

Restrictions on and Repression of Religious Freedom in Vietnam

Briefing notes to U.S. Department of State

Compiled by BPSOS

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The government of Vietnam continues to suppress religious freedom by requiring (1) that all religious organizations/associations register with a government committee that exercises close supervision over such organizations; and (2) that all religious activities, including informal and home-based ones, must also be registered and pre-approved by local authorities. This two pronged policy in effect strangles freedom of religion.

On the one hand, the government of Vietnam denies registration to most religious organizations that try to register and has selectively registered only those that were either set up by the government (such as the Cao Dai Governance Council, the Hoa Hao Administrative Council, a number of Protestant denominations, and the Vietnam Buddhist Sangha) or that willingly submit themselves to government control (such as the Evangelical Church of Vietnam South, which has turned its back on the persecuted Montagnard house churches after being approved for registration. As a result, many religious groups have decided not to register so as not to be controlled by the government.

On the other hand, the government, via Decree 92, makes it practically impossible for unregistered religious groups to conduct any activities, including informal and home-based activities. Accordingly, independent religious practitioners must forgo their independence if they want to conduct or participate in religious activities. For example, the police have repeatedly disrupted home-based ceremonial gatherings of independent Cao Dai followers and ordered them either to disband or to get approval from the government-approved Cao Dai Governance Council. On many occasions the police have escorted members of this Governance Council to take over by force the few Cao Dai temples still under the management of independent Cao Dai believers.

The same harsh restrictions apply to independent Buddhists (both ethnic Vietnamese Mahayana Buddhists and ethnic Khmer Theravada Buddhists) as well as to Hoa Hao Buddhists and Protestants who wish to worship in their traditional religious institutions rather than joining the government-organized religions. The Unified Buddhist Church of Viet Nam, which until 1975 was the largest religious organization in South Vietnam, was declared illegal and its leaders imprisoned. The Patriarch of the UBCV, the Most Venerable Thich Quang Do, spent many years in prison and remains under “pagoda arrest”. Although the Catholic Church remains legal, the government continues to persecute Catholic priests and lay people whose activities on behalf of their faith are deemed to “injure the national unity” or to be “against the interests of the state”. For instance, Father Thaddeus Nguyen Van Ly has been imprisoned for about 20 of the last 30 years and has been recognized as a prisoner of conscience by Amnesty International.

[Decree 92 (full reference 92/2012/ND-CP) on “*Directives and measures for implementing the Ordinance on beliefs and religion,*” which was issued by Prime Minister Nguyen Tan Dung on 8 November 2012 and

became effective on 1 January 2013, replaced Decree 22 issued in 2005. It adds a number of new obligations and vaguely-worded provisions that give the authorities even greater leeway to sanction and restrict religious activities.]

The government continues to force Montagnard and Hmong Christians to renounce their faith. Earlier this year, for example, the authorities in Dak Lak Province arrested, detained and tortured Pastor Y Noen Ayun and Missionary Y Jon Ayun of the Protestant Church of Christ until they signed a statement renouncing their faith. The authorities in Northern provinces have systematically destroyed funeral storage facilities of the “Duong Van Minh” Protestant sect (named after its leader) and forced Hmong followers to return to their “traditional” pre-Christian beliefs. In March 17 2013, the local authorities in Dak Nong tortured to death Hoang Van Ngai, a Hmong Protestant Deacon. In April of this year, the authorities in Cao Bang Province detained his cousin, Hoang Van Sung, for having initiated a group complaint over the death of Deacon Ngai. After Sung had been detained for ten days, on April 13 the police notified his family that he had died while in custody and delivered his remains in a sealed coffin. The police ordered his family not to open his coffin and stood watch until after the burial to ensure that the coffin was not opened.

With the two-pronged policy described above, the Vietnamese government aims to give the appearance of greater tolerance towards religions by reporting the small but steady increase in the number of registered religious organizations. In reality, many of these registered organizations are used by the government to repress independent religious groups. Registration statistics are a faulty benchmark for progress in religious freedom; as a matter of fact, the increased in number of registered entities could very well mean an increase in instruments for repression and therefore increased government control of religions.

Recommendations:

- (1) The Vietnamese government should abolish the requirement that informal religious activities be registered and pre-approved, by eliminating or fundamentally amending Decree 92.
- (2) The U.S. government should present the Vietnamese government with a list of specific religious organizations that have unsuccessfully attempted to register and use it as one of several benchmarks to measure progress toward freedom of religion.
- (3) The U.S. government should recognize, however, that the number of organizations registered is not the most important measure of religious freedom or the absence thereof. Freedom of religion in Vietnam will not be achieved without fundamental changes including the repeal of Decree 92, the release of imprisoned religious leaders and activists, and an end to the supervision of religious institutions and activities by government officials.
- (4) The U.S. government should redesignate Vietnam as a Country of Particular Concern (CPC) under the International Religious Freedom Act and this designation should remain in force until the reforms set forth above have been implemented.
- (5) Substantial progress toward true freedom of religion should also be made a prerequisite to economic and other benefits conferred on the government of Vietnam by the United States, including membership in the Trans-Pacific Partnership (TPP).