

VIETNAM: WHY RELIGIOUS FREEDOM AND HUMAN RIGHTS ARE CRITICAL TO U.S. NATIONAL INTERESTS

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS

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THURSDAY, MAY 25, 2017

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 12:36 p.m., in room 2172 Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The hearing will come order and good afternoon to everyone.

Before we start, I just want to recognize one of my constituents who's here, Joseph Fischer, a Vietnam War veteran, a combat veteran who is down visiting. He's from Freehold and I want to thank him for his service.

He was and continues to be totally committed to human rights and fairness for the people of Vietnam and I want to thank him for joining us today. Thank you, Joe.

Ladies and gentlemen, over the past 42 years, much has changed in Vietnam. Today's people are a little richer but they still have very few rights.

The Vietnamese Communist Party has opened up a bit to the outside world but remains closed to democratic reforms and the rule of law.

U.S.-Vietnamese relations have warmed because Vietnam fears China's increasing economic power and its incursions in the South China Sea, but we see few human rights improvements emerge from the better relations. As a matter of fact, there has been a profound reversal in the area of human rights protection.

Over the past 2 years, Human Rights Watch has used the words dismal and abysmal to describe Vietnam's human rights record. Vietnam scored a seven, the lowest score on Freedom House's Freedom in the World index.

From sex and labor trafficking to the censorship of the press and the Internet, from restrictions on independent labor unions to severe repression of faith communities, the Vietnamese Government and the Communist Party is one of the world's worst abusers of human rights.

For too long Vietnam has gotten a free pass on human rights. Diplomats are so focused on the fact that Vietnam is not China that this oppressive police state is granted trade and security benefits without conditionality.

There is a silent human rights crisis going on in Vietnam that must be addressed. Human rights should be a top part of the meeting with President Trump's next meeting next week with Vietnam's Prime Minister, Nguyen Xuan Phuc. Doing so will advance U.S. economic and security interests and, above all, it'll advance the cause of the people of Vietnam who deserve better than the dictatorship that they are living under.

The President has a real opportunity to bring about tangible reform to Vietnam and that is why we are meeting. The proximity of this hearing is precisely designed to try to let the President know how important it is that he raise these issues robustly with the Prime Minister.

I have been to Vietnam several times on human rights trips. I have met with advocates and young activists for decades, like imprisoned rights activist Nguyen Van Dai. I know there is a younger generation in Vietnam, 66 percent of who are under the age of 40, that looks to the U.S. as a land of opportunity and freedom.

They want the same liberties enjoyed by their relatives in California, Texas, Virginia, Louisiana, and so many other places where former Vietnamese refugees have flourished. The Vietnamese people want the United States to be a voice for freedom because their voice in-country is silenced.

No government that represses its own people or restricts fundamental freedoms can be a trusted ally of the United States.

No government that censors the Internet, tortures and jails dissidents, and crushes civil liberty and civil society should be given generous trade or security benefits, again, without strong conditionality.

The President will face pressure from his advisors, I am sure, and especially the business community, to look at Vietnam through the lens of trade deals and the containment of China.

Hopefully, he will be able to see the situation more clearly than past administrations both Republican and Democratic.

Failing to press for real and concrete human rights improvements underestimates U.S. leverage and will disappoint the young generation of Vietnam who are the country's dynamic future.

It should be clear by now that Vietnam needs the U.S. markets and security commitments much more than the United States needs Vietnam's markets and security cooperation.

If history is any guide, the President's championing of individual rights will meet with some success. If his interest in human rights is sustained, those successes could be tangible and even far reaching.

The Vietnamese Government has responded to concerns expressed by the last two administrations when they linked human rights improvements to better U.S. relations whether to gain entry into the World Trade Organization, the TPP—Trans-Pacific Partnership, or to address U.S. concerns over religious freedom abuses.

The Vietnamese Government, at least for a time, took steps toward reform when pressed by past American Presidents. It is when the U.S. loses interest in human rights that conditions regress.

The Communist leaders in Hanoi take our trade benefits and security commitments and continue repressing those seeking political reform and universally recognized freedoms.

The business of the Communist Party is to stay in power and repressing those they believe will challenge their power. They will not embrace human rights improvements or the rule of law unless it is a firm condition of better relations with the United States.

I am circulating a letter for signatures to other Members of Congress detailing the strategic opportunities available for the United States and the Vietnamese people if the President pursues a robust human rights agenda.

The letter urges the President to pursue Internet freedom, religious freedom, independent labor unions, and release of prisoners of conscience as a condition of U.S. assistance.

I wrote today to Secretary Rex Tillerson to urge more robust human rights diplomacy as well in Vietnam, particularly on the issue of religious freedom.

We, I believe, and the U.S. Commission on International Religious Freedom, or USCIRF, recommended that Vietnam be designated as a country of particular concern for severe and egregious religious freedom restrictions.

That report provides compelling evidence of egregious and ongoing religious freedom violations in Vietnam.

The President should follow USCIRF's recommendation and immediately, without any delay, designate Vietnam as a CPC for its religious freedom violations. The designation carries with it potential sanctions and visa denials for Vietnamese Government officials complicit in religious freedom abuses.

No Vietnamese Government official who tortures political dissidents or restricts their activities should profit from access to the United States and let me say that violence and intimidation faced by the Hmong and Montagnard by Khmer Krom Buddhists, by independent Cao Dai groups is outrageous.

The torture faced by Ms. Tran Thi Hong is absolutely shocking. She was on her way to meet U.S. Ambassador-at-Large for International Religious Freedom David Saperstein, who did a magnificent job in the last administration for religious freedom.

She was on her way to meet with him to push for the release of her husband, Pastor Nguyen Cong Chinh, and she was horribly mistreated.

If there are religious prisoners, if forced renunciations into faith are happening, if pagodas and churches and places of worship are forcibly closed, how does Vietnam not meet the criteria for CPC, as our good chairman, Ed Royce, has asked repeatedly as well?

Over and over again, he has asked the administration redesignate them as a CPC country.

I will be working closely with the State Department on this and without objection my full statement will be made a part of the record. I'd like to yield to my friend and colleague, Ms. Bass.

[The prepared statement of Mr. Smith follows:]

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Why Religious Freedom and Human Rights are Critical to U.S. National Interests

Representative Christopher H. Smith
May 25, 2017

Over the past forty-two years, much has changed in Vietnam. The Vietnamese people are a little richer, but still have few rights.

The Vietnamese Communist Party has opened up a bit to the outside world, but remains closed to democratic reforms and the rule of law.

U.S.-Vietnamese relations have warmed because Vietnam fears China's increasing economic power and its incursions in the South China Sea, but we see few human rights improvements emerge from better relations.

Over the past two years, Human Rights Watch has used the words “dismal” and “abysmal” to describe Vietnam's human rights record. Vietnam scored a 7, the lowest score, on Freedom House's “Freedom in the World” index.

From sex and labor trafficking to the censorship of the press and internet; from restrictions on independent labor unions to severe repression of faith communities, the Vietnamese Government and Communist Party is one of the world's worst abusers of human rights.

For too long Vietnam has gotten a free pass on human rights. Diplomats are so focused on the fact that Vietnam is “not China” that this oppressive police state is granted trade and security benefits without condition. There is a silent human rights crisis going on in Vietnam that must be addressed.

Human rights should be a top talking point when President Trump's meets next week with Vietnam's Prime Minister Nguyen Xuan Phuc. Doing so will advance U.S. economic and security interests and it will be warmly welcomed by the Vietnamese people.

The President has a real opportunity to bring about tangible reforms in Vietnam if he links better U.S.-Vietnam relations to tangible human rights improvements.

I have been to Vietnam. I have met with its rights advocates and young activists for decades now, like imprisoned rights activist Nguyen Van Dai. I know there is a younger generation in Vietnam—66% of Vietnam is under the age of 40—that looks to the U.S. as a land of opportunity and freedom. They want the same liberties enjoyed by their relatives in California, Texas, Virginia, Louisiana and so many other places where former Vietnamese refugees have flourished.

The Vietnamese people want the U.S. to be a voice for freedom—because their voice is silenced.

No government that represses its own people or restricts fundamental freedoms can be a trusted ally of the United States. No government that censors the Internet, tortures and jails dissidents and crushes civil society should be given generous trade or security benefits without conditions.

The President will face pressure from his advisors and the business community to look at Vietnam through the lens of trade deals and the containment of China. Hopefully, he will be able to see the situation more clearly than past Administrations.

Failing to press for real and concrete human rights improvements underestimates U.S. leverage and will disappoint the young generation in Vietnam who are that country's dynamic future.

It should be clear by now that Vietnam needs the U.S. markets and security commitments much more than the U.S. needs Vietnam's markets and security cooperation.

If history is any guide, the President's championing of individual rights will meet with some success. If his interest in human rights is sustained, those successes could be tangible and far-reaching.

The Vietnamese government has responded to concerns expressed by the last two Administrations when they linked human rights improvements to better U.S.-Vietnam relations. Whether to gain entry into the World Trade Organization (WTO), the Trans-Pacific Partnership (TPP) or to address U.S. concerns over religious freedom abuses, the Vietnamese government took steps toward reform when pressed by past American Presidents.

It is when the U.S. loses interest in human rights that conditions regress.

The Communist leaders in Hanoi take our trade benefits and security commitments and continue repressing those seeking political reform and universal freedoms.

The business of the Communist Party is staying in power and repressing those they believe will challenge their power. They will not embrace human rights improvements or the rule of law unless it is a firm condition of better relations with the U.S.

I am circulating a letter for the signatures of other of Members of Congress detailing the strategic opportunities available for the United States and the Vietnamese people if the President pursues a robust human rights agenda.

The letter urges the President to pursue Internet freedom, religious freedom, independent labor unions, and the release of prisoners of conscience - as a condition of U.S. assistance.

These fundamental freedoms are directly related to U.S. interests in a better business climate, less corruption, investor confidence, expansion of economic freedom, and civil society development.

I also wrote today to Secretary Rex Tillerson to urge more robust human rights diplomacy in Vietnam, particularly on the issue of religious freedom.

I urged the Secretary to use the authorities given him by the Frank Wolf International Religious Freedom Act and the Global Magnitsky Act, legislation I introduced, that was passed into law last year to hold individual government officials accountable for human rights abuses and restrictions on religious freedom.

The U.S. Commission on International Religious Freedom (USCIRF) recommended that Vietnam be designated as a "Country of Particular Concern" for severe and egregious religious freedom restrictions. That report provides compelling evidence of egregious and ongoing religious freedom violations in Vietnam.

The President should follow USCIRF's recommendation and immediately designate Vietnam as a CPC for its religious freedom violations. This designation carries with it potential sanctions and visa denials for Vietnamese government officials complicit in religious freedom abuses.

No Vietnamese government official who tortures political dissidents or restrictions the activities of religious communities should profit from access to the U.S. or our financial system.

Let me say that the violence and intimidation faced by Hmong and Montagard Christians, by Khmer Krom Buddhists, by the independent Hoa Hao and Cao Dai groups is

outrageous. The torture faced by Ms. Tran Thi Hong is shocking. She was on her way to meet religious freedom Ambassador David Saperstein to advocate for the release of her husband Pastor Nguyen Cong Chinh.

If there are religious prisoners, if forced renunciations of faith are happening, if pagodas and churches and places of worship are forcibly closed—how does Vietnam not meet the criteria for CPC? We know it does. Politics should not play a part in designations.

I will be working closely with the State Department to make sure international religious freedom is a diplomatic priority. This fundamental freedom is not merely a humanitarian issue with little strategic value—it is critical to our security and prosperity.

Research shows that countries that embrace and protect religious freedom are more economically successful, protect women's rights, and experience less terrorism and political instability. There is not a single country that respects religious freedom that poses a security threat to the U.S. In fact, just the opposite is true—countries who are the worst violators of religious freedom are often those who seek to do Americans the most harm and seek to tear down democratic values and institutions.

These facts alone should give us pause in expanding relations with Vietnam.

President Trump should not prop up Vietnam's Communist old guard because they are not Vietnam's future. That future lies with Nguyen Van Dai and the many bloggers and advocates of political reform and human rights who seek our freedoms more than our trade.

U.S. policy must send the unmistakable message to the Government of Vietnam that human rights improvements are fundamental to better relations, critically linked to our mutual economic and security interests, and will not be ignored or bargained away.

Ms. BASS. Well, once again, thank you, Mr. Chair, for your leadership in general on human rights but especially on human rights in regard to Vietnam.

I think this is going to be an important hearing today. I want to thank the witnesses for taking the time to come and provide testimony and I know on all of our parts pushing for human rights and democracy around the world is really critical and one of the reasons why we are concerned about the level of cuts and reductions to the State Department. So appreciate you for taking your time out today.

Mr. SMITH. I want to thank Ranking Member Bass. Thank you so very much.

I would like to yield to the distinguished chairman of the full committee, Congressman Ed Royce.

Mr. ROYCE. Well, thank you, Chairman Smith, and thanks for calling this important hearing today.

As we all recall, we had a similar hearing—I think it was 1 year ago—and I wish there were no need to revisit these critical issues.

But, unfortunately, Vietnam's one-party Communist state continues to oppress its citizens and deny them fundamental human rights and this is why we are here today. We do have a growing relationship with Vietnam, particularly in the security and trade areas.

But for us, as Americans, human rights are a core value and we cannot segregate them from our ongoing engagement with that government. And I am grateful to our witnesses for participating in this hearing.

It's good to see many of them again here—some old friends here. They will detail for us the many cases of violence and intimidation directed by the state toward religious people of many faiths in Vietnam.

In addition to those crimes, and there is no other word for it than crimes, the state's effort to control every aspect of religious practice is a continuous violation of human rights, one with no end in sight, and for those who don't understand exactly what I am saying, when the state tears up the historic Buddhist texts and replaces it, that's what we are talking about.

The Vietnamese Prime Minister arrives next week to meet here with President Trump, and alongside everything else that's discussed, the United States must call for the Government of Vietnam to respect its people's fundamental freedoms and among those none could be more important or more personal than the right to freedom of religion.

Yet, in Vietnam the state continues to intimidate and harass citizens for nothing more than attempting to practice their faith, their religion freely and openly.

Almost two decades ago I met with the Venerable Thich Quang Do, now the supreme patriarch of the Unified Buddhist Church of Vietnam. Well, frankly, he was in the same position then and he was under house arrest then, 2 decades ago. And, sadly, for all those years, he's been under arrest, still persecuted by that Communist government. And Thich Quang Do is not alone, the chairman mentioned Pastor Nguyen Cong Chinh.

I've seen the photographs of the results of the beatings that he has taken at the hands of the police and the security apparatus. We have heard the pleas from his wife and we saw the treatment meted out to her.

So for 5 years now he has remained behind bars on the questionable charges of undermining national security. What we call for today and what I urge the administration to call for in its meeting with the Prime Minister is respect for religious freedom.

The Vietnamese Constitution provides for it. One must ask, then, why officials can obstruct and interfere with this constitutionally guaranteed right to worship freely. We must ask further that if this constitutional right can be ignored, what weight can we give any other constitutional or legal rights in Vietnam?

I am pleased that the U.S.-Vietnam relations are warming and I hope for a stronger and more productive relationship between our countries.

However, continued cooperation and improvements in our relationship must be predicated on a mutual respect for human rights and for the rule of law. It is who we are. It is what I hope they are. But it is up to them in that government to show it, to show respect for their constitution with respect to these rights.

So, Mr. Chairman, thank you again for bringing attention to this important issue and I, again, thank the witnesses.

I yield back.

Mr. SMITH. I want to thank the distinguished chairman for his tenacious promotion of human rights in Vietnam. You have made sure the full committee keeps a very sharp focus on this and I want to thank you for your great leadership.

I would like to now yield to Mr. Lowenthal.

Mr. LOWENTHAL. Thank you, Mr. Chairman. Thank you for allowing me to join with you today. I am very much appreciative. I am very pleased to be here and also to share with you, as one of the co-chairs on the Congressional Caucus on Vietnam.

As you pointed out, first of all, we are holding this—and I applaud your leadership, because this is a very timely hearing—in advance of Prime Minister Nguyen's visit to the White House next week to meet with President Trump.

As we all know, the situation of human rights in Vietnam is dire. During my time in Congress, although there have been small selective attempts to improve the human rights condition at times, we have also seen tremendous backsliding and, I would say right now as was pointed out by my colleagues, I have not really seen any true improvement on the way the Vietnamese Government deals with its and treats its own citizens.

On religious freedom, as was pointed out, the government's record is especially troubling. I adopted the case, and I think both my colleagues have pointed out the case—I have adopted the case of Pastor Nguyen Cong Chinh, a Lutheran pastor imprisoned since 2012.

I adopted his case as a prisoner of conscience through the Tom Lantos Human Rights Commission.

But what have we seen? We have seen Pastor Chinh face tremendous mistreatment in prison while his wife, Tran Thi Hong, was detained, beaten by security forces last year after she met with

the visiting U.S. Ambassador-at-Large for International Religious Freedom.

I was also offended when the Vietnamese Government, after multiple letters from myself, from the chairman and also Chairman Royce and other Members of Congress, when the government proceeded to demolish the Lien Tri Temple in Saigon, a place of worship, an important religious center, that we raised this issue even after multiple entreaties from ourselves to really respect the rights of the temple. That did not occur.

Mr. Chairman, I also ask for unanimous consent to insert two letters to the Vietnamese Ambassador urging him to intervene to stop the demolition of the Lien Tri Temple to which we have received no response at all.

Thank you and I will reserve the rest of my time for questions.

Mr. SMITH. Mr. Lowenthal, thank you very much and without objection your request will be in order.

Mr. LOWENTHAL. Thank you.

Mr. SMITH. I would like to now introduce our very distinguished witnesses for today, beginning with Dr. Nguyen Dinh Thang, and many who came to the United States as a refugee from Vietnam in 1979.

After earning his Ph.D., he began volunteering with Boat People SOS in 1988 and became the head of Boat People SOS for the past 25 years.

And I would just say, on a very personal note, in the mid-1990s when I assumed the chairmanship when the Republicans took control in 1994, one of the first people I met with was Dr. Thang, and Joseph Rees, who was then my staff director for the subcommittee, worked very closely with him and we held a long series of hearings starting off with trying to ensure that the refugees that were in High Island and I went and visited High Island in Hong Kong where boat people were falsely screened out as nonrefugees.

They didn't have any well-founded fear of persecution and under a very coercive process about 40,000 were told as the Comprehensive Plan of Action was ended that they are not going to come to the United States. We held four hearings on that alone and Dr. Thang was a true inspiration to this subcommittee and to me personally on how there was a false narrative that people could go back and there would be no retribution, even though they had spent time in High Island and other camps dotting that area of the world.

I will never forget we were told they were repatriation monitors and it turned out there were seven of them so I held a hearing on it, and they told me that when they met with people who were coercively sent back against all of the norms of refugee protection that they were retaliated against and they were visited by the repatriation monitors.

The person in tow with them was from the secret police. So open are you going to be when you have a thug sitting right next to you?

Dr. Thang helped us put together an amendment to deny any U.S. assistance for forcible repatriation. I offered that amendment of the floor. It passed overwhelmingly in bipartisan fashion and from that came the ROVR program and more than 20,000 people then got rescreened and were included and came as refugees to the

United States, one example of many of Dr. Thang's leadership and I want to thank him for that.

We will then have the testimony of Dr. Quan Nguyen, who is with Rallying for Democracy in Vietnam. Dr. Quan went to medical school in Saigon, served in the South Vietnamese Army with the rank of Captain in the medical corps.

When South Vietnam fell into the hands of the Communists in 1975, he escaped by boat and became a refugee in the United States.

In addition to his medical practice in Virginia, Dr. Quan has been actively involved in advocating freedom, democracy, and human rights in Vietnam, and again, he too has done it for over a quarter of a century.

He is the brother of Dr. Nguyen Dan Que, a man that I met in Saigon on one of my many trips there—a courageous campaigner of human rights. He is in Saigon and he has been imprisoned numerous times and is still serving a type of house arrest as we meet here today.

Dr. Quan has campaigned continuously with the United States Congress. He's worked very closely with the AFL-CIO to pressure the Vietnamese Government to improve human rights.

Then we will hear from an old friend of this subcommittee, Mr. T. Kumar of Amnesty International. He's the advocacy director for Asia, Europe, and the United Nations.

He has testified before the U.S. Congress on numerous occasions to discuss human rights abuses. He has served as a human rights monitor in many Asian countries as well as in Bosnia, Afghanistan, Guatemala, Sudan, and South Africa. He also served as director of several refugee ships and camps. T. Kumar has been a political prisoner himself, having served over 5 years in Sri Lanka for his peaceful human rights activities.

Amnesty International adopted him as a prisoner of conscience. He started his legal studies in prison and eventually became an attorney and devoted his entire practice to defending political prisoners.

We are joined by Mr. Garrett from Virginia, if you'd like to make any comments.

I would like to now go to Dr. Thang.

STATEMENT OF NGUYEN DINH THANG, PH.D., PRESIDENT AND CHIEF EXECUTIVE OFFICER, BOAT PEOPLE SOS

Mr. THANG. Mr. Chairman and distinguished members of the committee, around this time last year some optimistic ones out here have had some cautious hope and expectation that with a new leadership coming in to play in Vietnam there would be a better day for the country and her people.

Instead, over the past 12 months, we have observed a crackdown against independent religious communities intensify significantly.

We have documented close to 100 religious prisoners at this time, with over 60 percent of them being Montagnard Christians in the Central Highlands. Less than a month ago, Pastor A Dao, whom I know personally, of the Montagnard Evangelical Church of Christ in Kontum Province, was sentenced to 5 years in prison on bogus charges.

Following his arrest the authorities in five provinces mounted a very well-coordinated effort to force members of his church to renounce their faith. So far, they have succeeded because out of the 1,500 regional members of the church, 1,000 have signed a statement to abandon the church, to leave the church.

The following chart illustrates the gravity of religious persecution in the Central Highlands over the past few years. In green are forced conversion—incidents of forced conversion in three provinces across a number of years.

In yellow are incidents that involve torture. In red are incidents of death caused by torture and in blue are prison sentences in each of those years.

So, clearly, persecution against independent churches in Vietnam has not subsided and the government frequently uses torture as its tool for religious repression. Perhaps best known to the State Department and Members from Congress is the case of Ms. Tran Thi Hong, and Chairman Royce and Congressman Lowenthal have mentioned that case.

But let me add one thing here. There is a picture of Ms. Hong after the first working session with the public security. She was beaten up, tortured. She couldn't walk at all, and her neighbors had to drag her into her home.

Fortunately, the torture after almost 2 months stopped only because Ambassador-at-Large Saperstein made a phone call himself to the Vietnamese Embassy expressing great concern and also because six U.N. human rights experts jointly and publicly denounced the violation of human rights against Ms. Hong.

We have received many reports of death by torture. As an example, Pastor Ksor Xiem of the Dega Church Gia Lai Province was arrested on Christmas Eve of 2015 so that he could not hold Mass for his followers. His captors tortured him brutally as he refused to renounce his faith and disband his church. He was left to go home but he died 15 days later.

Around Christmastime last year, Y Ku Knul, a member of the Montagnard House Church in Dak Lak Province, was abducted while working the field. Two days later, his wife found his body hanged on a tree and all covered with bruises, and this is his body before burial. The public security had demanded him, the victim, to deliver his own younger son, 21 years old at the time, who was doing missionary work in Cambodia, to the public security police and he refused, and the surviving wife believed that his death was a result of that. And now his son is seeking asylum in Thailand.

Most tragic was the death, perhaps in police custody earlier this month, of Nguyen Huu Tan, 38 years old. He came from a very respected Hoa Hao Buddhist family. His father is a Buddhist monk with the UBCV.

That is Unified Buddhist Church of Vietnam, which has been outlawed by the Government of Vietnam for the past 42 years. On May 2nd—that is about 3 weeks ago—some 80 public security agents searched his home—Tan's home—without a search warrant. They collected receipts of money transfer from the U.S. and a small piece of yellow cloth.

Based on that, the public security charged that Tan had received money from reactionary forces abroad to work on a plan to fly the South Vietnamese flag in public someday.

Actually, the receipts came from the monthly remittance sent by Tan's oldest sister from Savannah, Georgia, and the yellow cloth is the lining of a gift box also from the same sister.

Tan was taken away at 2:00 a.m. At 7:00 a.m., his family was told to report to the provincial department of public security of Vinh Long Province. Hours later, Tan's wife and father were brought inside to see his body.

His throat was thoroughly slit. The authorities said that Tan had cut his own throat with a letter opener only this long. And here is Tan. I apologize for the gruesome picture. His family did not believe in that story and demanded an autopsy by an independent professional and proper investigation. The authorities now are threatening to arrest the two brothers of Tan unless the family drops its demand.

Tan's older sister, the one who sent money home to Tan over the years, is Ms. Nguyen Thi My-Phuong. She and her husband arrived in town from Savannah yesterday to be at this hearing. So I would like to acknowledge their presence here. This is Ms. My-Phuong, flying in from Savannah.

Expropriation of properties is another form of persecution often used by the government to cripple independent religious organizations.

Of the thousands of facilities belonging the Hoa Hao Buddhist Church before 1975 only one temple remains to this day, the Quang Minh Tu Temple in An Giang Province, and the government is determined to take it. The independent Cao Dai groups now control only 5 percent of its 532 pre-1975 religious facilities and the government is targeting the remaining facilities one by one.

Similarly, about 90 percent of all pagodas belonging to the United Buddhist Church of Vietnam have been expropriated and turned over to the government-created Vietnam Buddhist Sangha.

The government demolished the Lien Tri Pagoda last year and is targeting half a dozen other pagodas in Danang City, Ba Ria-Vung Tau, and Dong Nai Provinces. Entire Catholic parishes have been targeted as well. Located near the now infamous Formosa Steel Plant in Ha Tinh Province, the century-old Catholic parish of Dong Yen is facing extinction.

On March 17, 2015, one of the districts of Ha Tinh Province sent in the police to seize land, destroy homes, and bring down religious facilities.

They beat up parishioners, causing injuries to many, including one pregnant woman and a Catholic nun. The government then barred 153 children of the parish from going to school for more than 2 years as punishment.

Of the 1,000 original families in the parish, 158 continue to fight to preserve their church and their community. And this sub-committee has held many hearings on the Catholic parish of Con Dau in Danang City. In May 2010, the police assaulted mourners attending the funeral of a 93-year-old parishioner. Over 100 parishioners were injured, 62 arrested and tortured for days or weeks,

and some of those victims have testified before this subcommittee, six sentenced to prison terms.

One parishioner who initially escaped capture was caught and beaten to death. The government then handed 110 acres they had took from Cao Dau Parish to Sun Group, a private developer, to sell to individual investors for a total price estimated at 1.2 billion U.S. dollars.

Ironically, Danang City were host of this year's APEC Summit, which President Trump will attend in November, and key summit activities will be held at a five-star resort in Danang City owned by none other than Sun Group.

This would give the appearance that the U.S. Government tolerates religious persecution, land grabbing, and the use of torture. As he welcomes Vietnamese Prime Minister Nguyen Xuan Phuc to the White House next week, President Trump should insist that APEC Summit be moved to another location and its venue not be at any facility owned by Sun Group.

I further recommend that in its enforcement of the Global Magnitsky Human Rights Accountability Act and the Frank Wolf International Religious Freedom Act, our State Department should investigate information that we have provided to them on close to 100 religious prisoners and close to 200 government officials implicated in gross violations of human rights.

Finally, I'd like to propose and recommend that concerned Members of Congress establish an ongoing communication mechanism to raise concern directly with the Vietnamese Government on reported gross violations of human rights as they arise.

While hearings like this are very important, they shed light on the most recent and most egregious violations, there is a need for an ongoing mechanism that offers the same level of attention to reported violations between hearings.

Thank you.

[The prepared statement of Mr. Thang follows:]

Dr. Nguyen Dinh Thang
CEO & President, Boat People SOS
Email: bpsos@bpsos.org

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



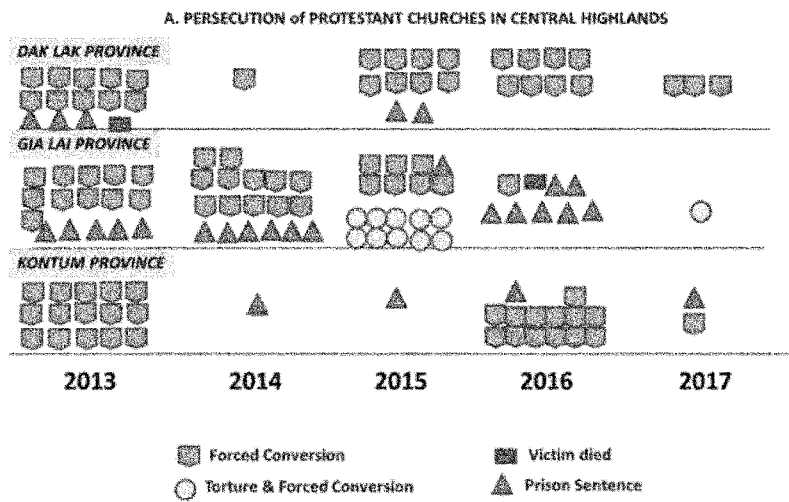
Y Ku Knul, member of Montagnard house church in Dak Nong, December 29, 2016



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



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

Mr. SMITH. Dr. Thang, thank you very much for your testimony and recommendations.

We have a substitute for Dr. Quan. I just have to—under orders of his cardiologist Dr. Quan was told he—it would be better not to be here just because of that.

But we do have Mr. Dave Nguyen, who has also been very active in the human rights fight who will read Dr. Quan's testimony.

STATEMENT OF QUAN Q. NGUYEN, M.D., CHAIRMAN, RALLYING FOR DEMOCRACY

Mr. NGUYEN. Thank you. Honorable Chairman Chris Smith and distinguished members of the subcommittee, I'm here to read a letter on behalf of Dr. Quan Nguyen, the chairman of Rallying for Democracy in Vietnam.

The letter: Forty-two 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's truly an honor to testify before the distinguished subcommittee about the long struggles of Vietnamese people.

Thank you for holding this hearing, allow me to share some important issues that I believe should be brought to light.

As we all know, Vietnam is a one-party system where there is no separation of administrative, judiciary, and legislative branches. 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 United States.

In that spirit, I would like to draw attention to the important issue of religious freedom. To the Government of Vietnam, religion is opium and 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. That is far from the truth. Per the latest report on the U.S. Commission on International Religious Freedom, religious freedom in Vietnam has deteriorated significantly.

The Vietnamese Communists used 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 allows the government to refuse application of a church considered to be nonfriendly to the government.

For years now the Communist government has refused to recognize the Unified Buddhist Church. So if you want to become a monk, nun, or priest, you have to notify and get permission from the local government.

All promotions and appointments inside a church have to be accepted by the government. Even if the Vatican wants to appoint a new cardinal or bishop, it needs to inform and get approval from the Vietnamese Government.

So at the end of every year each church is required to notify the local governments of its detailed plans for the next year such as the dates and times of events being held and what are the purpose and how many people will attend. Bishop of Kontum Patriarch

Hoang Duc Oanh was actually refused permission to organize a Christmas Mass.

Father Nguyen Van Ly, the Most Venerable Thich Quang Do, Pastor Nguyen Cong Chinh, and several leaders of local indigenous Cao Dai and Hoa Hao Churches are all examples of how religious leaders who advocate religious freedom are continued to be imprisoned and placed under house arrest.

The recent death of Mr. Nguyen Huu Tan, Hoa Hao Buddhist follower, in the police station in Vinh Long where his neck was cut by the police and the violent attacks of the Vietnamese security forces on peaceful manifestations of the 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 activities and to sell its lands to the local government for a development project.

The local government also pressured the Fathers of the Redemptorists Vietnam—Dong Chua Cuu The Viet Nam—to stop its health care program for the veterans of the south.

In light of this religion freedoms violation, the U.S. Government should push for the following course of action. The Vietnamese Government should implement U.N. principles on religious freedom including the release of those in prison for beliefs and practices and fully restore the rights of citizenship, property, and residence permits.

The Vietnamese Government should stop repressing indigenous religious subsets, Hoa Hao and Cao Dai. They should also stop promoting its state churches to interfere with the Buddhist and Catholic religions.

Lately, on November 18, 2016, the National Assembly finally rectified a law of belief and religion even with the extensive criticism from human rights and religious groups.

In fact, in an open letter to the Vietnamese Government prior to the ratification of the law, a number of organizations and lawmakers reject the 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. In fact, the law will go in effect starting January 2018. The current situation in Vietnam on human rights, labor rights, transparency, intellectual property, copyrights really do not meet the requirements of the U.S. Government as a trusted bilateral economic partner.

We are truly looking to Congress to emphasize that Vietnam needs to carry out fundamental reforms in these areas and to make sure that they become reality before Vietnam can be taken off the CPC list.

There should be no waivers or delays implementing these requirements. International monitors need to strictly enforce treaty provisions before written and verbal agreements with Vietnam.

The reforms that Vietnam must carry out will ultimately help to democratize Vietnam. Only a democratic Vietnam can be the U.S.'s true reliable strategic partner in Asia.

Therefore, now is the golden opportunity for the U.S., especially with the upcoming visit by the Prime Minister of the Communist regime of Vietnam, to convince the Hanoi's government to embark on this win-win journey for all which would allow Vietnam to become a more democratic country and to simultaneously secure a comprehensive strategic partnership with the United States in Asia.

This would bring prosperity to Vietnam, bring peace and security to the region and neutralize the pressure from China. Vietnam should see this opportunity and react positively by ensuring more human rights.

Last but not least, Mr. Chairman and distinguished Members of Congress, I have been lucky to live in America's free society where I can express my own opinion without being intimidated or harassed.

Therefore, I believe that is my responsibility to speak for my compatriots back home who do not have at all these privileges.

Thank you for giving me the opportunity for today. Respectfully yours, Dr. Quan Q. Nguyen.

[The prepared statement of Dr. Quan follows:]

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 Hao 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 recommended 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,

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

Mr. SMITH. Mr. Nguyen, thank you very much for your personal leadership for reading Dr. Quan's statement. Tell him how we hope he feels better.

I would like to now yield to Mr. Kumar.

**STATEMENT OF MR. T. KUMAR, DIRECTOR OF
INTERNATIONAL ADVOCACY, AMNESTY INTERNATIONAL**

Mr. KUMAR. Thank you very much, Congressman and Chairman Smith, and other members of the committee.

Before I start, I would like to urge chairman to admit our statement in the record.

Mr. SMITH. Without objection, so ordered.

Mr. KUMAR. Thank you. I also want to mention about you, Chairman Smith, about your unwavering and strong commitment to human rights and this hearing is an example of that, and thank you again from Amnesty International.

Today we are here to discuss Vietnam's Prime Minister's visit to Washington to meet with President Trump. We were also here when the annual U.S.-Vietnam Human Rights Dialogue is on its way now and we are also here before President Trump will be visiting Vietnam for the APEC Summit. Even though it's not bilateral, it's a visit by President Trump.

So we are looking at three opportunities. The first opportunity is taking place at the moment. I hope State Department, which is leading the discussion, is very clear and firm in highlighting the cases and the abuses that are happening, including religious freedom issues.

We hope that reflects in the Prime Minister of Vietnam's visit to Washington when he makes statements. We will know the results when he comes, whether dialogue is making any difference or not.

So going into the issue of what's happening in Vietnam from the human rights perspective, I just want to touch on the overarching issue. The institutions which guarantee human rights, freedom, and even fair existence are the two main institutions—their judiciary and media.

Both are under the complete control of the government there. We know that the party is in control—the Communist Party—but even these institutions are not free. So what the results is when there is an abuse against an individual, a citizen of Vietnam, he or she has no way to get justice there. Media can't report because they are under the control of the government.

They can't go to the judiciary. The judiciary is under the control of the government. That's why international pressure is extremely important to make changes in the country so that citizens of Vietnam can have some basic protections to live as human beings and enjoy their rights.

What we have documented over the years is that there are hundreds of political prisoners who have been arrested, tortured, some died during torture, and have been incarcerated in gruesome manners in that country purely for peaceful political expression of views including the latest online actions.

That also extends to the religious freedom issues where religious minorities as well as independent religious groups are facing the difficult times in that country.

One other issue that disturbs us there is that Vietnam is extremely numb when it comes to international pressure. The only country or few countries that have some leverage on Vietnam are the U.S. and some other countries in Europe. That's why U.S. leadership is extremely important in this.

If the U.S. fails to speak, you can't expect any other countries in Asia or any other country, even European will dump it, saying "Okay, the powerful country is just ignoring the plight of the people—why should we get involved?"

On the other side of the coin is that the Vietnamese Government takes it extremely serious about what the U.S. is saying. Congressman Smith, you know, you have visited Vietnam.

I presume you even visited some prisoners or prisoner families that need changes there. Even you have seen changes when there is a threat of Vietnam being put on the list for religious freedom issues.

That shows they take it very serious. So the question today is now a great opportunity is happening in a week's time and whether President Trump will take advantage of that. That's what the big question now we are having.

So this particular hearing is of extreme importance on that note. President Trump and his advisors will be watching this and we hope that'll translate into some action in terms of human rights.

The issue of religious freedom—coming back to the issue—there are two issues that disturb us. One is the new draft law now which has become a law, per se, on religion and belief.

It's pretty much tightened the noose—pretty much tightened the control of the government on religious issues. They are religious freedom for religious groups there. Even the registration aspects make it very difficult to register.

So you throwing a new law that the group wanted to register. It makes it impossible to register because the cumbersome nature of the registration makes it very difficult.

Number two, the law is written in such a way that the government authorities have numerous openings to interfere in religious activities. Legally they can interfere.

When this draft law came up, Amnesty International and numerous international human rights organizations who take a strong view on every country—Chairman, you know, even in—on this country we take strong views—so we have taken a very strong view and said wait a minute, you have this draft law.

Make sure you change the law so that—make edits so that it will have some impact on the—so that religious groups can act freely and have freedom. It did not happen.

So President Trump can raise that from the religious point of view. This is the beginning, by the way, there. We don't what else is going to come up there. Second issue is the forced renunciation of religious groups.

Okay, they don't not only allow people to worship as they wish or belong to a group or a religious group as they wish. They come after you and force individuals to renounce religion.

So even these two issues should shake the conscience of the White House and President Trump. We hope he will take note of this and take advantage of the meeting he's having. We all know

that security will be on the top of the agenda. We have nothing against it.

We know that South China Sea issues are going to be on the agenda. We know that trade deals will be on the agenda, even though TPP is out, they will be discussed. What we are asking is to raise the concern of the people of the country.

We have all these deals—trade deals, security deals. But hold the people of that country—you are dealing with a leader who is not an elected leader. It's a one-party state. So you have a duty and responsibility to ensure that you raise human rights.

What type of human rights issue should President Trump raise? As I mentioned on the religious freedom issue, two issues at least he should raise.

One is the new draft law should be amended. Number two, forced renunciation should stop right away. He should also demand immediate and unconditional release of political prisoners and religious leaders and religious prisoners there.

The other one he should urge is when he arrives in November for the APEC Summit, at least some prisoners should be released. That call should be there. Chairman Smith, you know what happened when President Obama visited last time.

They not only did not release any prisoners, they started arresting people, and President Obama kept quiet and came out. The same impression should not be given by President Trump.

President Trump should not give the impression to Vietnamese that he will keep quiet when he's there when they start arresting and harassing civilians and other human rights defenders, he will keep quiet.

So the message should be given here next week. One more thing, while he's in Vietnam in November he should also meet with families of the political prisoners. It's a goodwill gesture. Nothing is going to happen to President Trump for meeting there.

The message should be also very clear to Vietnamese authorities that if they go after the families whom he is meeting, they will pay a dear price. Hope that happens.

So we are talking about an issue here from three opportunities. One is happening now, the dialogue. Second is next week's meeting. Third is the APEC conference.

Whether the new administration under President Trump will take the lead issue, we are not asking that human rights become the top priority.

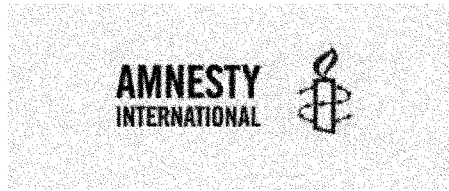
We are asking human rights be one of the issues you'll discuss. And always after the event—after the dialogue, after the meeting here that both leaders come and address the press.

We have an appeal to the press, please ask questions on human rights, and we have an appeal to President Trump, to ensure that before even there's a question on human rights you proactively say what he cares—that he cares about human rights.

Thank you, Chairman, for inviting Amnesty International, and once again, we applaud your leadership on human rights issues.

Thank you.

[The prepared statement of Mr. Kumar follows:]



**Amnesty International Testimony
Human Rights in Vietnam**

**Before the
Committee on Foreign Affairs
U.S. House of Representatives**

**By
T. Kumar
Advocacy Director
Asia, Europe and United Nations
Amnesty International USA**

May 25, 2017

Thank you Chair and distinguished members of this committee. Amnesty International is pleased to testify at this important hearing.

This hearing is taking place on the eve of the Vietnamese President's visit to the White House and before President Trump's visit Vietnam in November to attend the annual APEC Conference.

These two opportunities are important openings for President Trump to raise concerns about human rights issues in Vietnam and to urge the Vietnamese government to release prisoners of conscience. We urge President Trump not to miss these opportunities.

The human rights situation in Vietnam has been of concern to Amnesty International for years. We have published reports, news releases, and Urgent Actions to highlight our concerns. We also testified last year before this Committee after former President Obama's visit to Vietnam.

Main Human Rights Concerns:

- Restrictions on freedom of expression, assembly and association;
- The continuing imprisonment of political prisoners;
- The use of national security legislation and the criminal code to suppress criticism of the government, including in relation to the Internet;
- The application of the death penalty.
- The continuation of repressive practices in some ethnic minority areas – notably the Central Highlands;
- The state of the independence of judiciary;
- Restrictions on religious freedoms – continued intolerance of non-state sanctioned religions and denominations;

During 2016 severe restrictions on the rights to freedom of expression, of association and of peaceful assembly continued. The media and the judiciary, as well as political and religious institutions, remained under state control. Prisoners of conscience were tortured and otherwise ill-treated, and subjected to unfair trials. Physical attacks against human rights defenders continued, and prominent activists were subjected to daily surveillance and harassment. Peaceful dissidents and government critics were arrested and convicted on national security charges. Demonstrations were repressed, with participants and organizers arrested and tortured. The death penalty was retained.

Background

The five-year leadership change took place in January at the congress of the Communist Party of Viet Nam. In May, a general election for the 500 seats in the National Assembly was contested by 900 Communist Party members nominated by central or local authorities and 11 independent candidates. Over 100 non-party candidates who attempted to register, including prominent government critics such as Nguyễn Quang A, were disqualified on tenuous administrative grounds. Some were subject to harassment and intimidation.

The implementation of key new laws, scheduled for July, was postponed due to flaws in the amended Penal Code. They included the Criminal Procedure Code, the Law on the Organization of Criminal Investigation Agencies, the Law on the Implementation of Custody and Temporary Detention, and the amended Penal Code itself.

Repression of dissent

Peaceful criticism of government policies continued to be silenced through judicial and extra-legal means. There was extensive surveillance and harassment of activists, including those who demonstrated against the Formosa ecological disaster which

affected the lives of an estimated 270,000 people. Attacks against human rights defenders were commonplace.¹

The authorities continued to use vaguely worded legislation to convict peaceful activists under the national security section of the 1999 Penal Code, in particular: Article 258 “abusing democratic freedoms to infringe upon the interests of the state, the legitimate rights and interests of organizations and/or citizens”; Article 88 “spreading propaganda against the Socialist Republic of Viet Nam”; and Article 79 “carrying out activities aimed at overthrowing the people’s administration”.

In an eight-day period in March, seven activists and government critics were convicted and sentenced to imprisonment for the peaceful expression of their views. They included Nguyễn Hữu Vinh, founder of the popular blog site Anh Ba Sàm, and his assistant Nguyễn Thị Minh Thủy who were convicted under Article 258 and given five- and three-year prison sentences respectively.² They had spent nearly two years in pre-trial detention.

Prominent human rights lawyer Nguyễn Văn Đài and his assistant Lê Thu Hà remained in incommunicado detention following their arrest on charges under Article 88 in December 2015.³

In October, well-known activist Nguyễn Ngọc Như Quỳnh, known as blogger Mẹ Nấm (Mother Mushroom), was arrested on charges under Article 88 in connection with her blog postings criticizing the government.⁴ The Article carries a three- to 20-year prison sentence.

Routine beatings of human rights defenders and their relatives continued. In April, Trần Thị Hồng, wife of prisoner of conscience Pastor Nguyễn Công Chính, was arrested and severely beaten in custody soon after she met with a US delegation visiting Viet Nam.⁵

Freedom of assembly

Large peaceful demonstrations over the Formosa disaster were frequent. Weekly demonstrations in urban centers around the country in April and May resulted in mass arrests and attacks against participants by police and individuals in plain clothes believed to be police or working under police orders. Many of those detained were tortured or otherwise ill-treated, including with beatings and the use of electric shocks.⁶ Demonstrations continued throughout the year, with those in provinces affected by the Formosa disaster gathering momentum. There were reports that 30,000 people demonstrated in August in Vinh City, Nghệ An province.

Land disputes

In July, a demonstration of around 400 ethnic minority Ede villagers in Buôn Ma Thuột, Đắk Lắk province protesting against the sale of 100 hectares of the community’s

ancestral land to a private company was violently repressed by security forces; at least seven demonstrators were arrested and held in incommunicado detention.⁷

In August, land activist Cấn Thị Thêu was convicted under Article 245 of “causing public disorder” by a court in the capital Ha Noi and sentenced to 20 months’ imprisonment.⁸ She was accused of inciting protests against reclamation of land in Hà Đông district, Ha Noi, by posting photographs online.

Torture and other ill-treatment

Torture and other ill-treatment, including incommunicado detention, prolonged solitary confinement, beatings, withholding of medical treatment, and punitive transfers between facilities were practiced on prisoners of conscience throughout the country.⁹ At least 88 prisoners of conscience were held in harsh conditions after unfair trials, some of whom were subjected to beatings, prolonged solitary confinement, deprivation of medical treatment and electric shocks. They included bloggers, labor and land rights activists, political activists, religious followers, members of ethnic groups and advocates for human rights and social justice.

Land rights activist Bùi Thị Minh Hằng, and Hòa Hảo Buddhist Trần Thị Thủy continued to be denied adequate medical treatment since 2015; Catholic activist Đặng Xuân Diệu was held in solitary confinement for prolonged periods and tortured; and Trần Huỳnh Duy Thức had been transferred between several prisons since 2009, apparently as a punishment or to intimidate him.

Refugees and asylum-seekers

In April and May, in two separate cases, eight asylum-seekers among groups intercepted en route to Australia and forcibly returned to Viet Nam were sentenced to between two and four years’ imprisonment under Article 275 of the Penal Code for “organizing and/or coercing other persons to flee abroad or to stay abroad illegally”.¹⁰

Right to an adequate standard of living

An ecological disaster in early April killed huge numbers of fish stocks along the coast of Nghệ An, Hà Tĩnh, Quảng Bình, Quảng Trị and Thừa Thiên-Huế provinces, affecting the livelihoods of 270,000 people. After a two-month investigation, the authorities confirmed allegations by the public that a steel plant owned by the Taiwanese Formosa Plastics Group had caused toxic waste discharges. At the end of June, Formosa publicly acknowledged responsibility and announced that it would provide compensation of US\$500 million. In October, a court in Hà Tĩnh rejected 506 cases filed by those affected. The plaintiffs were calling for increased compensation in damages for the impact on their livelihoods.

Death penalty: Death sentences continued to be imposed, including for drug-related offences. Official statistics remained classified as a state secret. Death sentences were reported in the media but no information was available about executions.

Religious Freedom:

Viet Nam's draft Law on Belief and Religion

Viet Nam's draft Law on Belief and Religion undermines basic guarantees of the right to freedom of religion or belief by imposing difficult registration requirements and facilitating excessive state interference in the activities of religious organizations.

Amnesty was one of the signatories in an October 2016 Open Letter from civil society organizations which called for the draft Law to be revised, in consultation with religious community representatives, including those of non-recognized religious communities, and experts in international human rights law, to ensure that the law protects the right to freedom of religion or belief in line with article 18 of the International Covenant on Civil and Political Rights.

The National Assembly ratified the Law in November 2016. Among the concerns groups outlined in the open letter were:

1. The definition of a religion should be made consistent with Article 18 of the International Covenant on Civil and Political Rights (ICCPR). In the current draft, a religious organization has been defined as "a group of people ... which is recognized by the government" (Article 2.13). This leaves members of religious organizations who cannot or choose not to register with the authorities in a legal limbo, with no legal safeguards for conducting religious activities.
2. Registration with the government should not be made a pre-requisite for the exercise of freedom of religion or belief. The onerous and complex registration process requires approval from the authorities for religious activities, operations and status as an organization. The guarantees outlined in Article 18 of the ICCPR are independent of and cannot be conditioned on any domestic process of notification, authorization, recognition or registration.
3. The law must not allow officials to arbitrarily interfere in the internal affairs of religious organizations. Provisions in the law allow the authorities to interfere excessively in the internal decisions, appointments, training, teachings and programs of religious organizations. Limitations on the manifestation of freedom of religion or belief must never exceed in either purpose or scope those permitted in article 18(3) of the ICCPR. As the UN Special Rapporteur on Freedom of Religion or Belief, Dr. Heiner Bielefeldt, said after his visit to Vietnam in 2014, "...registration should be an offer by the State but not a compulsory legal requirement."
4. Ambiguous and potentially discriminatory language should be removed. The draft law contains ambiguous language regarding "good traditional cultural values" (Article 10.1)

and “sowing division” (Article 5.4), that could be used to discriminate against ethnic and indigenous minorities, independent groups and those whose religion or belief is seen as “foreign” (Article 2.12). 5. Provisions should be made to establish legal channels and mechanisms for people to file complaints, and have those complaints independently investigated and acted on, in cases of alleged violations of the right to freedom of religion or belief.

Other concerns:

- Vietnamese officials continue to force Montagnard Christians to sign pledges renouncing their religion, and these minorities have been fleeing to other South East Asian countries seeking asylum.
- In July 2014, the United Nations Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt visited Vietnam on an official mission. During this visit, police intimidated and put many lowland dissidents and religious activists under house arrest so they could not meet him. Fearing for the safety of other activists, Bielefeldt cut short his planned visits to three locations, including the Central Highland provinces of Gia Lai and Kon Tum. He concluded that the “tight control that the Government exercises on religious communities” means that the “autonomy and activities of independent religious or belief communities, that is, unrecognized communities, remain restricted and unsafe, with the rights to freedom of religion or belief of such communities grossly violated.”
- In February of 2017, hundreds of peaceful marchers were attacked by police as they marched to file complaints against Formosa Plastics, a company responsible for an ecological disaster in Viet Nam. Most of the marchers were Catholic. In addition to this, Father Đặng Hữu Nam, Nguyễn Văn Tráng and Paulus Lê Văn Sơn have been involved in organizing activities calling for transparency and accountability in relation to the disaster, including compensation for those affected. Father Đặng Hữu Nam, a Catholic priest has been helping to organize mass protests.

The three men have also faced severe harassment which has intensified after their activities linked to the ecological catastrophe: Father Nam has been subjected to surveillance, death threats, arrests and beatings by security police and individuals in plain clothes.

- In January of 2017, 3 unrelated Human Rights defenders were held incommunicado, including Nguyễn Văn Oai, a former prisoner of conscience and Catholic social activist, was arrested on his way home from a fishing trip in Hoàng Mai town, central Viet Nam late on 19 January 2017. His family were informed the following day that he was being accused of resisting officials on duty under Article 257 of the Penal Code. Nguyễn Văn Oai is currently serving a

three year probation period after he was released in August 2015 following a four year prison sentence. He is being held at Nghệ An provincial prison, and faces a possible seven year sentence if convicted. He is in weak health after his previous imprisonment.

- Cấn Thị Thêu, a well-known land rights activist, was tried and convicted by a court in Hà Nội in September 2016 and sentenced to 20 months' imprisonment on charges of "disturbing public order" under Article 245 of the 1999 Penal Code.
- Human rights defender Nguyễn Ngọc Như Quỳnh, known as blogger Mẹ Nấm (Mother Mushroom) was arrested in October 2016 and has been charged with "conducting propaganda" against the state under Article 88 of Viet Nam's Penal Code. She is at risk of torture and ill-treatment. It is not known where she is currently detained.

Two examples of Prisoners of Conscience:

The Most Venerable Thich Quang Do, head of the banned Unified Buddhist Church of Viet Nam (UBCV), is a leading advocate of religious freedom, human rights and democracy. He is confined to the Thanh Minh Zen monastery in Ho Chi Minh City, as a prisoner of conscience. He has protested peacefully against repressive government policies in Viet Nam since the 1950s, and has spent almost three decades either in prison, detained without trial or under house arrest in "internal exile," far from his home. The UBCV was founded in 1964, but has been banned since 1975. Its members have come under varying degrees of repression for their peaceful activities, including imprisonment for terms of eight years or more, arbitrary detention and house arrest. Thich Quang Do opposed the establishment of the state-controlled Viet Nam Buddhist Church in 1981, which was created to lessen the influence of the UBCV. He resisted government efforts to force the UBCV to join this body. As a result, he was arrested in February 1982 and kept under house arrest for 10 years in internal exile. In February 2001, Thich Quang Do wrote an eight-point plan for peaceful democratic change, *Appeal for Democracy in Viet Nam*, addressed to senior members of the government. The appeal received support both inside Viet Nam, where it was circulated secretly, and from some Members of the European Parliament, and US Congress, after it was smuggled overseas. This prompted the authorities to arrest him again, and in June 2001 he was sentenced to two years' administrative detention. He was held incommunicado for two years at Thanh Minh Zen monastery, and released on 27 June 2003. He was arrested again in October 2003, while returning to Ho Chi Minh City with other Buddhist monks from a UBCV meeting in another province. Security officials told him that he had been placed in administrative detention for an indefinite period. He was not told why he had been arrested, or whether he had been charged with any offence. He is still confined to the Thanh Minh Zen monastery. In May 2005 the UN Working Group on Arbitrary Detention decided that his "deprivation of liberty" was arbitrary, in contravention of Article 18 of the International Covenant on Civil and Political Rights (ICCPR), to which Viet Nam is a state party.

Tran Huynh Duy Thuc, a successful entrepreneur, was sentenced to 16 years' imprisonment followed by five years' house arrest on 20 January 2010 for blogging about political and economic issues in Viet Nam. He declared during his trial that he was tortured while in detention to force him into making a confession. Tran Huynh Duy Thuc was initially accused of "theft of telephone lines" before being prosecuted under Article 88 of the Criminal Code for "conducting propaganda against the State". However, he was later charged with "attempting to overthrow the people's administration" under Article 79 of Viet Nam's Criminal Code through his establishment of the "Chan research group" and his connection with so-called reactionary individuals abroad. Tran Huynh Duy Thuc was transferred to Xuan Moc prison, Ba Ria – Vung Tau province in early July 2013, along with four other dissident prisoners. It is not known why he was moved and his family only found out when they went to visit him at the detention facility where he was previously held. He is currently in a cell on his own in a section of the prison for political prisoners. In May 2013, Tran Huynh Duy Thuc was held for 10 days in solitary confinement in a small, dark and dirty cell.

Recommendations:

President Trump should:

- 1) Personally urge President of Vietnam to release all prisoners of conscience immediately and unconditionally.
- 2) Urge that the draft Law on Belief and Religion be revised, in consultation with religious community representatives, including those of non-recognized religious communities, and experts in international human rights law, to ensure that the law protects the right to freedom of religion or belief in line with article 18 of the International Covenant on Civil and Political Rights.
- 3) Urge the government to stop the practice of forced renunciation of religion.
- 4) Publicly call for the respect for and protection of human rights during his press interactions after the meeting, including during the joint press conference.
- 5) Meet with the families of prisoners of conscience during his visit to Vietnam

Thank you for inviting Amnesty International to Testify.

T. Kumar
 Advocacy Director
 Asia, Europe and United Nations
 Amnesty International USA

Mr. SMITH. Mr. Kumar, thank you very much for your stellar leadership, your personal commitment, having served as a political prisoner, served in prison.

Just incredible, and now you speak out on behalf of others. Your recommendations were, I think, extraordinarily incisive. So thank you for that.

I'd like to yield to Mr. Garrett.

Mr. GARRETT. Thank you, Mr. Chairman, gentlemen, Mr. Kumar in particular, for your leadership not only in word but deed as it relates to the important issue of human rights.

I see stark parallels as it relates to the previous administration's visit to Vietnam and the impact it had on the religious dissident community with testimony we heard before this subcommittee I believe last week as it related to religious minorities in China that President Obama was to meet with them.

They did not show up at the meeting and ultimately 2 hours after he was on Air Force One returning to the United States a group was rounded up and arrested, many of whom we believe are still imprisoned, some of whom we don't know the status of their well being at all.

And that same thing repeating itself in Vietnam is indicative of, I think, a lack of attention by the media globally, here in the United States and abroad as it relates to these important issues.

I will tell you that you are correct that human rights are an issue but not the only issue. Certainly, security and stability are foci of the United States and I would welcome a strong relationship with a prosperous Vietnam as a stabilizing force in the region and the counterbalance to regional dominance by China.

However, it's very difficult if you sit here where I do or where Chairman Smith does, to have any desire to promote prosperity and enhanced relations with a nation that treats its religious minorities the way the current Government of Vietnam does.

One of the things that troubles me in the short period of time that I've been here is the concept that perhaps we'll have these meetings and instead of helping in the subject we will by virtue of having brought light to it hurt people in places like Vietnam who are exposed by the courage of individuals such as yourselves to speak.

And so my immediate question to myself is what can I do to make sure that this meeting is for a net positive, for the better?

And so while I have to leave and should have left about 10 minutes for a meeting that I can't get around, I will promise everyone in this room the following: I will draft a letter to the President and copy the Vice President relating to the upcoming meetings with the Vietnamese Prime Minister on any future travels to Vietnam.

In that letter I will ask that the President speak directly to human rights violations to Vietnam and articulate hopefully on behalf of himself and certainly on behalf of members of this committee and this elected legislative body that there will be hesitance to enhance relations, be they security relations or trade relations with any nation that oppresses individuals who exercises their God-given right to worship as they choose.

I find it ironic but not humorous that there are individuals so devoted to a belief structure that they are willing to be beaten and

in some instances killed and will not abandon that belief structure and yet a government such as that in Vietnam, after 42 years, for example, of trying to stymie the UBCV, still can't put out that light.

You would think that at some point the government would realize that human beings will continue to make decisions for themselves and change their policy.

To the extent that my voice might be helpful to prompting that outcome, I promise you it will be heard by our administration and I hope that our administration will carry it to the Government of Vietnam.

Chairman Smith, I thank you for holding the hearing. I hope that you all will keep us abreast as it relates to developments following meetings between our head of state and that of Vietnam because I want to hope that changes for the better will be made and I want to hear if they are or are not so that we can act accordingly, moving forward.

Thank you.

Mr. SMITH. Mr. Garrett, thank you very much for your leadership and for your very, I think, very appropriate remarks.

Mr. GARRETT. And a sincere apology on having to depart. But thank you all for having the courage to be here and we will certainly be a voice on your behalf.

Mr. SMITH. Thank you.

Mr. Kumar, you made an excellent point in reminding us that when President Obama went to Vietnam in May 2016 that things got worse as he left and that is—and what was the consequence? Zilch.

There was no consequence to that kind of abuse of individuals, almost as if they were trying to insult and in some way degrade the Presidency of the United States.

I know the President had time to meet with the celebrity chef, Anthony Bourdain, while he was there on May 23, 2016, but not with political prisoners or their families, which I think would have sent a very clear and unambiguous message to Hanoi as to what U.S. priorities really are.

Shaking hands and big smiles only go so far. Yes, meet with the Prime Minister. Meet with the top leadership. But only meet with them if you're prepared to raise individual cases and raise the larger human rights issues and I think all three of our distinguished witnesses have outlined that so very, very well today.

I think it needs underscoring with exclamation points that when Ms. Hong met with Rabbi Saperstein, who I have a tremendous amount of respect for, and he certainly personally intervened after the fact when he realized, again, in an affront to a high American official, in this case the Ambassador-at-Large for International Religious Freedom.

She, as you pointed out, as you all have, certainly, T. Kumar as well and Dr. Thang made reference to, she met with Rabbi Saperstein on March 30 of last year. She urged intervention for her husband, whose health was deteriorating, and for that she was interrogated 15 days later by the public security police.

She was tortured for meeting a high official of the United States Government. That should have invited an immediately snapback

by the United States Government, by the Obama administration in terms of sanctioning.

CPC should have been immediate—a reimposition of Country of Particular Concern and the imposition of sanctions for that outrageous action against her and the picture you've provided us, Dr. Thang, of her, Ms. Hong, her inability to even walk just underscores the brutality of the secret police in Vietnam.

And my hope is next week and now with the State Department in terms of their contacts with the Vietnamese that we will say, those days are over, and I, frankly, will be unceasing as chairman of the human rights subcommittee in trying to ensure that those days of gross violations of human rights and especially with the proximity of that visit.

Two visits, President Obama, Rabbi Saperstein—retaliation that follows almost immediately thereafter. So my hope is that maybe you might want to expand upon that.

How is Ms. Hong doing now and, again, I remember just an example, in 1982, I was in the Soviet Union.

I met with Natan Sharansky's mother, who pleaded with me and Sam Gejdenson and members of the National Conference on Soviet Jewry to try to get humanitarian assistance to her son, Natan Sharansky, who was dying, or at least she thought he was very, very sick, in the gulag of the Soviet Union. She was not retaliated against by the Soviet leadership for making that plea to a congressional delegation and a National Conference on Soviet Jewry delegation.

The mom was not retaliated against. Sharansky's situation actually improved when we raised his case with the Soviet officials. They responded. How can Vietnam do just the opposite and make matters even worse?

Again, the reason and the proximity of this hearing is to say to President Trump and Vice President Pence—and I've known the Vice President for many years—he is a deeply committed believer, very faithful man who believes in human rights—that they need to be very clear and bold, and I think, Mr. Kumar, you said it doesn't have to be the top priority.

I hope that it would be. But we need it to be a major priority at the very least in this dialogue and with this conversation with the Prime Minister. So if you might want to speak to Ms. Hong as to how she's doing now, and then just a few other questions that I will put on the table.

You know, the Office of International Religious Freedom hopefully will soon have an Ambassador-at-Large. I would hope that the first thing that he does, if it is who I think it will be, will be to redesignate Vietnam as a Country of Particular Concern.

Let's not forget that before the bilateral agreement between the United States and Vietnam agreed to, Ambassador John Hanford removed CPC status because he was told that there was a whole series of what he called deliverables, and ending of forced renunciations of faith was one of those and a greater expansion of freedom.

I travelled to Vietnam, went to Hanoi, Hue, and Saigon. Met with about 60 pastors. I went and visited with the Venerable Thich Quang Do in his pagoda and another high-ranking leader of the

Unified Buddhist Church, who was also under house arrest in another pagoda, and they were all hopeful.

We were told the Vietnamese Government, with the trade agreement things would change. Almost immediately after that bilateral trade agreement went into effect, there was a snapback and retaliation has been brutal ever since and many of the people who signed Bloc 8406 and that wonderful manifesto for freedom and human rights became a hit list for the Vietnamese Government.

So we have to be forewarned, eyes wide open that we are not kidding as a government. Vietnam has to change in a very significant way.

Free the political prisoners, end the renunciations of faith and I think the Danang concern that you've raised, Dr. Thang, is an excellent one because we had, as you recall, hearings on how that land was stolen and how people were killed and you reiterated some of that today.

So if you'd like to speak to any of those points and then we'll conclude.

Mr. THANG. Yes, Mr. Chairman. Ms. Hong, we got words from her a few days ago. Last week she did go to make a prison visit to her husband in prison.

His health doesn't look promising. He's still being denied access to medical care. Ms. Hong herself was in very frail health and therefore she had to skip for the past 2 months a prison visit to her husband.

I'd like to point out Vietnam's response to the official communication from six human rights experts from the U.N.

Just last month they came with a response claiming that Ms. Hong wasn't tortured, wasn't beaten, but she bumped her head against the taxi, the car that was taking her to the People's Committee office and injured herself, and she was very aggressive and abusive.

She was a menace to the public security agents. That's their response. But, you know, she is very petite and very frail herself.

So I couldn't imagine that she could pose any threat to those bullying public security agents at all. But the positive aspect of it is that they stopped harassing her since the day that Rabbi Saperstein made the phone call directly to the Vietnamese Embassy in town and the U.N. special rapporteurs came out with a public statement denouncing the mistreatment of Ms. Hong.

That points to the fact that the more attention given to people inside Vietnam, the communities who are under persecution inside Vietnam, the more intense the attention, the better off they are. That's why I suggested that Members of Congress take all the available opportunities to communicate directly their concerns to the Vietnamese Government.

Now, the persecution against Pastor Nguyen Cong Chinh and Ms. Hong is just reflective of a long-term consistent policy from the top leadership of the Communist Party of Vietnam to eradicate all independent house churches in the Central Highlands.

In 2002, the Communist Party set up the so-called Central Highlands Steering Committee to oversee the implementation of that policy and then 2 years later the Ministry of Public Security estab-

lished the so-called Central Highlands Security Bureau to execute that policy.

And therefore the ordinance on belief and religion of 2014 didn't change that policy at all. The designation of CPC status for Vietnam and the lifting of that designation didn't change that policy at all.

On February 27, 2015, on the Web site of General Tran Dai Quang there is an article. At the time he was the Minister of Public Security.

There was an article extolling the exploits of the public security forces in Central Highlands and this is the verbatim statement:

"When I arrived in the Central Highlands, our task of rescuing the people from the evil Ha Mon cult . . ."

Hai Mon is actually a Catholic variance based on the common belief that the Virgin Mary did appear in Ha Mon location and that stirs a lot of Montagnard to become Catholics.

". . . 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 safety forces throughout the Central Highlands in our fight against reactionary enemy forces disguised as ethnic religious groups."

Unfortunately, General Tran Dai Quang, the former Minister of Public Security, is not Vietnam's President, and that might explain why things have gotten worse over the past 12 months.

And I would like to also add one point here about APEC Summit. It shouldn't be held in Danang City because Prime Minister Nguyen Xuan Phuc knows very well about that incident.

He's fully aware about that incident, about Con Dao Parish. The Con Dao parishioners have twice engaged and talked directly to him when he was still the Vice Prime Minister and after he had become the Prime Minister, the parishioners of Con Dao also talked with him directly one more time.

So he's fully aware of that incident and he should understand why we have so much concern about having the APEC Summit held in Danang City. That would bring all the issues about religious persecution, torture, land grabbing into sharper focus.

Thank you.

Mr. SMITH. Let me just ask, if I could, your recommendations to the President and to the State Department, and I think it bears underscoring how important it is to—and it's the law.

And as you know, I am the author of the Frank Wolf International Religious Freedom Act that was signed at the end of last year and that requires designated persons lists and the idea of a religious prisoners list so we know who it is regardless of their denomination or faith tradition that are being held and are prisoners of conscience.

You did ask that the State Department investigate 200 Vietnamese Government officials implicated in gross violations of human rights.

They certainly can be made inadmissible to the United States pursuant to the Magnitsky Act—brand new human rights legisla-

tion—and they ought to be and have to be, and we can do identical, in a parallel way, with the new International Religious Freedom Act, make them—those who persecute based on faith inadmissible to the United States and other things as well like not being able to use our financial system.

I think what should go forward from this hearing is that we are calling on the Trump administration to implement the law robustly.

Not a cursory way, not just a few individuals but to be as comprehensive as possible and I think this is an engraved invitation to you, to Mr. Kumar, and others what you do already but to all of us, when we know of someone or have lists to get it to State, get it to the White House, get these people on the list if the information is accurate, and I know you painstakingly seek accuracy, so that we focus on those who are committing these crimes.

In 2004, I authored a bill called the Belarus Democracy Act and that had these similar provisions like we put into the Frank Wolf International Religious Freedom Act and that was to hold individuals to account.

So if you're part of a regime that tortures and abuses, you can't come here nor can your family. We don't want you here. We think you should be prosecuted, frankly, but that's probably not going to happen but at least the inadmissibility to the U.S. has to become a mainstay of our human rights work and it will make a difference.

So, again, if you wanted to elaborate or speak to that issue and also on the issue of human trafficking and we have had specific hearings on human trafficking and the abuse of labor trafficking especially by the Vietnamese Government.

I wrote the Trafficking Victims Protection Act and the very first case prosecuted by the U.S. Government was a Vietnamese case which has never been adequately resolved with Daiwa.

And, you know, it just shows the past is prologue. They still, I believe, with a great deal of impunity, violate the rights of their own citizens by turning into commodities people's labor, completely in contravention of ILO standards.

So if you wanted to speak to that as well and then we will conclude.

Mr. THANG. Yes, Mr. Chairman.

I would like to elaborate on the fact that since January 2014 our organization, Boat People SOS, has joined with two other organizations, one based in England and the other one based in Germany, to train people inside Vietnam, especially members of independent religious communities and indigenous communities, on how to compile and prepare reports to the U.N. special rapporteurs and so far they have generated over 100 reports—incident reports, and we have shared most of them with the State Department.

And in those reports there is a very elaborate process to identify government officials who are behind the violations and we have lists of witnesses.

We have contact information. So it has been very, very thoroughly worked on we are very confident about the accuracy of the information in there.

And we continue to train people inside Vietnam to become rapporteurs themselves. So we will continue to produce and submit reports to your subcommittee.

Regarding human trafficking, things haven't changed at all. Most alarming is that—you still remember the case in Jordan, and you talk with the King of Jordan, the Queen of Jordan about that case. That involved over 250 Vietnamese workers who are under slavery conditions in Jordan.

At the time, we got a copy of a communique from Vietnam to an interagency delegation from Hanoi Center, Jordan—Amman, Jordan—to identify the strike leaders and take them home for punishment and the one who authored that or approved that order was none other than the then Minister of Labor, Invalids, and Social Affairs (MOLISA) and she's now the Chairwoman of Vietnam's National Assembly.

So I don't think that things would change at all with regard to the fight against human trafficking by the Vietnamese Government. So she got promoted, and you know many other instances where the perpetrators got promoted. Those who committed or who are complicit in human trafficking got promoted to higher positions in the Government of Vietnam before.

Mr. SMITH. Mr. Kumar?

Thank you both, all three of you, for your very, very incisive testimony, for your leadership. You know, we will be looking at some additional legislation toward Vietnam.

Four times the House passed the Vietnam Human Rights Act, which I was a sponsor of, with great input from both of you, and each time it failed in the Senate, even though we had overwhelming bipartisan support in the House.

So we are looking at a new initiative and above all right now we are asking the President to raise these issues and the State Department, and you have provided tremendous insight as to what those issues ought to be and also to enforce our law and hold the country itself responsible and also individuals who are perpetrating these horrific crimes.

The hearing is adjourned.

[Whereupon, at 1:57 p.m., the committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE RECORD

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations
Christopher H. Smith (R-NJ), Chairman

May 25, 2017

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

DATE: Thursday, May 25, 2017

TIME: 12:30 p.m.

SUBJECT: Vietnam: Why Religious Freedom and Human Rights Are Critical to U.S. National Interests


WITNESSES: Quan Q. Nguyen, M.D.
Chairman
Rallying for Democracy

Nguyen Dinh Thang, Ph.D.
President and Chief Executive Officer
Boat People SOS

Mr. T. Kumar
Director of International Advocacy
Amnesty International

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.



COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Africa, Global Health, Global Human Rights, and International Organizations HEARING

Day Thursday Date May 25, 2017 Room 2172 Rayburn HOB

Starting Time 12:36 p.m. Ending Time 1:57 p.m.

Recesses 0 (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

TITLE OF HEARING:

Vietnam: Why Religious Freedom and Human Rights Are Critical to U.S. National Interests

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Karen Bass, Rep. Tom Garrett

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

*Rep. Ed Royce, Rep. Alan Lowenthal**

HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

Opening Statement of Rep. Chris Smith, submitted by Rep. Chris Smith

Letter from Rep. Engel to Sec. Tillerson on human rights in Vietnam, submitted by Rep. Eliot Engel

Statement of Rep. Gerry Connolly, submitted by Rep. Gerry Connolly


Letter on Lien Tri Buddhist Temple, submitted by Rep. Alan Lowenthal

Followup letter on Lien Tri Buddhist Temple, submitted by Rep. Alan Lowenthal

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 1:57 p.m.


Subcommittee Staff Associate

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE ELIOT L. ENGEL, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

EDWARD R. ROYCE, CALIFORNIA
CHAIRMAN

AMY PORTER
CHIEF OF STAFF

THOMAS SHESKY
STAFF DIRECTOR



ELIOT L. ENGEL, NEW YORK
RANKING DEMOCRATIC MEMBER

JASON STEINBAUM
DEMOCRATIC STAFF DIRECTOR

One Hundred Fifteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515
www.foreignaffairs.house.gov

May 22, 2017

The Honorable Rex Tillerson
Secretary
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Tillerson:

I write you today in advance of the 2017 U.S.-Vietnam Human Rights Dialogue in Hanoi to urge you to prioritize human rights in U.S. relations with Vietnam. I am encouraged by the growing relationship between the United States and Vietnam and also believe that demonstrable progress on human rights is critical to further deepening of U.S.-Vietnamese ties.

The government of Vietnam has long restricted the basic rights of its citizens. Though there has been improvement in some areas over time, the 2016 Department of State Human Rights Report on Vietnam described a range of systemic abuses, from limitations on political participation and civil and religious liberties to the denial of due process in a corrupt and ineffective judicial system.

In 2016 the Vietnamese government escalated a crackdown on dissident bloggers and other human rights activists, imprisoning at least 112 as of January according to a report by Human Rights Watch. One such blogger, Nguyen Ngoc Nhu Quynh, was arrested after criticizing the government response to a toxic chemical spill and charged with conducting propaganda against the state. I urge you to advocate her freedom as well as for that of other prisoners of conscience.

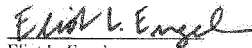
Mr. Secretary, I am deeply concerned about a comment you made this month in which you seemed to suggest that when the United States places emphasis on human rights it "creates obstacles to our ability to advance" U.S. national security and economic interests. As the country's most senior diplomat, this comment signaled to the world that the United States was retreating from its customary position as a defender of human rights and I hope that you would clarify your statement.

The Honorable Rex Tillerson
May 22, 2017
Page Two

I believe that respect for human rights and human dignity are, in fact, not simply American values, but universal values. I also believe that our advocacy for more free and open societies around the world is not just our moral obligation, but indeed fundamental to our national interest.

Thank you for your attention to this critical issue and I look forward to your response.

Sincerely,



Eliot L. Engel
Ranking Member
House Foreign Affairs Committee

Statement for the Record
Submitted by Mr. Connolly of Virginia

Despite increased cooperation between the United States and Vietnam in recent years, the Vietnamese people continue to suffer human rights abuses and the suppression of religious freedom. The Vietnamese Communist Party restricts freedom of expression by arresting members of the media and harassing those critical of the government. The State Department's 2016 Human Rights Report states "the most significant human rights problems in the country were severe government restrictions of citizens' political rights." The Vietnamese Government forces religious groups to register with the government in order to obtain official recognition. However, the government denies or refuses to answer many of these requests. When a religious group does register, the government tends to interfere with its operations or victimize its adherents.

In my Northern Virginia district, we have a vibrant Vietnamese American community. I have heard firsthand from my constituents the stories of abuse experienced at the hands of the Communist Party. Our local Vietnamese community includes some of the nearly 130,000 refugees who fled Vietnam for the U.S. in 1975 at the end of the Vietnam War and some of the more than 500,000 political refugees who came to the U.S. over the last 30 years. They have integrated into our schools, our workplaces, and our places of worship. Many of these first-generation immigrants have worked to imbue our concept of global human rights with an understanding of the depredations occurring in Vietnam, home to the greatest number of political prisoners in Southeast Asia.

Congress has traditionally played an important role calling attention to the human rights abuses in Vietnam and condemning the Government of Vietnam for limiting freedom of speech and religion and suppressing political dissent and workers' rights. I am a proud member of the Congressional Caucus on Vietnam, which provides Congressional support for initiatives that advance the cause of human rights in Vietnam. Last Congress, I joined with my colleague, Rep. Chris Smith (R-NJ), to introduce the Vietnam Human Rights Act (H.R. 2140), which prohibits U.S. non-humanitarian assistance to the Government of Vietnam that exceeds the amount appropriated in FY2014 unless the Government of Vietnam meets important human rights benchmarks. Since President Obama announced the complete lifting of the arms embargo against Vietnam, my colleagues and I have been monitoring closely and opposing any security assistance proposal that could imperil the human rights of the Vietnamese people. For FY2017, the U.S. will provide over \$100 million on aid programs in Vietnam, and we must ensure that those U.S. foreign assistance dollars promote economic reform and governance programs that are consistent with our values.

The hard truth is that when the U.S. does not act as a forceful advocate for our values and our interests abroad, we leave a vacuum. That is certainly the case in Vietnam, where China would be glad to play a greater role either through increased trade or improved security cooperation. The United States had an historic opportunity to promote our values in Vietnam with the Trans-Pacific Partnership, which would have strengthened ties to emerging partners like Vietnam and established labor rights, environmental standards, and human rights protections as a pre-requisite for close trade ties. Unfortunately, the Trump Administration abandoned TPP and retreated further by sending Congress a budget that cuts U.S. development and diplomacy programs by 31 percent. We don't make America great again by withdrawing from the world. When U.S. leadership retreats, instability rises and adversaries who do not share our interests and values fill the vacuum.

It is no coincidence that right after we walked away from TPP, the Chinese moved ahead with their own alternative trade agreement, the Regional Comprehensive Economic Partnership, which meets none of the standards that the U.S. fought so hard to include in TPP. Countries like Vietnam should be exhorted to improve their human rights record if they want to integrate into the international community. Together, Congress and the human rights community should continue to work to improve the lives of the Vietnamese population suffering at the hands of the government and its oppressive policies. I hope we can continue decades of concerted action on Capitol Hill between Vietnam human rights advocates and Congress to advance this important cause. I look forward to hearing from our witnesses on how advancing American values including human rights and religious freedom is critical to U.S. national interests.

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE ALAN S. LOWENTHAL, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Congress of the United States
Washington, DC 20515

January 15, 2016

His Excellency Nguyen Tan Dung
Prime Minister, Socialist Republic of Vietnam
c/o Embassy of Vietnam
1233 20th St NW, Suite 400
Washington, DC 20036

Dear Prime Minister Dung,

We write to request your intervention in the planned seizure and demolition of Lien Tri Buddhist Temple, located in An Khanh Ward, District 2, HCM City, where the Abbot Thich Khong Tanh of the Sangha of the Unified Buddhist Church of Vietnam resides.


The Lien Tri Buddhist Temple has 70 years of history and it has become a familiar place for many of Vietnam's marginalized groups in society. In recent years, Abbot Venerable Thich Khong Tanh has hosted receptions to provide gifts to disabled veterans of the Republic of Vietnam as well as meetings for human rights activists, civil society and NGO groups. Currently, the temple serves as a shelter for a number of victims of land grabbing and land rights activists in addition to fulfilling the spiritual needs of the local community.


Over the past decade, the Lien Tri Temple has been under constant harassment by local authorities, including preventing access to the temple, monitoring by Public Security guards, and the erection of barricades. Congregation members who donated to the temple have received visits from local authorities warning them not to donate again. These actions by the Vietnamese authorities, combined with Abbot Thich Khong Tanh's activities at the temple, have led many independent organizations, including the Interfaith Council of Vietnam, to believe that the planned seizure and demolition of Lien Tri Temple is part of the government's efforts to suppress civil society and the Unified Buddhist Church of Vietnam by eliminating one of its important facilities which also serves as a center of human rights activities.


As Vietnam and the United States seek to strengthen our ties through the Trans-Pacific Partnership, which is pending Congressional approval, we believe it is important for Vietnam to demonstrate its commitment toward respecting human rights including the rights to freedom of assembly and religious freedom. We urge your government to immediately halt the planned forced seizure and demolition of Lien Tri Temple, along with the nearby Thu Thiem Church and the Lovers of the Holy Cross Convent to preserve these religious institutions to provide for the spiritual needs of the new planned community.

As the planned seizure and demolition of the temple is scheduled to take place sometime this month, we respectfully urge your immediate intervention. Thank you for your prompt attention to this matter and we look forward to hearing from you.

Sincerely,


ALAN LOWENTHAL
Member of Congress


ZOE LOFGREN
Member of Congress


LORETTA SANCHEZ
Member of Congress

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE ALAN S. LOWENTHAL, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Congress of the United States
Washington, DC 20515

June 22, 2016

His Excellency Pham Quang Vinh
Ambassador of the Socialist Republic of Vietnam to the United States of America
1233 20th St NW, Suite 400
Washington, DC 20036

Dear Ambassador Vinh,

We wrote to the Vietnamese government earlier this year about the planned seizure and demolition of Lien Tri Buddhist Temple, located in An Khanh Ward, District 2, HCM City, where the Abbot Thich Khong Tanh of the Sangha of the Unified Buddhist Church of Vietnam resides.

We have recently been notified that local authorities will seize and close the Lien Tri Buddhist Temple on June 23. We request your immediate intervention to halt the planned forced seizure and demolition of the Lien Tri Temple, along with the nearby Thu Thiem Church and the Lovers of the Holy Cross Convent to preserve these religious institutions to provide for the spiritual needs of the new planned community.

The Lien Tri Buddhist Temple has 70 years of history and it has become a familiar place for many of Vietnam's marginalized groups in society. In recent years, Abbot Venerable Thich Khong Tanh has hosted receptions to provide gifts to disabled veterans of the Republic of Vietnam as well as meetings for human rights activists, civil society and NGO groups. Currently, the temple serves as a shelter for a number of victims of land grabbing and land rights activists in addition to fulfilling the spiritual needs of the local community.

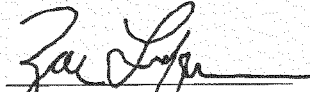
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Again, we urge you to intervene to halt the planned forced seizure and demolition of the Lien Tri Temple. Thank you for your prompt attention to this matter and we look forward to hearing from you.

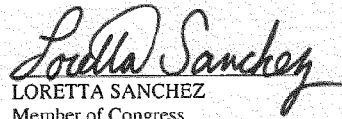
Sincerely,



ALAN LOWENTHAL
Member of Congress



ZOE LOFGREN
Member of Congress



LORETTA SANCHEZ
Member of Congress