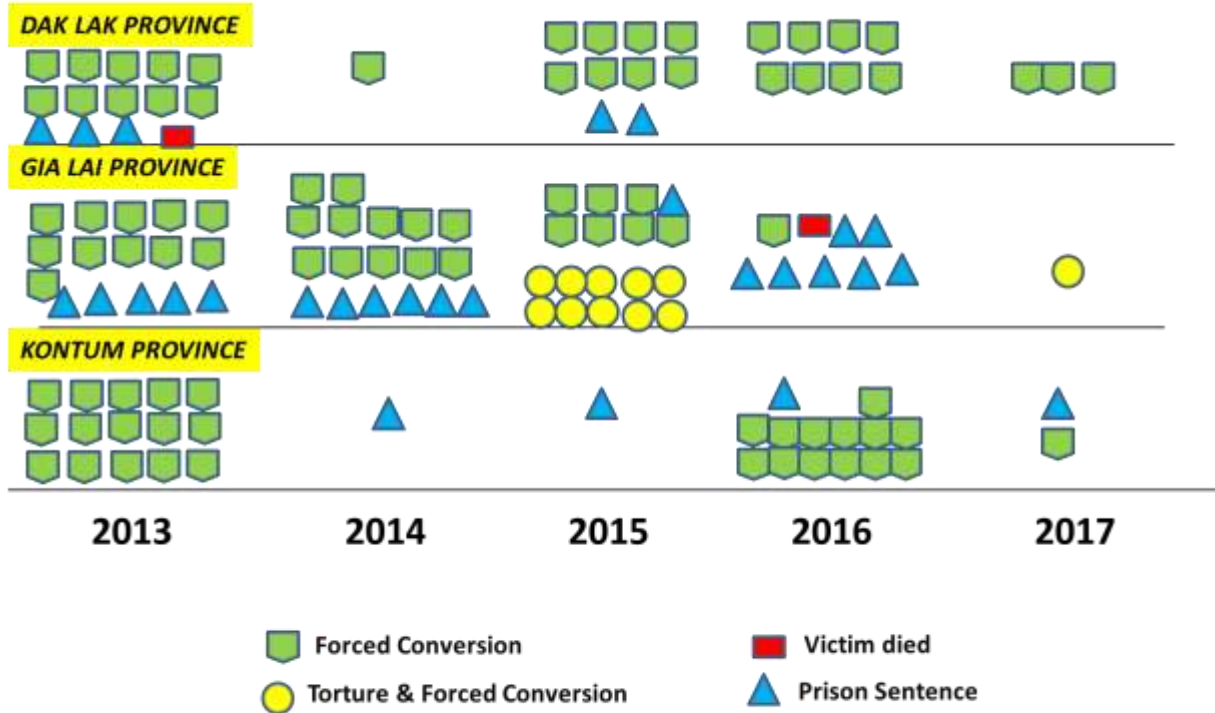


Hoang Van Ngai's death in police custody, Dak Nong Province, March 17, 2013



Nguyen Huu Tan's death in police custody, Vinh Long Province, May 3, 2017

A. PERSECUTION of PROTESTANT CHURCHES IN CENTRAL HIGHLANDS



Note: Most detainees were subjected to torture during interrogation before sentencing. A number of forced conversions result from interrogation with torture