

104
HUMAN RIGHTS IN VIETNAM

Y 4. IN 8/16:V 67/5

Human Rights in Vietnam, 104-1 Join...

JOINT HEARING
BEFORE THE
SUBCOMMITTEES ON
ASIA AND THE PACIFIC
AND
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

NOVEMBER 8, 1995

Printed for the use of the Committee on International Relations



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CONTENTS

WITNESSES

	Page
Mr. Kent Wiedemann, Deputy Assistant Secretary of State for East Asia and Pacific Affairs, U.S. Department of State	7
Mr. Steven Coffey, Acting Assistant Secretary of State for Democracy, Human Rights and Labor, U.S. Department of State	11
Mr. Nguyen Tan Tri, former political prisoner	30
Dr. Thich Giac Duc, Chairman—Planning and Development Committee, Vietnamese American Unified Buddhist Congress	31
Mrs. Doan Viet Hoat (Nee Tran Thi Thuc), wife of political prisoner Dr. Doan Viet Hoat	32
Mr. Nguyen Chi Thien, poet/former political prisoner	36
Mr. Stephen B. Young, translator accompanying Mr. Nguyen Tan Tri	40
Mr. Michael Jendrzeczyk, Washington Director, Human Rights Watch/Asia ...	47
Ms. Nina Shea, Director—Puebla Program on Religious Freedom, Freedom House	49
Mr. Vo Van Ai, President, Vietnam Committee on Human Rights	51
Mr. Tran Tu Thanh, Executive Director, Vietnam Helsinki Committee	54

APPENDIX

Prepared statements:

The Honorable Howard L. Berman, a Representative in Congress from the State of California, and Ranking Democrat of the Subcommittee on Asia and the Pacific	61
The Honorable Donald M. Payne, a Representative in Congress from the State of New Jersey	62
Mr. Kent Wiedemann	64
Mr. Steven Coffey	69
Mr. Nguyen Tan Tri	76
Mr. Stephen B. Young	78
Dr. Thich Giac Duc	81
Mrs. Doan Viet Hoat (Nee Tran Thi Thuc)	102
Mr. Nguyen Chi Thien	106
Mr. Michael Jendrzeczyk	109
Ms. Nina Shea	119
Mr. Vo Van Ai	124
Mr. Tran Tu Thanh	189
Additional material submitted for the record:	
“Vietnam: Amnesty International Condemns Imprisonment of Party Critics,” Amnesty International—Press release, November 8, 1995	225
Letter from Mr. John F. Sommer, Jr., Executive Director, The American Legion addressed to the Honorable Christopher Smith, Chairman, Subcommittee on International Operations and Human Rights	227

HUMAN RIGHTS IN VIETNAM

WEDNESDAY, NOVEMBER 8, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON ASIA AND THE PACIFIC, AND
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN
RIGHTS,
Washington, DC.

The subcommittees met, pursuant to call, at 2:07 p.m., Room 2172, Rayburn House Office Building, Hon. Christopher Smith [chairman of the Subcommittee on International Operations and Human Rights] presiding.

Mr. SMITH. The subcommittees will come to order. Today, our two subcommittees will jointly hear testimony about human rights in Vietnam. We will hear from the Administration, from human rights experts, and perhaps most importantly, from some of the victims of human rights violations themselves.

In July, President Clinton extended full diplomatic recognition to the Socialist Republic of Vietnam. Many of us believed at the time that recognition was extended too hastily and without sufficient consultation with the Congress.

In the opinion of many observers, this move also threw away the last bargaining chip we had for making the Hanoi regime account for our POW's and MIA's, many of whom were still missing after 20 years. It was also unclear whether the Administration had secured appropriate assurances from Hanoi with respect to the protection of human rights in Vietnam.

In the modern world, for a regime that has been denied recognition by the United States of America, to be granted such recognition is an important symbol of full admission to the community of civilized nations. Both the symbol and the substance for which it stands are tarnished when we exchange ambassadors with a government which then proves by its actions that it is not civilized at all.

Many of us had hoped, therefore, that the Administration's sudden recognition of the Communist Government in Hanoi meant that we had received reliable assurances that there would be immediate and substantial improvement in Hanoi's dismal human rights record. It took only a few days to disabuse us of the notion that recognition by the United States would mean a kinder and gentler Vietnam.

In the days immediately after the announcement, various high ranking officials warned the Western press not to assume that diplomatic recognition would lead to changes in the situation of reli-

gious and political dissidents. These officials made it clear that they regarded the U.S. interest in such matters as an unwarranted interference in their internal affairs, the time-worn slogan of totalitarian governments everywhere.

Then, only a few days after Secretary of State Christopher traveled to Vietnam to raise the flag over the new U.S. Embassy, the Government of Vietnam proceeded with two separate political show trials of dissidents who were already in detention.

One was a trial of six of the highest ranking Buddhist religious leaders in the country. The other trial involved nine pro-democracy activists, including two Vietnamese-Americans who are U.S. citizens, and who had traveled to Vietnam with government permission and with U.S. passports for a conference on democracy and development.

At these trials, the regime to which the courts are subservient, did not even take the usual precaution of trumping up ordinary criminal charges. The charges leveled against the defendants were nakedly political, such as acting to overthrow the People's Administration or carrying out activities to sabotage the state policy and abusing democratic rights in order to violate the interest of the state and mass organizations.

The Communist Government of Vietnam appears to be saying loudly and clearly to the free world, we want your investment dollars and we are willing to learn from your economic system, but your values on religious and political freedom are not welcome here.

At today's hearing, we will hear from some extraordinary witnesses. We are particularly fortunate to have Nguyen Tan Tri, a U.S. citizen who was imprisoned in Vietnam up until just this past Sunday. We will also hear from Nguyen Chi Thien, a prominent Vietnamese poet who was also a political prisoner, and who arrived in the United States under the orderly departure program only a few days ago.

We will hear testimony from Mrs. Doan Viet Hoat, whose husband is perhaps the most well known prisoner of conscience in Vietnam today. These victims of the Hanoi regime will tell us about the human cost of the regime's defiant attitude on human rights.

We will also hear from experts on the political and religious persecution in Vietnam and from the State Department, which worked diligently to secure the freedom of Nguyen Tan Tri and to gain counselor access to him during his lengthy detention.

As we move toward further normalization of relations with Vietnam, even while the government there defies internationally recognized human rights standards, it is timely that these two subcommittees, the Subcommittee on International Operations and Human Rights and the Asia and Pacific Subcommittee, put on the record the real state of affairs in Vietnam.

It is even more important that we begin to discuss prospects and strategies for improvement.

Mr. SMITH. At this point, I would like to ask my good friend from California if he has any opening comments?

Mr. ROHRBACHER. Thank you very much. I would like to first of all congratulate Congressman Smith and the great leadership that he is showing, not only today but has shown throughout his

career. He has demonstrated a concern for human rights and a concern for his fellow human beings all over this planet that is exemplary of the values that this government is supposed to stand for, and in that, he is not only a good American but an exemplary American.

We extended our recognition to the Communist Government of Vietnam, and the commercial stampede is on, and that is what it was all about. Human rights and the situation in view of human rights of Vietnam, we are told is tied and was tied to our commercial interaction. That if we had more business between Vietnam and we had more business between the people of the United States and the people of Vietnam and there was a rising standard of living, that what we would see is an improving level of human rights. Is that not what the theory is?

We have people talking about this theory, and whenever it comes to any regime, no matter how monstrous, in terms of how to improve their human rights. Businessmen in the United States, eager to make short-term profits, have convinced themselves and have done everything they can to convince us that human rights will improve miraculously, because this is the formula. This is how you get to a freer society, is you have more economic interaction.

Well, if that is true and we see the commercial stampede going into Vietnam today, we should be hearing reports of dramatic improvement in human rights that have taken place in the months since normalization.

But, in reality, we all know that that is a lot of bunk. We know that businessmen are deluding themselves because they are concerned about making a profit and could care less about human rights. The real purpose behind normalization was so that our businessmen could receive credits and guarantees at taxpayers' expense, in order to do business with the tyranny, and that is the real purpose behind these moves.

Human rights and democracy be damned, my company is going to make a profit and we are actually going to get subsidized by the taxpayers in doing it.

Well, Vietnam has cast away the leadership of the Vietnamese Government. They no way can claim to be socialist anymore. You talk to these folks, and I have talked to them, and they are talking about this or that free market economist. If they do not believe in socialism—if I remember the Communist theory of Marxism and Leninism, it is that you have this dictatorship, Leninism, in order to protect Marxism, which was really the idealistic force that drove this Communist movement, until everybody figured out that it does not work, for all these decades.

If they have cast away socialism now, what do they have in Vietnam? What is it? It is not communism. Well, I think we know what it is. We can see what they are doing to their people, we see the way they treat other human beings. These are gangsters. Instead of communism, it has been replaced with gangsterism.

Vietnam is not the only place where this metamorphosis has taken place since the end of the cold war. What we have is members of the gang suppressing anyone outside the gang who threatens the gang. It is called gangsterism.

I would hope that the American Government reflects the values of the American people more to the degree that we care about something more than just money. I hope that these hearings will at least send a message to the gangsters in Vietnam that they are being watched. When they throw religious people into jail, when they throw people who are speaking out into prison and they suppress freedom of speech and assembly and the other rights that we hold dear, at least they know that we are paying attention and that we do not buy the lie.

So, thank you again, Mr. Chairman, and I am looking forward to the testimony today.

Mr. SMITH. Thank you very much for your very kind words and for your very cogent remarks on how important human rights are. I would like to make a part of the record, and without objection will do so, a press release that has just been put out by Amnesty International, pointing out that two human rights activists have been imprisoned and sentenced. Without objection, it will be so ordered.

[The press release appears in the appendix.]

I would like to yield to my good friend from American Samoa, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman, and I, too, would like to second the remarks made by my distinguished friend and dear colleague from California. The outstanding leadership that you have displayed as chairman of this subcommittee, of which I am a member, and certainly a champion of human rights throughout the world, and I want to commend you for that. I look forward in the coming weeks and months as we have dealt together with this very important issue and now are faced with Vietnam, as we go into now the next most serious phase in terms of how we are going to be treating the Government of Vietnam.

I would like to take somewhat of a different perspective, Mr. Chairman, and I guess we are bound because of our experiences, and because of that, I have a very fond affection for the people of Vietnam and the trials and tremendous tribulations that they have been subjected to for the times of horror of the Vietnam War, of which I am a by-product. I say this, because as a Vietnam veteran, I am still filled with a lot of bitterness. As far as I am concerned, I could have been among the 55,000 names that are listed on the Vietnam Memorial. I could have been among one of those body bags that are brought back, and for what reason and at what price?

My perspective is a little different in terms of the history of Vietnam and what the Vietnamese people have been subjected to, even before we were involved in the 1960's and the 1970's. If this does not relegate to the problems and the things that we have seen historically, they called it in those days colonialism in its finest form. It happened in Algeria, it happened in Vietnam. Our own people in the Pacific are faced with this very serious problem—the people in New Caledonia. I am talking about the fact that the people of Vietnam have had some very serious problems of French colonialism. The idea that here is a democratic country, but faced with very undemocratic policies and methods for which the Vietnamese people have had to fight for their freedom.

We have different perspectives, I suppose, and say, well, how do you look at Ho Chi Minh? Is he an outstanding leader of the Vietnamese people? Was he a murderer of people or what? I think history will explain a very different perspective of how the people of Vietnam and people of Southeast Asia have been subjected, over all these years and the forms of colonialism that they have been subjected to.

So, I say this with a little sense of appreciation and understanding of what is going through now, not only in the country of Vietnam, what our own policies are going to be toward Vietnam. Now, the question that comes to my mind, as one of the minions, I suppose, of the half million soldiers and sailors that were subjected to military orders to be there, because it was my duty and responsibility as a soldier, what is this going to be in terms of some 2,000 MIA's and POW's that are still unaccounted for? I think this is where I raise some very, very serious concerns in terms of how are we going to go about normalizing our relations with Vietnam and this subject matter that is dear to my heart still hanging there and wanting to see; if, in fact, that we are going to make some very serious inroads into this problem, not only with our own soldiers and sailors who are either missing or killed in action, still unaccounted for but for the fact that, ironically, in the times that we have held hearings previous to this, as to whether or not we should normalize relations with Vietnam, and as I recall, there was a lot of skepticism. There was a lot of anti-Vietnam because it was a Communist country and I raise the question of the previous Administrations even till now, and the fact that we hold diplomatic ties or relations with the highest levels of Communist countries, and yet we seem to find ourselves some will say, well, we should not do it with Vietnam, because it is a Communist country.

Well, the world really has changed. The situation of what my good friend from California stated, whether or not the corporate America has really gotten hold of the White House, and therefore normalizing relations is going to improve the economy of the country and improve our exports. At what price, Mr. Chairman? This is the question I raise, at what price? Whether or not the human rights of the Vietnamese people are being protected, what assurances are going to be given, and is it our duty, is it our responsibility as a country to tell Vietnam the human rights violations are flagrant and we are not going to have any part of you unless you correct these deficiencies?

It raises the question of whether or not this policy is consistent in our dealings with other countries. So, I have that question in my mind. I look forward to hearing from our witnesses this afternoon, and again, Mr. Chairman, I commend you for your tremendous leadership in advancing the cause of human rights. I am concerned about the human rights of the Vietnamese people. The fact that it is under a Communist regime, even China is a Communist regime, but they are going through tremendous changes.

There is a great debate in our country as to whether opening diplomatic relations is going to provide a greater sense of democracy and protection of the welfare and the lives of the people that live in those countries. I hope to go to Vietnam in the very near future, but I want to say this to you again, Mr. Chairman. I look forward

to hearing from our friends on their experiences in dealing with this very important issue. I want to say that, hopefully, that we will come to some sense of resolution to this very serious problem that we are faced with. Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Faleomavaega, and I appreciate your very kind remarks. Without objection, I would ask that Mr. Berman's statement be made a part of the record. He is detained by some work that is going on in the Judiciary Committee.

[The prepared statement of Mr. Berman appears in the appendix.]

Mr. SMITH. I would also ask for your consent that a letter from the American Legion likewise be made a part of the record, dated November 8, from Executive Director John Summer. That letter basically calls for a re-examination, consistent with the language that has passed the House, of the situation of those Vietnamese boat people who are being held in detention camps, whom many of us believe to be true refugees, many of whom fought side by side with us in Vietnam. It has been made very, very clear that the American Legion believes that these people ought to be provided refugee status, or, at the minimum, that their status should be re-examined because the process—from everything that this particular member has seen—was fatally flawed. True refugees are slated to go back to a very precarious situation in Vietnam.

[The letter appears in the appendix.]

I would like to welcome our two witnesses. This is a hearing that is comprised of three panels. The first panel is comprised of two distinguished witnesses from the Administration. Kent Wiedemann is the Deputy Assistant Secretary of State for East Asia and the Pacific. Mr. Wiedemann is responsible for China, Taiwan, Hong Kong, Mongolia, Vietnam, Cambodia, Laos, Thailand and Burma.

Before embarking on his diplomatic career, Mr. Wiedemann served 2 years as a Peace Corps volunteer in Micronesia. In the foreign service, Mr. Wiedemann has served as a consul in Poland, international relations officer in Latin American affairs at the State Department, and was posted twice to the U.S. Embassy in Beijing, China, and once to the U.S. Consulate General in Shanghai. From 1993 to 1994, Mr. Wiedemann was special assistant to the President and senior director for Asian Affairs at the National Security Council.

Mr. Steven J. Coffey is the Acting Deputy Assistant Secretary of State for Democracy, Human Rights and Labor. Mr. Coffey entered the U.S. Foreign Service in 1977 and began his career working as a political analyst in the Department of State's Office of Soviet and East European Affairs. He has worked at the U.S. Embassy in Moscow, as well as serving as the special assistant to the Undersecretary of State for Political Affairs. Before assuming a position in the branch in which he is currently employed, Mr. Coffey worked at the U.S. Embassy in Algiers and later in the Office of Independent States and Commonwealth Affairs.

Gentlemen, you are welcome to the committee and you may proceed as you would like.

STATEMENT OF MR. KENT WIEDEMANN, DEPUTY ASSISTANT SECRETARY OF STATE FOR EAST ASIA AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. WIEDEMANN. Mr. Chairman and other distinguished members, I would like to say I am, indeed, very, very pleased to have the opportunity to speak to you today about this very, very important aspect of our relations with Vietnam human rights.

I will begin by taking a few minutes to outline the current state of U.S.-Vietnamese relations and the part human rights play in those relations. Mr. Coffey will then speak to you in greater detail concerning Vietnam's human rights record and our ongoing dialog with the Vietnamese Government on these issues.

Obtaining the fullest possible accounting for our POW/MIA's remains this Administration's highest priority in relations with Vietnam, and, in fact, carries on the priority that was set in previous Administrations. As you know, on January 28, 1995, the United States established a liaison office in Hanoi. Following the President's decision to establish diplomatic relations with Vietnam, Secretary Christopher opened the U.S. Embassy in Hanoi on August 6.

The presence of a U.S. post in Vietnam has enhanced our ability to make progress in accounting for POW/MIA's, allowed us to advance the interest of U.S. companies and made possible provision of counselor services to U.S. citizens, among other things.

Most important for the subject of this hearing, diplomatic relations has led, also, to a deepening of our dialog on human rights and an increase in the depth of our understanding of the current situation in Vietnam across the board, but to include human rights. Since the President's announcement of diplomatic normalization with Vietnam in July, we have continued to receive strong cooperation from the Vietnamese on matters of importance to the United States. Most significantly, cooperation by the Socialist Republic of Vietnam in our efforts to seek the fullest possible accounting for our POW/MIA's continues to be vigorous.

We have continued to make progress in each of the four key areas identified by the President in 1993, in the areas of remains recovery, resolution of discrepancy cases, trilateral cooperation with Laos, and obtaining access to documents related to the POW/MIA issue. On remains, for example, with additional repatriations in August and October, remains believed to represent 31 Americans have returned to the United States from Vietnam during this year.

Since January 1993, we have repatriated 174 sets of remains, including remains obtained through joint activities in the field and those turned over unilaterally by the Vietnamese. The increased pace of repatriation of remains over the past 2 years is resulting in a significant number of identifications in our Central Identification Laboratory in Hawaii. This is the final step, of course, in our accounting, the U.S. Government's accounting for missing Americans from the war.

Since January 1993, the remains of 45 Americans lost in Vietnam have been identified and returned to their loved ones. Identifications completed this year include two individuals from the last known alive discrepancy case list and two from a list of 84 whom we call special remains, cases on which we have evidence indicat-

ing the remains had once been under Vietnamese control, and therefore, that the Vietnamese should have access to records about these people, even though they were lost as long as two decades ago.

On discrepancy cases, the discrepancy case list is a subset of cases in which evidence suggests individuals could have survived their loss incident. Of the 196 individuals originally named on the list, the remains of 26 have been recovered and identified. As noted above, two of these identifications were completed this year.

Since January 1993, we have confirmed the deaths of another 80 individuals on this list, reducing the number whose fate remains unknown to 55. Vietnamese officials are continuing to work closely with us to resolve these remaining cases, and it certainly is high on our list of priorities.

Trilateral cooperation with Laos, the third issue the President pointed to in 1993, as an indicator of progress, has also moved forward. Under a mechanism established in December 1994, the Vietnamese witnesses to Laos incidents in Laos continue to accompany U.S. investigators to sites in Laos. Vietnamese witnesses played important roles in a number of investigations, providing information very helpful in locating crash and grave sites.

With respect to documents that we seek to shed more light on the loss of men and women from our Armed Forces during the Vietnam War, in response to our request, the Vietnamese set up search teams in the Ministries of Interior and National Defense. In 1995, the teams and other Vietnamese organizations and individuals have located and turned over to U.S. investigators a total of 295 documents, totaling some 563 pages.

Included have been a number of documents containing leads on unresolved cases, including cases specifically requested by the National League of Families of POW/MIA's. A Presidential delegation on POW/MIA's will visit Vietnam in December to review the efforts to date on the POW/MIA issue, and to pursue further progress toward a fullest possible accounting. I will be on that delegation, and we will continue to press the Vietnamese very hard on what the President has described as this nation's highest national priority with Vietnam.

Vietnam is also cooperating with us on other important matters, including counter-narcotics efforts. Narcotics being, especially heroin, a growing problem in Vietnam and one that its government recognizes as a scourge in its society, just as it is a scourge in our society. So, our cooperation, as I say, is moving forward.

We have concluded a good settlement for U.S. private claimants against Vietnam, settled our diplomatic property claims with Hanoi and are involved in ongoing negotiations over our prewar government-to-government debts.

In addition, our governments are engaged in an ongoing dialog on human rights. As Secretary Christopher said in Hanoi, progress in this dialog will enable our two nations to further deepen our ties. As Mr. Coffey will describe in greater detail, the fourth round of these talks was held in Washington last month.

I want to emphasize that in no sense do we confine our discussions of human rights with the Vietnamese officials to the formal dialog process. Human rights has been on the agenda in every sin-

gle significant contact between U.S. and Vietnamese officials, including at senior levels throughout this Administration.

As Congressman Smith pointed out a few years ago in this Administration, I was a special assistant to the President and director for Asia, and that happened to be at the very beginning of our efforts with Vietnam to increase and put greater focus on the POW/MIA issue and to gain results. I can say from that time forward, I happened to attend a number of Presidential delegations to Vietnam. We always raised human rights as the second priority of the United States, and always pointed out, indeed, that movement toward normalization and further substantive improvement in relations with the United States would depend not only on progress in the POW/MIA issue, but also very importantly, in establishment of a human rights dialog that was not a dialog simply run for its own sake and for cosmetic reasons, let us say, but that actually produced results over time. Although, you frankly hear in Washington that human rights is a complex, tough issue and would take time to resolve, but we knew, also, that we must begin now, and we began back in 1993.

To borrow again from Secretary Christopher's speech in Hanoi, we believe that the rule of law and accountable government are the bedrock of stability and prosperity. Just 3 days ago, we welcomed Vietnam's humanitarian gesture in releasing two American citizens, Nguyen Tan Tri and Tran Quan Liem, who had been detained since, as you know, 1993.

These releases came in response to direct requests by Secretary Christopher in Hanoi in August and here in Washington last month between Secretary Christopher and Foreign Minister CoCom of Vietnam. Others of us also spoke with CoCom at that time, pointing out that we needed some concrete progress in the human rights dialog, or the relationship could not continue to move forward.

We believe the releases demonstrate Vietnamese willingness, at least, to address our concerns in this area, in the context of the overall expansion of the relationship. I mean, I cannot sit here and argue that based on my discussions with the Vietnamese that the dialog has led to an epiphany for the Vietnamese authorities and a change in their attitude toward what they consider to be dissidence and all the rest. But, for whatever reason, they are motivated, I think, to at least discuss the issue with us, and as indicated, perhaps, by these latest releases, actually respond to the points we make very strenuously whenever we make them.

Not surprisingly, economic and trade ties are an area of paramount interest for the Vietnamese Government in its relations with the United States. Indeed, perhaps, it is their interest in these economic ties that has motivated their being responsive to some of our human rights concerns.

We do believe that such ties are important for the mutual benefits they can bring to our two countries and economy, certainly, but more importantly, for their contribution to creating an atmosphere in which we can continue to make progress toward the broad range of our bilateral agenda, including POW/MIA accounting and human rights.

Earlier comments by the Honorable Representative Rohrabacher about normalization having been driven by commercial interests, I would argue are off the mark in that we very, very carefully for the past 3 years, in all of our meetings with the Vietnamese, whether in Hanoi or here in Washington, made very careful efforts to keep out of any talking points on our side the discussion of economic ties, except when the Vietnamese raised them. Usually our message was to their ears a negative one, that basically, we would not move on economic relations until we had real progress and proof—

Mr. SMITH. I am going to have to ask you to suspend your remarks for one moment. Since Mr. Rohrabacher is not here to defend his assertion, I would like to make an observation on that point. When Secretary of Commerce Brown was here—this was approximately 2 or 3 years ago and is a matter of record—I asked him whether the POW or human rights issues were a factor in our opening up to Vietnam, and he said no, in their face-to-face meetings with the Vietnamese, those issues were not part of the negotiation.

So, I beg to differ, and the record going back a couple of years is to the contrary, and I remember being shocked by it. I had served as a member of the POW/MIA Task Force throughout the 1980's and actually went over there with Mr. Gilman and Mr. Salmon and, I think it was about seven other members in the mid-1980's, so it is an issue that we are all very concerned about, as I know you are, personally. But, when asked whether or not this was intricately linked to the economic issue, he did say no.

Mr. WIEDEMANN. Well, despite the fact that he is a Cabinet secretary, I think, perhaps, well, I would not say you misunderstood him. I would say that his remarks did not represent what is Administration policy, what was Administration policy from the beginning of this Administration.

I do speak the truth, because I was involved in the delegations to Hanoi, in saying that our talking points very consciously avoided discussion of commercial activities. It happens right now that we have a delegation in Vietnam which is made up of an inter-agency group of people who represent U.S. economic and trade policy. But, I would point out that we, again, with this delegation, made very, very certain that it did not convey to the Vietnamese Government that the provision of the things Mr. Rohrabacher referred to, and that is, U.S. facilitation of business, U.S. support for business in the way of credits and guarantees and other things that would be, indeed, subsidies of the U.S. Government of commercial activation—

Mr. SMITH. Secretary, if you would not mind suspending, we do have a vote underway and it is very close to the end of it. We will suspend this hearing for about 5 minutes and then resume. Thank you.

[Recess.]

Mr. SMITH. I would like to call the subcommittee back into session. Mr. Wiedemann, if you could just conclude?

Mr. WIEDEMANN. Thank you, Mr. Chairman, I will finish my remarks very rapidly so we can hear from Mr. Coffey on the central focus of this hearing.

I mentioned as a next step in our relationship with the Vietnamese, we have dispatched a fact-finding mission made up of people from Treasury and USTR, Commerce and State Department, led by the State Department, which is meant to gather facts about what is going on in Vietnam that could be of concern to us as we consider such things as a provision of Eximbank or OPIC or other things to which Mr. Rohrabacher referred, as well as the very important issue of what needs to be done on the Vietnamese side for them to warrant extension of MFN status at some point in the future.

We also will discuss with them outstanding bilateral debt issues. This relates principally to the debt between the Vietnamese Government and the U.S. Government that preceded the war. We will continue to consult with Congress on the unfolding of normalization. We will be happy to provide debriefs on the delegation's trip, the delegation I just mentioned, following its return.

I might just finish by stressing again that this economic delegation really is just starting the first sort of baby steps and opening up a dialog with the Vietnamese for the first time on economic relations. Its principal purpose is not to convey to the Vietnamese that we are moving forward with any particular elements of beneficial economic relationship, but rather to educate them as to what is entailed in getting MFN, for example, both a trade agreement and compliance with Jackson-Vanick requirements, particularly freedom of emigration and other issues.

I think the other clear point was to educate the Vietnamese that our moving forward on these things probably will take a very long time, and certainly will require first Vietnamese compliance with U.S. statute concerns.

[The prepared statement of Mr. Wiedemann appears in the appendix.]

Mr. SMITH. Thank you very much for your testimony.

Mr. Coffey.

STATEMENT OF MR. STEVEN COFFEY, ACTING ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS AND LABOR, U.S. DEPARTMENT OF STATE

Mr. COFFEY. Thank you, Mr. Chairman. I would also like to thank you for the opportunity to be here to discuss with you today how we are handling the issue of human rights with Vietnam. I know that time is short, so I will just summarize the key points in the longer written testimony, which I have submitted for the record.

Few countries have elicited as much passionate debate among the American people as has Vietnam. It is therefore appropriate that we approach the newest chapter in Vietnam relations with our country's commitment to human rights very much in mind. The POW/MIA issue will remain our highest priority in relations with Vietnam, but human rights is also high on the agenda. The President is committed to pursuing an improvement in Vietnam's human rights practices.

Since assuming the position as Acting Principal Deputy Assistant Secretary for human rights a month ago, I have probably devoted more time to Vietnam than any other subject. Our dialog with Viet-

nam on human rights dates to February 1994, when the President first initiated a dialog with the Vietnamese in order to systematically address our human rights concerns.

Just 2 weeks ago, on October 30, we held the latest round and the first round since normalization. I am convinced the formal diplomatic ties will strengthen our ability to pursue our goal in this regard. Our principal message to the Vietnamese has been that we seek progress in all areas of our relationship, including human rights, and that human rights will affect the warmth and depth of our bilateral relations.

We have seen some hopeful trends in Vietnam. The government is less intrusive in the lives of Vietnamese citizens and has made some progress in developing a legal structure. Within narrow boundaries, the government has allowed and even encouraged serious press debate and criticism, and citizens have greater freedom of movement within the country.

However, despite these promising beginnings, Mr. Chairman, there is no getting around the fact that the Vietnamese Government still severely limits civil liberties, particularly freedom of expression, association and religion. It also continues arbitrarily to arrest and detain persons with a peaceful expression of opposing views. We were particularly disappointed by the August trials and convictions of nine pro-democracy activists, including American citizens Nguyen Tan Tri and Tran Quang Liem, for planning a pro-democracy conference in Ho Chi Minh City in November 1993.

Similarly, several days later, six Buddhist clerics, as you pointed out, were tried and convicted for participating in flood relief efforts and other activities sponsored by the Unified Buddhist Church of Vietnam.

As you know, Mr. Chairman, we normalized relations with Vietnam 4 months ago, and we cannot expect comprehensive change overnight. In order to improve Vietnam's human rights practices, it will take sustained, long-term efforts on our part, and, of course, on theirs. We are committed to seeing this process through. We have begun to establish benchmarks by which we can measure progress and we will continue to press our concerns on all issues, including those where near-term progress is difficult.

While our dialog is the principal mechanism for us to raise human rights issues, these issues, as Mr. Wiedemann pointed out, will also figure prominently in all contacts between U.S. and Vietnamese officials. We believe the Vietnamese leadership understands that progress on human rights is necessary in order to achieve the kind of warm, bilateral ties both our governments seek.

I would, at this point, Mr. Chairman, like to review briefly some specific issues that are particularly salient in our human rights engagement with Vietnam. The release last Sunday of American Nguyen Tan Tri and Tran Quang Liem was a welcome step. The release comes as a direct response to requests made by Secretary Christopher in meetings with senior Vietnamese officials.

Though we disagreed with the basis for the arrest of these individuals, the decision to release Mr. Tri and Mr. Liem is an indication that both sides can come together to resolve difficult issues. I would add the observation that our diplomatic presence in Hanoi, as a result of normalization, helped this process immensely. We

will also intend to pursue the cases of the seven Vietnamese citizens arrested with Mr. Tri and with Mr. Liem.

Mr. Chairman, we believe Vietnam's stated desire to move toward the rule of law is a positive step, both for the maintenance of a stable and just society and because the lack of a consistent, clear legal system deters potential investors and entrepreneurial spirit the country's economy so urgently needs. Of particular concern to us are the ambiguities within the legal code that can be used to arrest individuals involved in the peaceful expression of dissenting views.

We have also urged the Vietnamese to adopt the recommendations of the U.N. working group on arbitrary detentions concerning prison access and revisions of the legal code.

Mr. Chairman, concerning religious issues, and I know this is a special concern of yours, the Vietnamese Government has, in recent years, taken a number of steps to relax some restrictions on freedom of worship. However, the government continues to restrict the activities of religious organizations. Tensions between the government and the United Buddhist Church of Vietnam have heightened since 1992. The dispute between the government and the Vatican over Vatican appointments is unresolved, and the government continues to maintain restrictions on other activities of the Protestant and Catholic churches, including the right to assemble, to speak and to teach.

We have, on numerous occasions, expressed to Vietnamese authorities our serious concerns about religious freedom, and in particular, the treatment of the leaders of the UBCV. To date, we have made little headway on this issue, but we intend to keep trying.

In sum, Mr. Chairman, we are engaged in human rights in Vietnam, and are pursuing these concerns with the government. We will continue to work to resolve these outstanding issues, both in the near term and in the longer term.

A final word. Our human rights issues in Vietnam do not differ substantially from those issues over which we contend with a number of countries. We do believe that normalization has afforded us new channels in and through which to advance human rights in Vietnam. Thank you.

[The prepared statement of Mr. Coffey appears in the appendix.]

Mr. SMITH. Thank you very much for your testimony. Two of our latest witnesses, one from Human Rights Watch and another from Freedom House, Nina Shea, will testify that, notwithstanding the frenzy of diplomatic triumphs, full diplomatic recognition by the United States, and admission to ASEAN, Vietnam has embarked on a frenzy of activity to intimidate and suppress independent worship. Human Rights Watch, in its testimony, points out that, unfortunately, recent diplomatic breakthroughs have not led to improvements in Vietnam's human rights record. Yes, the relationship is still young, but many of us are concerned that we put the cart before the horse by not making human rights progress a precondition for recognition and enhanced economic trade.

What do you make of their assessments? Are they accurate? Is there a crackdown? We see a very similar thing going on in another Asian country, where we seem to be bending over backwards to accommodate the Beijing dictatorship, and yet, religious repression

there is on the rise, not on the decline. These dictatorships seem to, in their assessment, conclude that it is people of faith who refuse to have restraints on their observance. We are talking about mere worship and other kinds of expression. They see them as a threat.

Is that accurate? Has there been a lack of progress and, indeed, a crackdown in Vietnam?

Mr. COFFEY. Well, I do not believe that there is a serious divide between Human Rights Watch's estimate and our own estimate. It is my understanding that Human Rights Watch believes that the situation with regard to civil, political and religious rights in Vietnam is complex and mixed and that the human rights conditions are in a state of flux during a transitional period.

I would fully subscribe to that. It is an accurate summary of the complexity of the situation. The picture is genuinely complex, particularly with regard to religion. My understanding is that on the grass roots level ordinary parishioners are able to engage in worship. The problem comes with churches' hierarchy and organization. The government does restrict the ability of churches to organize, just as it restricts the recruitment of seminarians and the publishing of religious materials.

So, it is a mixed picture. On the one hand, people are allowed freedom of worship, and there is worship. People do attend services. On the other hand, the hierarchy is discouraged and hampered in its conduct of religious activities.

Mr. SMITH. How do you respond to, again, Human Rights Watch's admonition that the Administration should take additional steps to make it clear that without significant human rights and labor rights improvements, neither OPIC nor MFN are possible, and that there need to be specific benchmarks?

Mr. COFFEY. I think that is exactly what we are doing. In the last session of the dialog, one of the agenda items was to walk the Vietnamese delegation through our statutory requirements, particularly with regard to emigration and worker rights. As my colleague, Kent Wiedemann, just pointed out, we have a delegation there now that is reviewing all of this with the Vietnamese.

One of the key issues is precisely to gather information about Vietnamese practices and to see how those conform with hard legislation.

Mr. SMITH. Let me just ask you about another recommendation that Human Rights Watch makes and how you feel about it. Should the U.S.-Vietnam human rights dialog be elevated to a more senior level, a higher level? As they point out, the exchanges have been at mid-level State Department levels, and perhaps the higher echelons are not getting the message about how utterly serious the Administration—with full congressional backing—is. We want to see real progress.

Mr. COFFEY. Well, Mr. Chairman, that that may be necessary at some point. The thing to bear in mind at this point is that the dialog is in its infancy. We just started in February 1994, and we have only had one session since normalization. So, I would like to see what we can achieve at the current level.

I would say, though, that one of the things that we are considering is broadening the delegation to perhaps include other agencies

at some point. But, for right now we ought to keep the focus where it is, to see what it can produce and what the progress is.

Mr. SMITH. Let me just say, and I mentioned it earlier in my comments, the Administration should get its fair share of the credit for the work you did on behalf of Mr. Tri and Mr. Liem. It is a step forward and I think we are all very happy with that. But, what else is the Administration doing with regard to the specific political prisoners that are being held? I have seen the list, I know you have copies of the list and are concerned about it. How are we conveying our concern to the Vietnamese Government that these people need to be let out? These are universal standards of human rights that we are talking about, and these people have done no wrong.

Mr. COFFEY. Well, Mr. Chairman, these cases form a very, very important part of this dialog. We spend a lot of time on these cases, and one of the points I try to convey to them is that there is a lot of interest with these cases, not only within the Administration, but also within the Congress and within the body politic. I tell them it is hard to move other aspects of the relationship forward when these cases keep cropping up.

So, we present the details of the cases and try to evoke at least a clarification of the status of the cases, while emphasizing the importance of progress. We do remind them that if this relationship is going to proceed and progress, in the final analysis there has got to be progress in all areas.

Mr. WIEDEMANN. May I just add a point?

Mr. SMITH. Please.

Mr. WIEDEMANN. Outside of the dialog, the formal dialog itself to Secretary Christopher that I mentioned earlier, I spoke with Vietnamese in senior levels in Hanoi in August and then here in Washington in October.

Tony Lake at the NSC also called in the Vietnamese Foreign Minister and pressed him very, very hard on specific cases of people whom we want out of prison.

Secretary Christopher's message has been, we want all political prisoners out, and we will continue to push for that. I think, as you say, we have had some recent success, but clearly we are not satisfied with that. We will press forward. The White House is not satisfied with that either, as witnessed by Tony Lake's direct involvement.

Mr. SMITH. That is encouraging. Two of our witnesses today, as you know, came to the United States fairly recently through the Orderly Departure Program and I have heard that there may be an attempt to shut down the ODP. Is that true, and why?

Mr. WIEDEMANN. I do not know. I am afraid I cannot answer that question.

Mr. SMITH. If that could be provided for the record, that would be most helpful.

Mr. WIEDEMANN. I will look into it and get back to you as soon as possible.

[The information follows:]

Since November 8, 1995, when this testimony was given, the United States has announced its intention to conclude regularly scheduled refugee interviews through ODP on June 30, 1995. Scheduling of initial refugee interviews through ODP ended on March 31, 1995, and ODP is currently rescheduling interviews for applicants who

were not able to attend their first interviews but who are now ready. ODP will continue conducting rescheduled interviews until June 30.

It should be noted that ODP was originally intended to function only in the absence of a U.S. diplomatic presence in Vietnam. In July 1995, the United States and Vietnam normalized diplomatic relations. After many years of successful operation, ODP has resettled some 440,000 Vietnamese refugees to the United States, not including those admitted as immigrants. Vietnamese refugees continue to arrive in the United States every day, further increasing the percentage (currently 96 percent) of eligible ODP refugee program applicants who have already been resettled in the United States.

The part of ODP operations that processes immigrant visas continues to operate normally and will continue to do so via visits to Ho Chi Minh City from Bangkok until such time as a consulate opens in Ho Chi Minh City and can take over this function. The vast majority of immigrant visa applicants are from southern Vietnam and would be better served by a consulate in Ho Chi Minh City than by the embassy in Hanoi.

Mr. SMITH. If there is a reason to continue its existence, I would hope that that would not be the case. Let me ask one final question before yielding to Mr. Rohrabacher.

The Administration is in the process of developing the so-called Track II program for interviewing asylum seekers who are currently in refugee camps. I have been to Hai Island recently, in the early fall, and believe very strongly that many of these people would be put at risk if interviewed onsite in Vietnam. In light of your testimony and the testimony from some of the human rights organizations and from our former political prisoners who will speak momentarily, would it not be better to do the interviewing where they are now, rather than raising the risk to them by doing it in-country, that is to say, in Vietnam, especially if they are screened out and forced to give an accounting for what they said? We know that already goes on now, but I think it would be much more intense if it were actually done in Vietnam.

Mr. COFFEY. Mr. Chairman, I am aware of the issues that you are referring to, but this whole question of emigration, the CPA and Track II does not fall within my purview. We have a team in Vietnam now discussing this with the Vietnamese, and I just do not know where those discussions stand. But, I do know that they would be prepared to give you a briefing when they return.

Mr. SMITH. I would look forward to that, and I would like for the record, to ask if we could get some information on that, Mr. Wiedemann?

[The information follows:]

For the past year, we have been discussing with Vietnam and our other partners in the Comprehensive Plan of Action (CPA) ways to stimulate voluntary repatriations of screened-out migrants from first-asylum camps. In addition, the United States has an interest in identifying Vietnamese who might qualify for resettlement under U.S. law. Vietnam and other CPA partners had difficulties with previous U.S. suggestions on these matters, including the so-called "Track II proposal".

The SRV now has agreed to allow us to interview (under ODP auspices) those returnees to Vietnam from the first-asylum camps who are of special interest to the United States. Vietnamese asylum seekers in the camps who register for voluntary repatriation by June 30, 1995, or who otherwise return by that date will have the opportunity to fill out a questionnaire. The questionnaire will elicit specific information which will allow us to determine who among the population we wish to interview for possible resettlement to the United States. Once back in Vietnam, those so identified by the United States will be invited for resettlement interviews. Individuals who were in the camps on October 1, 1995, but who have already repatriated to Vietnam will also be eligible.

This initiative is being referred to as the Resettlement Opportunity for Vietnamese Returnees. It will be announced in the first-asylum camps and in Vietnam beginning on April 22, 1996.

Mr. WIEDEMANN. Sure. Of course, the issue of interviewing or re-interviewing returnees in Vietnam is a direct response to the countries which had been the first-asylum states, to include, obviously, Hong Kong, where there is a very large number, but also Malaysia and other countries in southeast Asia which are host to Vietnamese refugees.

As you know, there has been an initial screening process. Decisions were made on who was eligible for a real refugee status, and we recognize the need to do that screening over again, but in working with the asylum countries, first-asylum countries including Hong Kong and Malaysia and so forth, it is very clear that they would resist a rescreening, and they would find us as renegeing, in effect, on the common plan of action, comprehensive plan of action.

That is, of course, as I am sure you understand, because you are an expert on this issue, the principal reason we have pursued the option of a Track II reinterview process, rescreening process in Vietnam. But, obviously, it would have to be one in which we obtained Vietnam's concurrence. It was made very, very clear that anybody who was rescreened would not be subject to any kind of retaliation on the part of the Vietnamese.

There still is, as you know, a system of monitoring the Vietnamese treatment of returnees by the U.N. Human Rights Commission, which undertakes random and pretty comprehensive and unannounced visits on the households of those who have returned. Evidence to date indicates that Vietnam, for the most part, we can tell, and I think we have a good means to tell through the UNHCR monitoring process, are not being harassed and persecuted.

Mr. SMITH. Just on that point, and then I will yield to Mr. Rohrabacher, this subcommittee has had hearings and has met with former monitors and we have not been assured sufficiently that there has not been retaliation, especially against those who are rescreened in-country in a way that could raise the possibility of retaliation, if not immediately, then somewhere down the road.

Having said that, let me just yield to Mr. Rohrabacher.

Mr. ROHRABACHER. This could go to either one of you. Has my memory been correct that the Administration decoupled consideration of human rights with trade policy with China, in terms of whether or not China would then have Most-Favored-Nation status? Was there not an announcement about 2 years ago that they officially decoupled the actual consideration of trade policy and human rights with China?

Mr. WIEDEMANN. Yes, I think that is a pretty good characterization of the Administration's actions.

Mr. ROHRABACHER. I remember it, and I was wondering what kind of message you think that sends to people around the world, in terms of your dealing with Vietnam and other dictatorships? Do you think they take you seriously after that?

Mr. WIEDEMANN. Yes, my answer would be certainly yes. I mean, human rights remains at the very top of our agenda with China. I think all countries know that.

Mr. ROHRABACHER. I think they know we talk about it, I am sure.

Mr. WIEDEMANN. What the President did explicitly was to break the link between the annual review of MFN and human rights behavior in China, to instead move the focus of our continuing dialog with the Chinese on human rights and the whole list of demands—

Mr. ROHRABACHER. In May 1993, I put a list of names in the President's hands at a meeting I had in the White House. I had a list of, I think, over 500 political prisoners. I put that same list into the Congressional Record, and I had handed that same list to the head of the Communist Party in Vietnam in the trip that I just made there with Senator Kerry. I made it clear that, perhaps if we officially said something as a government, we might actually have the release of some of those prisoners.

Was there ever a request made that those prisoners be released, besides mine?

Mr. WIEDEMANN. In Vietnam?

Mr. ROHRABACHER. Yes.

Mr. WIEDEMANN. Yes, just before you came back to the room, I explained that Secretary Christopher and Tony Lake, in recent months, have approached high-level officials in Vietnam and made the demand that all political prisoners be released.

Mr. ROHRABACHER. When was that?

Mr. WIEDEMANN. In the case of Christopher, it was August in Hanoi and then here in Washington.

Mr. ROHRABACHER. August of this year?

Mr. WIEDEMANN. Yes, and October of this year here in Washington, and that is also the time, October, that is, that Tony Lake—

Mr. ROHRABACHER. So, nothing was done between May 1993—

Mr. WIEDEMANN. Oh, sure, yes.

Mr. ROHRABACHER. Could you tell me how many of those people—

Mr. WIEDEMANN. In fact, I think I was on a delegation in May 1993.

Mr. ROHRABACHER. Right. How many of those 500 political prisoners were released? Is it possible that none of them have been released? Is that possible?

Mr. WIEDEMANN. Well, I suppose it is possible, apart from—there has been amnesty.

Mr. ROHRABACHER. It is possible that all of them are still in jail, but it is probable that some of them have been released? Probable that most of them have not been, is that not right?

Mr. WIEDEMANN. Yes, that is right.

Mr. ROHRABACHER. What I am trying to lead to is, there has not been any dramatic change in human rights in Vietnam at all, period. We seem to be moving forward with an economic relationship and there has been no change in human rights. The President decoupled the human rights consideration of Most-Favored-Nation status with China. The people of Asia and probably the people of the world know just how seriously we take these words or at least our government takes these words, and to be fair about it, it is not just this Administration. This has happened in past Administrations, as well.

But, perhaps the hypocrisy of this Administration is a little bit greater than the past, because this President was elected while criticizing his opponent, former President Bush, for not being tough enough on human rights, which I do not believe President Bush was elected on that.

Let me ask you this about our citizens. I noticed here that we have two U.S. citizens that have just been released. I am very happy about that and that is progress. Nguyen Tan Tri and Tran Quang Liem, and I notice that they were arrested in 1993, as well, November 1993. I notice that they were not visited for over a year and a half after they were arrested. Is that right? We did not bother to visit our citizens for a year and a half after that?

Mr. WIEDEMANN. That is right. No. 1, we did not have a liaison office in Vietnam until this year.

Mr. ROHRABACHER. But, we have lots of people going in and out of that country.

Mr. WIEDEMANN. Sure, and we were making representations throughout that period about all political prisoners, to include those two.

Mr. ROHRABACHER. But, those are not just political prisoners. Those are U.S. citizens.

Mr. WIEDEMANN. I understand that.

Mr. ROHRABACHER. So, not only do they know we are not taking seriously our demands for political rights for their people, but they have two U.S. citizens and we are going in and out of that country having business as usual with them, for a year and a half.

Mr. WIEDEMANN. Well, since—

Mr. ROHRABACHER. In fact, we even normalized relations from the time that they were arrested, two U.S. citizens are being held and you are not permitted to see them, and yet we go ahead and normalize relations.

Mr. COFFEY. Yes, but Congressman Rohrabacher, does this not really demonstrate the utility of normalizing relations? I mean, you can turn this around and say, look, 4 months after normalizing relations, we succeeded in obtaining their release.

I think you have to go back and ask yourself the question that prior to normalization, these two U.S. citizens had been in jail for 20 months. In fact, my very first official act the first day I was on the job was to meet with the families of those two men, and I have to say that it was a very moving, heart-wrenching experience. There were a lot of tears and it left a large impression.

I think it raises the question, if we had set as a condition for normalization all kinds of human rights conditions, the release of a lot of prisoners, there might have been no normalization. If there had been no normalization, those two men might not have been released.

Now, I do not want to say that releasing two prisoners, however welcome that is, solves the problem. Of course, it does not solve the problem. But I think it does underscore that normalization has given us mechanisms to pursue these cases that we did not have before. As Kent Wiedemann was saying, these have been pursued at very, very high levels by Secretary Christopher and Tony Lake, among others, in the context of normalization.

Mr. WIEDEMANN. Let me just add a quick word. In fact, we had access to the two gentlemen who since have been released even before normalization, but after the time that we opened the liaison office.

Mr. ROHRBACHER. When was the liaison office opened?

Mr. WIEDEMANN. In January 1995.

Mr. ROHRBACHER. January 1995, then 7 months later, you were permitted to visit?

Mr. WIEDEMANN. No, it was around March, I believe. In other words, 2½ months after we opened the liaison office. Indeed, we keep pressing for access. There are still 11 Americans in prison, American citizens, on various charges.

Mr. ROHRBACHER. What about the agreement that set up the liaison office? Does that not suggest that we should have immediate access to American citizens?

Mr. WIEDEMANN. Absolutely, it is drawn from the Vienna Convention on counselor relations which say that there should be access on a reasonable—

Mr. ROHRBACHER. But, it took them 3 or 4 months to really come to the point where they were willing to permit us to visit them, even though they had an agreement with us?

Mr. WIEDEMANN. That is right, but we got it. Access is important.

Mr. ROHRBACHER. Let me just ask, are there any human rights preconditions to Most-Favored-Nation status? Have we laid down any markers there? Now we normalize relations. How about those 500 people that were listed in the Congressional Record? Is there just some marker that we have laid down that said, before you get Most-Favored-Nation status, you actually have got to accomplish this?

Mr. WIEDEMANN. Yes. I would like to dispel any notion that we are marching briskly forward with official government-to-government economic ties, to include OPIC, Eximbank, Most-Favored-Nation treatment and all the rest. In fact, most of those things are tied to some form of human rights. Not specifically action on this list of 500 people which you listed in the Congressional Record, but what the statute requires in terms of, for example, with respect to OPIC, we have the ILO recognized basic workers rights observed. In fact, the delegation which is in Hanoi now is there principally to convey to the Vietnamese what our statutory requirements are and what is right to do before we can move forward with an official normalization on the economic side.

Mr. ROHRBACHER. Before that type of economic normalization, the Vietnamese will have a right to strike. Do you think that that is going to happen?

Mr. WIEDEMANN. Well, if it does not, they will not get OPIC.

Mr. ROHRBACHER. All right, OK. Well, we heard it today. There is no OPIC and we are not going to move forward in that unless the Vietnamese have a right to strike. I am really happy. That is on the record, that is great.

Mr. WIEDEMANN. The right to collective bargaining, no child labor.

Mr. ROHRBACHER. That is terrific, that is terrific.

Mr. WIEDEMANN. Now, with respect to MFN, there are also associated conditions, as you know, that would permit the President to waive the Jackson-Vanik rule, and that is, assurances from Vietnam, not simply verbal, but demonstrated by their action, that they do, in fact, either have pre-emigration or are moving toward it with empirically proven actions.

Mr. ROHRBACHER. I wish you all the best and I hope that, indeed, the wave of reform comes and we see this happen in Vietnam. I will be watching, but I will not be holding my breath. Thank you very much.

Mr. WIEDEMANN. Thank you.

Mr. SMITH. The chair recognizes the distinguished chairman of the full committee, Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman, and I want to thank you and Mr. Bereuter, the chairmen of the International Operations and Human Rights and the Asian-Pacific Subcommittees for holding this important hearing today. This past July, President Clinton normalized relations with Vietnam, and the rationale used at that time was that it would help us to resolve the POW/MIA issue and lead Vietnam to a more politically pluralistic society.

Regrettably, the Government of Hanoi continues to deny basic human and religious rights. Catholics and the Vatican are not allowed control over the appointment of clerical positions. Protestants are persecuted for practicing their faith. Buddhists are routinely harassed.

Only days after Secretary Christopher left Hanoi in July, Communist authorities arrested the head of the Buddhist community. Moreover, peaceful pro-democracy advocates languish in prison, and the Vietnamese Government continues to withhold information concerning our MIA's and POW's.

I think it was much too soon to normalize relations with Vietnam, and although it is true that business is booming, it is not in our national interest to have yet another economically viable totalitarian nation in that part of the world. Fifty-eight thousand Americans gave their lives in Vietnam. They will have died in vain if we do not continue their struggle for human rights and political and religious freedoms there.

Accordingly, while I strongly disagree with the President's lifting the trade embargo, I sincerely hope that his action eventually will pay some worthy dividends for our nation. If next year Amnesty International, Asia Watch, the National League of Families, the American Legion and the National Alliance of Families had some cause to commend the Government in Hanoi, we would certainly all be grateful.

So, we look forward to further testimony today, and Mr. Chairman, if I might, I am being called to another meeting, but I would like to ask just one or two questions, with your permission, Mr. Chairman. Thirty out of 38 people working for UNHCR in Vietnam are Vietnamese citizens hired by UNHCR through the Vietnamese Government. I am asking our panelists, do you think that it would be hard to trust these people to make an honest attempt to monitor the condition of people who are returned to Vietnam? Do you think they can do a proper job?

Mr. COFFEY. Well, Congressman Gilman, all the indications that we have received from UNHCR indicate that they have absolutely no information and no reason to believe that the returnees to Vietnam are being harassed or persecuted in any systematic way. I think there have been something like 73,000 that have voluntarily returned.

My understanding is that the monitoring is an extensive effort that includes visits to homes, and that a lot of these monitors travel, informing the Vietnamese authorities only of the province to which they are going and not even the specific location. So, one would have thought that if that is true, that we would have picked up a lot more indications of systematic harassment and persecution if that, in fact, was taking place.

Now, the piece of information that you just mentioned, that most of the monitors—did you say 30 out of 36 monitors?

Mr. GILMAN. Out of 38.

Mr. COFFEY. Were Vietnamese citizens, is something that I was previously unaware of. I will look into that, and see if that has any bearing. We have certainly, as far as I know, received no indication from UNHCR that they have considered that a problem.

Mr. GILMAN. We appreciate your looking into that further.

Mr. ROHRBACHER. Mr. Chairman.

Mr. GILMAN. Yes.

Mr. ROHRBACHER. Let me note that if they have any trouble recruiting Vietnamese-speaking monitors to monitor the human rights situation, in my district, we have plenty of Vietnamese who would love to have those jobs and are very well educated and very responsible people.

Mr. GILMAN. Thank you.

Mr. SMITH. Will the gentleman yield?

Mr. GILMAN. I will be pleased to yield to the chairman.

Mr. SMITH. I would just point out to Mr. Coffey, we had a couple of hearings on this and numerous consultations with people who are intimately involved with this, and part of the problem is, maybe the major part of the problem is that nobody gets interviewed in Vietnam by a monitor unless somebody from the government is right there within feet of that interviewee.

So, it does not take a rocket scientist to conjecture that I am going to say the barest minimum about what may be happening to myself and my family, knowing that what I am saying not only is for the ears of that repatriation monitor, but also for the ears of the Minister of Interior, because the information will obviously be passed on through appropriate government channels. I start complaining, I am back in that hamlet or that village then waiting for the second shoe to drop, and that would be some kind of retaliation.

We have heard from enough people to suggest that that is not an unreasonable view to have, which is why I, with both Mrs. Ogala, with other people who are part of the UNHCR, have raised this as a flawed statement when people say, there have not been retaliations, because we believe that people cannot simply be candid.

Thank you, Mr. Chairman, for yielding.

Mr. GILMAN. Thank you, Mr. Chairman. I have been informed also that Vietnamese Government officials are present at almost all the interviews of the returnees. Is that correct?

Mr. COFFEY. That I do not have any specific information on. I was aware that on occasion this would happen, but if I understand what Congressman Smith just said, that this is not the exception, but the rule, I will look into that. I think that that bears looking into.

Mr. GILMAN. We will welcome your further review of that, and just one last question. In the State Department's Country Reports on Human Rights for 1994, Cuba has been referred to as a totalitarian dictatorship, whereas Vietnam is referred to simply as a one-party State. Can you explain and justify this result in terms of some of the specific references between the way that each regime treats political and religious dissent? Do you feel Hanoi is kinder and gentler than Havana?

Mr. COFFEY. Well, Congressman Gilman, I confess I have not made a detailed comparison of the situations in Cuba and Vietnam, so I do not want to pretend that I have. My impression is that in terms of the way people live their daily lives, there probably is more freedom in Vietnam than there is in Cuba.

That is not to say that there is a great deal of freedom in either place, but my impression is that Vietnam has relaxed many facets of life, more than the regime in Cuba.

Mr. GILMAN. Mr. Wiedemann, would you want to comment on any of those questions?

Mr. WIEDEMANN. I have not been to Cuba. I have only read, as all Americans have, I think, stories about that regime since it was taken over by Castro in 1959. We know it is a bad place. It clearly is a dictatorship. Fidel Castro dominates everything.

I have been to Vietnam a number of times. My observance of life as it plays out on the streets of Hanoi and Ho Chi Minh City and Da Nang and other places, is that to the outside observer, people seem as if they have a reasonable degree of daily freedom, especially with respect to carrying out some economic freedoms, to include creating a very vibrant service sector that is run and owned privately, and without ostensible government pressure or interference.

As Mr. Coffey has said, Vietnam is by no means a free place. We all know, it has been discussed here, there are very serious human rights problems in Vietnam. I think, and indeed, as the Asia Watch report and I believe testimony will show, there is a general sense that in recent years, daily freedoms for people have basically improved in Vietnam.

We still have the other problems to which you referred, and that is severe constraints and religious freedoms, freedom of association. In effect, on anybody who has the temerity to criticize the government or the party, because it is a one-party State and it wants to maintain that status, obviously, without any questioning by anybody in the society about the rights of the current rulers to obtain their monopoly of power.

That is something we hope, as we have stated publicly, to, in time, through our relationship with Vietnam, change.

Mr. GILMAN. So, essentially both of those governments, Cuba and Hanoi, have very strong totalitarian restrictions on their populace, is that correct?

Mr. WIEDEMANN. Yes, I guess that is correct, sure. As I say, I have not been to Cuba, but all I read would tell me it is certainly true with respect to that place. In comparison, I would say that things are probably better for the average Vietnamese than they are for the average Cuban.

I think that from what I read, Castro probably has more control over the day-to-day lives of his people than does leadership in Hanoi over their people.

Mr. GILMAN. I thank the panelists. Thank you, Mr. Chairman.

Mr. SMITH. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you. I would like to submit, before I start my questions, I would like to ask unanimous consent for submission of a statement of one of the members of the committee, Congressman Payne.

Mr. SMITH. Without objection, so ordered.

[The prepared statement of Mr. Payne appears in the appendix.]

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman, and I apologize for not being here at the time that our two panelists had an opportunity to convey their statements before the committee. I would like to offer my personal welcome to Secretary Wiedemann; I notice that he has had some experience in living in my part of the world, as a former Peace Corps volunteer in Micronesia. I am very, very happy to hear of the recent decision of the Administration that they will plan to sign onto the protocol to the South Pacific Nuclear Free Zone Treaty, and I trust that Mr. Wiedemann is quite familiar with this.

Certainly, my commendation and congratulations to Secretary Lord and Secretary Christopher for making this a reality, especially for those nations that are very sensitive to the question of nuclear testing, which is about to bring me to my question to our distinguished friends here.

I think it was the poet philosopher Santiana who said that those that do not remember the past are condemned to repeat it. Maybe I am somewhat pointed in my questions and always wondering historically, I have this problem, Mr. Chairman, with my historical perspective about the good people of Vietnam and how did all this sour situation develop in this part of the world? I ask myself, how did leaders like Ho Chi Minh end up becoming Communists or Marxists for that matter?

Because the worst example was one of the great democratic countries that was colonially holding Vietnam as a colony, and who could be a better example than to someone else or some other ideology that may not necessarily agree with democratic principles, and I am talking about basically French colonialism. I want to ask our distinguished experts here, how did a good number of the people of Vietnam end up becoming Marxists? Because, at the time, if my history is correct, Mr. Chairman, Vietnam was a former colony of France. The people of Algeria fought for 7 years. It cost one million lives of the Algerians to fight for their freedom against French colonialism.

In my understanding of history, the same thing also went for the people of Vietnam. My understanding is, they even appealed to our country for help to gain their freedom, because France was not about to give it to them. So, this is the kind of thing that I have a very mixed feeling about. Why is it that nations of the world, especially those in the Asia Pacific region, have this kind of a sour reaction or something to say that we, with the Western democracies, have a foothold on democracy, and we know what freedom and democracy is all about, when the very nations in the world that went and colonized nations or peoples in Africa or southeast Asia, became the worst examples of democracy.

I just kind of wondered, you know, 58,000 American lives were lost. We were caught in the middle. We ended up supporting a very corrupt, supposedly democratic, but corrupt regime in Diem, so we painted Ho Chi Minh as the No. 1 enemy, a Marxist, a Communist, does not know anything about human rights. We never talk about this, and in pointing the historical perspective, we are just at kind of like the tip of the iceberg. We are caught in the middle.

So we came with a very faulty policy in Vietnam, costing the lives of 58,000 Americans, with 300,000 wounded or maimed, but also at the expense of 3 million Vietnamese that lost their lives. Mr. Chairman, I do not care whether it is a Communist or someone who is a proponent of democracy, it was the Vietnamese who were fighting for their honor because this was their land, and we were the invaders.

If we look at it from their perspective and to say yes, there were Communists, because I think basically they had no choice. They could not ask France for help, because that was the worst example of a democracy, because Vietnam was a former colony of France.

We are having the same problems in New Caledonia and the same problems that are going to be affected right now in the nuclear testing program of France in the South Pacific. So, Mr. Chairman, I think we can all agree that we want human rights, we want the Vietnamese people to have freedom and democracy as we have some 900,000 Vietnamese refugees who have become U.S. citizens, and to see that as a result of what our efforts have been over the years in trying to promote democracy.

But, looking at it from the perspective that these people had to fight simply because of a different ideology for which they had no choice but to take on something that they felt very strongly about, and that was to defend their country, whether they were Communist or otherwise. So, I have a different perspective.

So, now, we normalize our relations with Vietnam, even though it is a Communist regime. How much of a corporate presence do we now have? You know, ironically, the first country to recognize Vietnam with all the hoopla and how great it is, was France. I spent 2 years in Da Trang, and I was told there by Vietnamese friends, this used to be one of the big resort villas, where the French corporations and companies, they literally sucked the blood out of the Vietnamese people and the resources they had to deal with. When they left, we got caught holding the bag.

I wanted to ask our friends here, how much of a corporate presence do we now have in Vietnam, since the normalization of relations? Seventy million people live in Vietnam. That is more than

the number of people living in France. I am curious if what has been said that normalization of relations and having more business investments and the climate in Vietnam is going to improve the lot or the economic standing of the people of Vietnam. Do you agree with that argument? I think this seems to be the Administration's position, as well as with many of the business corporations that are advocating very strongly that we get into it now or else the French, the British or the others, democratic, great western democracies, are going to be taking part in this free enterprise system.

So, my question to our friends here, how much corporate presence do we now have in Vietnam?

Mr. WIEDEMANN. Corporate presence in Vietnam of U.S. firms is, I would say, fairly substantial, particularly as it represents some of the very top Fortune 500 companies in this country.

But, if you ask the Americans who are based in Hanoi and Ho Chi Minh City as it is now called, Saigon, that is, whether they are happy about the current situation, happy about opportunities they have to do business, they would complain. They would say that they are missing business opportunities because of a lack of an official government-to-government set of agreements that would form the structure for those kinds of ties, and would accord Vietnam certain privileges, especially access to American Government financing through the Export Import Bank or insurance coverage and guarantees through the Overseas Private Investment Corporation.

Mr. FALCOMA. Of course, the Vietnamese speak better French than English anyway, so they have that relationship that has been expressed previously.

Mr. WIEDEMANN. I think when we lifted the trade embargo, a lot of American firms rushed in, hoping they were going to get business. There was a lot of business and it is, in part, at least, is of the kind that arguably would help the average Vietnamese person. A lot of it, for example, is energy related where Vietnamese want to build gas turbines, sort of small electric power plants that would arguably help in agriculture.

Mr. FALCOMA. There is no question, the Vietnamese people are the most industrious people that I know of in the world. Give them a chance, there is no question that Vietnam is going to flourish, even though it may be ideologically Communist, but it has some very capitalistic views in terms of how it is going to have to develop itself, and that seems to be the reality, the same problems that we are addressing with China. Of course, that boils back to the issue that we are faced with, does it coincide also with protecting human rights of the people living in Vietnam, even though it is a Communist regime?

So, this is a dilemma that we are faced with, I think from this side of the podium—

Mr. WIEDEMANN. That is right.

Mr. FALCOMA [continuing]. and how the Administration is having to deal with this problem.

Mr. WIEDEMANN. Well, in fact, it is very clear, I think, that our economic relations with Vietnam will not be normalized for some time. It is hard to say for how long, and it is frankly going to be very much determined by the pace of Vietnamese responsiveness to the need to comply with U.S. statutes that relate to the provision

of Eximbank credits, OPIC insurance and the fundamental issue of the granting of MFN, not to mention having to agree on strictly economic commercial issues in the form of trade agreement, because we want to be a comprehensive—

Mr. FALCOMAVAEGA. I am sorry, my time is short. I have to run off with a couple of other questions, Mr. Wiedemann and Mr. Coffey. The question I have is, did the Administration make any efforts to consult closely with the Vietnamese communities throughout the United States, previous to the Administration's decision to normalize relations with Vietnam? Did we get any sense of feedback from our Vietnamese-American citizens living in our country, what their feelings were, where the sentiment seems to follow? Does it agree with their sense of what we are trying to do in dealing with our relations with Vietnam?

Mr. WIEDEMANN. Yes, we did.

Mr. FALCOMAVAEGA. Extensively, casually?

Mr. WIEDEMANN. No, very extensively. I was at the White House in the very first year of this Administration and was responsible in part for Vietnam policy, and the White House took the lead on Vietnam policy, and to a large extent, still has it.

We, in the process of thinking about lifting the trade embargo in 1993 and later moving on to establish a liaison office, consulted very widely with Vietnamese communities from California all the way here to Washington and up into New Jersey and other places.

Mr. FALCOMAVAEGA. How did the two U.S. citizens—

Mr. WIEDEMANN. I would say, by the way, that our perception after a pretty thorough consultation with the Vietnamese community was that, of the million or so Vietnamese-Americans, they seem to be split just about half and half. Half very much against any kind of normalization with Vietnam, based on the fact that it was a Communist regime.

Mr. FALCOMAVAEGA. Families and such.

Mr. WIEDEMANN. Half which saw real benefits to be had in extending some form of diplomatic recognition, and thereby opening up Vietnam more and providing opportunities for Vietnamese-Americans to go back to Vietnam and feel safe in doing so, an issue, by the way, which we are still working on, because unfortunately, the Vietnamese regard Vietnamese-Americans and American passport holders as dual nationals. When they come into Vietnam, for all intents and purposes, falling under the jurisdiction of Vietnamese law—well, in fact, as any foreigner would, but even more so perhaps, because they are still seen as Vietnamese citizens.

Mr. FALCOMAVAEGA. Is it your feeling that the Administration has taken a very strong position that normalizing relations with Vietnam is a real plus for improving the conditions and the welfare of the people not only living in Vietnam, but as well as economically beneficial to our country?

Mr. WIEDEMANN. Yes, although I would say the economic side of it is probably the last priority of this Administration, despite the fact that we know the American business community is very keen on moving forward. It is convinced that it is missing major sales in Vietnam, basically to competition from Europe, in particular, but to some extent, Japan and others.

For example, we have heard from Boeing very recently that they believe they lost significant sales of aircraft to the Vietnamese airline, filled by orders coming from Europe in the way of Airbus. Once Airbus establishes itself in the market, Boeing is afraid that it will dominate the market, and it is going to be a very significant one in coming years.

That is just an example, but our priority has been and will remain the resolution of the POW/MIA issue, obtaining as full as possible accounting, and the next very, very high priority is human rights. Business relationships will be used to encourage the Vietnamese to address the first two priorities of the United States. To the extent that they do not cooperate in addressing our two concerns, POW/MIA and human rights, we are not going to move forward with normalization.

Mr. FALCOMAVAEGA. Despite the fact that we will have an ambassador and the full embassy and everything else in Vietnam?

Mr. WIEDEMANN. Yes, we do not have an ambassador now, even though we have normalized.

Mr. FALCOMAVAEGA. I do not think so, not with Jesse Helms at the helm, and I do not think we are going to have one. But, I did not mean to get into that.

Mr. Chairman, I know my time is up. I thank the gentlemen for their—I do have some more questions, but I will submit it later.

Mr. SMITH. Very good, thank you. I want to thank both Secretaries for their testimony, and to ask that when additional questions are submitted to you, you please respond to them promptly.

Mr. ROHRBACHER. Mr. Chairman, just for the record, before they run off, representing Little Saigon out in California, I can tell you that it is not split 50/50 in terms of who wants to have normalization. It is more like 10 percent in favor of normalization and 90 percent against, and that is very easy to see in the Vietnamese community. The 10 percent, of course, are the guys who want to make money, and they are no different than other Americans. These are good Americans and they want to make money, just like all the other American companies that want to run down there.

Mr. COFFEY. Sure.

Mr. ROHRBACHER. Just to add my personal observation, it is not 50/50.

Mr. FALCOMAVAEGA. Will the gentleman yield?

Mr. SMITH. You can have the chair.

Mr. FALCOMAVAEGA. I commend the gentleman from California. I am glad that this representation, the concerns that he has reflects the fact that 90 percent of the constituency of Vietnamese-Americans do not agree with the Administration's decision, if, in fact, they have taken very strong comprehensive consultations in these past several months before the announcement of normalizations of relations. So, I commend my good friend from California for making that—

Mr. ROHRBACHER. The 90 percent have friends and family over there, and they really feel very strongly when somebody gets thrown in jail, a Buddhist monk or an honest citizen or someone who just wants to speak out or worship God the way they see it, and the Vietnamese-Americans loved freedom and they stood by the United States and they wanted a democracy. That is why they

fought there, that is why they fought on our side, and we were on their side.

When their friends and relatives are thrown into jail and the regime just sort of smothers out any type of freedom movement, they feel it very personally, even though they do not have a lot of money and they are working at just regular jobs. They have very solid values, and that is what I think America is all about, and the Vietnamese-Americans represent those values, as well.

Mr. WIEDEMANN. Yes, that is very true, clearly. I would just observe that, as with any cohort of the American population, there are a variety of views, and I have had the pleasure of meeting in Vietnam, Vietnamese-Americans who have taken some of the fruits of their labor, money, back to Vietnam and set up, through NGO's, humanitarian operations that are just terrific, including, for example, prosthetic centers where prosthetics are made and fitted to the victims of South Vietnamese Army veterans, who fought with us and whose shattered limbs are now at least fixed to the extent of being set with prosthetic devices to allow them to finally walk after all these years.

Mr. SMITH. I want to thank our witnesses and invite the second panel of witnesses to the table. Nguyen Tan Tri is a U.S. citizen and former lawyer of South Vietnam. Two years ago he traveled to his native Vietnam to organize an international conference for the economic development of Vietnam. On November 11, 1993, the Hanoi Government ordered the arrest of Mr. Tri and detained him without having charged him.

He has been in prison in Vietnam for the past 2 years, and was released only this past Sunday.

Nguyen Chi Thien was born in Vietnam in 1939. He was imprisoned there on three separate occasions, beginning in May 1961. Although his cause was never brought to trial, Mr. Nguyen spent a total of 27 years in jail on the charge of writing anti-Communist poetry. He was released for a third and final time in October 1991 and arrived in the United States earlier this month.

Finally, Tran Thi Thuc is the wife of Professor Doan Viet Hoat, a leading political dissident in Vietnam. From 1976 to 1988, her husband was held without trial for advocating political reforms. He was arrested again in 1990 and held without trial for 28 months and then sentenced to 20 years imprisonment on charges of "attempting to overthrow the government".

In 1986, Mrs. Thuc was arrested and placed in solitary confinement for 19 months in association with her husband's activities. Since 1994, she has been traveling extensively in the United States and overseas, to seek international intervention for the release of her husband.

I would like to ask Mr. Tri if he would begin, and then we will go to each of our witnesses. Again, you are very, very welcome. I would ask you to please keep your comments to about 8 to 10 minutes, and then we will go to questions. Your full statements will be made a part of the written record.

STATEMENT OF MR. NGUYEN TAN TRI, FORMER POLITICAL PRISONER

Mr. NGUYEN TAN TRI. Mr. Chairman, members of the committee, I am pleased and honored to appear before this committee on my first full day back in my country, the United States of America. I will return to my home in Houston, Texas tomorrow to be reunited with my family for the first time in more than 2 years.

These have been two lonely and terrible years, but I felt it important to come before this committee today to discuss those times, those violations of human rights and the impact on the future of relations between my new country, the United States, and my native homeland, Vietnam. I am, by the way, a citizen of the United States and have lived in this wonderful country for 17 years. We own a convenience store in Houston, Texas. My daughter will graduate next month from Texas A&M University.

I want to thank particularly Chairman Smith for his invitation to appear today and for his interest in our plight during those 24 dark months in Vietnam.

I particularly want to thank Mr. Stephen Young, who is with me today. He has worked tirelessly for our release and I know I speak for Mr. Liem who is now with his family in Orange County, California, in expressing our deepest gratitude to Mr. Steve Young and all who helped secure our release from Vietnam prison.

In 1993, I was in Saigon to help the movement to unite people and build democracy in Vietnam. The purpose of this conference was to develop Vietnam. There was absolutely no conspiracy to overthrow the Communist Government of that country, but on November 12, 1993, 2 years ago, I was arrested and was interrogated for 6 hours.

Also arrested was Mr. Tran Quang Liem and Mr. Nguyen Dinh Huy, head of the movement to unite people and build democracy in Vietnam. This movement is the new, peaceful and democratic movement to which I subscribe.

After 21 months in jail, being held without charges, I and Mr. Liem were put on trial in Vietnam. We could not hire our own lawyers. We could not offer evidence of our innocence. We could not see the evidence used against us, although we asked to see such evidence many times.

Basically, we were not allowed to defend ourselves. This was a short trial, and at its conclusion, I was sentenced to 7 years in prison. I can now say I am an expert on Vietnamese prisons. They are very bad.

During my 2 years in prison, I was not beaten nor tortured, but living conditions were deplorable and certainly harmful to my health. Four of us were held in a tiny cell and we were fed only rice. If you wanted any other food, you had to have money to buy it from the prison guards.

For 2 years, I slept on the floor. There were no beds and no ventilation. I remained in my cell 24 hours a day and did not see the sun for the entire duration.

For the first 6 months, I was not allowed to read anything. Finally, I was allowed to buy a dictionary. I was questioned continually by the police and they always tried to trick me into saying

something bad. But, I always argued back with them so they never got any evidence against me.

Today, I say once again, I am innocent. Mr. Liem is innocent. Mr. Huy is innocent. Mr. Tuong, Mr. Tan, Mr. Dong Tuy, Mr. Dinh, Mr. Bien, Mr. Chau are all innocent. I say this because the movement to unite people in the cause of human rights and the building of Vietnamese democracy broke no law.

The 1993 conference was to help Vietnam develop, not to attack. We had no motive of overthrowing the Vietnamese Government. Our movement is peaceful and only wants good for the Vietnamese people. After 20 years of Communist rule, the Vietnamese people want democracy and the Vietnamese people want human rights.

Today, Mr. Liem and I are spending our first full day in the land of the free, the United States of America. Unfortunately, my friends still in Vietnam do not have freedom. The people of Vietnam do not have freedom. I hope you can help them as you have helped us. Mr. Chairman, I will be happy to answer any of your questions.

[The prepared statement of Mr. Nguyen Tan Tri appears in the appendix.]

Mr. SMITH. I thank you very much for your very moving testimony. We do have a vote that is underway right now. If our other two witnesses would not mind waiting just a few moments, all of us will vote and then come back immediately. We will stand in recess just a few moments. Thank you.

[Recess.]

Mr. SMITH. The subcommittee will reconvene. I understand that Thich Giac Duc, who is the chairman of the Planning and Development Committee for the Vietnamese American Unified Buddhist Congress is very much pressed for time and has to catch a plane, so I have asked him to join the panel and to present his testimony next, if the rest of the panel does not mind. These votes, unfortunately, are just wreaking havoc with this hearing today, and I do apologize for that.

Since 1963, Mr. Thich has been leading the Buddhist struggle for religious freedom and equality against the religious discrimination policy of the Vietnamese Government. In the mid 1970's, he was employed by the U.S. Army as a Buddhist chaplain, and was responsible for providing social services for the Indochinese refugees at Port Indian Town Gap in Pennsylvania.

In 1976, he founded the Buddhist Congregational Church of America, in addition to organizing the Buddhist social service. In 1982, he established the Universal Buddhist Congregation and has been serving as its president ever since.

**STATEMENT OF DR. THICH GIAC DUC, CHAIRMAN OF THE
PLANNING AND DEVELOPMENT COMMITTEE, VIETNAMESE
AMERICAN UNIFIED BUDDHIST CONGRESS**

Dr. GIAC DUC. Mr. Chairman, honorable Members of Congress, ladies and gentlemen, I hope I only take about 5 minutes to summarize what I have submitted to you. The Communists have had control in North Vietnam since 1945, and right after that, they killed on the first day of August Revolution, 1945, they killed my master, also the master of Thich Quang Do, the most Venerable

Thich Duc Hai, the first Vietnamese who got a Ph.D. at the Sorbonne University, his lay name, Nguyen Binh Nam, with no reason.

The second one, that came 1 year later, the most Venerable Thich Dai Hai, with no reason, and the third one, my uncle and also the religious grandfather of Thich Quang Do and myself, the Patriarch Thich Thanh Quyet, was killed.

Since 1975, they come to the south, first of all, they have a policy ho-khau, that means control through residence and control the food. And, they try to force many of our Buddhist monks not to work for our church, but for their church. We call it the state-sponsored church.

If our monks do not agree with them, they are not allowed portions of food. So, more than 10,000 of our Buddhist monks were forced to become lay people. So far, 400 Buddhist monks have been arrested. Fifty of them were killed.

Many of our schools, Van-Hanh University, other Buddhist colleges and high schools, the government took them away. Even in our care of the victims of the war, our children, the government took them away. Children thrown to the street.

Recently, my religious brother, the most Venerable Thich Quang Do and many other Buddhist monks were charged from 2 to 5 years in prison for his, for their charity actions to those, the victims of the flood in the Mekong Delta. Thanks to Americans for helping us so far, because we believe in our freedom, and now we are victims of so-called local policy. We need your help, and I hope you have time to read my statement here. I am sorry that I do not have much time to answer your questions, so I endorse Venerable Thich Vien Ly, the Secretary General of our church, the Unified Buddhist Congress in the United States, and Professor Vo Van Ai from Paris, both of them will answer any questions concerning many problems of our church in Vietnam. We need your help badly.

We want that in the near future, the Buddhists here will come to see you to express their deep thanks. I think that our Congress here not only works for money but for human rights. Thank you very much.

[The prepared statement of Dr. Giac Duc appears in the appendix.]

Mr. SMITH. Thank you very much for your testimony. Your full statement will be made a part of the record, and we will ask your representative to join us during the Q and A with the next panel.

I would like to ask Tran Thi Thuc if she would present her testimony now. Please be seated.

STATEMENT OF MRS. DOAN VIET HOAT, WIFE OF POLITICAL PRISONER PROFESSOR DOAN VIET HOAT

Mrs. DOAN VIET HOAT. Yes, thank you. Mr. Chairman, honorable members of the Subcommittee on International Operations and Human Rights and the Subcommittee on Asia and Pacific, first of all, I would like to thank you for giving me this opportunity to present the case of my husband, Dr. Doan Viet Hoat, a prisoner of conscience in Vietnam. Also, I would like to thank all the members of the media for being here. Your presence is extremely encouraging to me and my family, and we very much appreciate it.

As the wife of a man who has been a prisoner of conscience for more than 17 years, I am here to present to you the numerous violations of basic human rights perpetrated by the Vietnamese Government in the case of my husband, and thousands of other prisoners of conscience in Vietnam.

My husband, Professor Doan Viet Hoat, was arrested on August 28, 1976. Since that time, I have become one of more than 500,000 women classified as reeducation wives. Even worse, my three sons, at the age of 8, 4, and 2, joined the other 2 million children of the reeducation camp inmates. My husband was detained from 1976 to 1988. During those 12 years, he was accused of being opposed to communism. Once a year, his family was allowed to visit him for 15 minutes under the close supervision of the prison guard who stood nearby.

It was not until 1986 that the Vietnamese Communist Government declared that it was time for Doi Moi, renovation. Therefore, in February 1988, my husband was among many of the prisoners of conscience released without ever being charged with a crime. After his release, a new world order was forming, starting with the political reform in the new Russia called perestroika, along with the collapse of many Communist countries in Eastern Europe. Individuals such as my husband did nothing more than wishing to see the same thing happen to Vietnam.

Between 1988 to 1990, my husband wanted to contribute the political transformation process in Vietnam. He and a few of his friends recorded on cassette tapes messages calling for democracy, stating that the country's fate lies in our hands, and urging the return of power to the people of Vietnam. They wrote and also translated some articles from foreign journals. Through these articles, they hoped to suggest a way to rebuild the country. This was known as the Freedom Forum. This led to his second detainment in November 1990 on the charge of propaganda against the People's Government. His friends were also arrested for their involvement, too, in the Freedom Forum.

It was not until 28 months after the imprisonment that Professor Doan Viet Hoat and his friends were brought to trial. The long detention was in violation of Criminal Code of the Socialist Republic of Vietnam. At the trial, the charge was upgraded from propaganda against the People's Government to attempting to overthrow the government. Professor Doan Viet Hoat was sentenced to 20 years of imprisonment. His friends in the Freedom Forum received sentences from four to 16 years each.

Then, in August 1993, the Appeals Court of Ho Chi Minh City reduced my husband's sentence to 15 years of imprisonment followed by 5 years of house arrest. This is an outrageous sentence for crimes that he was not guilty of. He did not disturb the national security nor did he ever call for the use of force. He did not promote violence. All he did was to call for respect of human rights and democracy. The arbitrary arrests, detention, indictment, prosecution and conviction of my husband were in serious violation of the Universal Declaration of Human Rights, as well as the very Constitution of the Socialist Republic of Vietnam.

All those false charges could not stop Doan Viet Hoat from speaking up for what he believes in. From jail, he has managed to

send out several letters calling for reform. After each time, he was transferred further from home to camps with increasing harsher living conditions. He had been in seven different camps starting in the south and ending up in the north. We enclose the letters and documents that he smuggled out to your office.

The latest stop on my husband's willing trip through the Vietnamese Gulag is Thanh Cam Camp in Cam Thuy district, Thanh Hoa Province. In our last visit, on July 19, 1994, it took my sons and me 2 days to get to the province by train, which is the only access. Then, we had to wait for the only bus of the day to reach a small town after one more day of traveling hardship.

Arriving at the terminal, which is 3 kilometers from the camp by path, we had the choice of walking up and down the hills or riding in an ox cart.

Thanh Cam Camp is located in the middle of a deep valley surrounded by lime stone mountains. The weather is very harsh, terribly hot in the summer and freezing in winter. The water supply is contaminated, filtered and pumped by simple devices and diarrhea and malaria are common deadly diseases in the camp. My husband is the only political prisoner in a camp among 600 other common criminals. Only members of his immediate family can visit him.

In April of this year, which was the last time that we received news of my husband from our relatives in Vietnam, he was struggling with the extremely harsh living conditions in that camp. They are still isolating him from any human contact. No books or magazines were allowed. We have not heard anything else since then about my husband. He initially was not interested in politics. Trained in education and school administration in the States, he would have liked to be a professor all his life. That was, and still is, his favorite career.

However, as an honest intellectual, he cannot give in to the blatant forces of oppression. He cannot be passive while his motherland is in a transitional period. He was only trying his best to help in the process of democratization of Vietnam. The political situation made him one of the brightest symbols of the Vietnamese democratic struggle. The hardship and suffering inspired his determination. Surely, he will spend the rest of his life fighting for democracy.

I am very concerned for his failing health and his safety. I am also worried about his state of mind. Dr. Hoat is an intellectual, yet he is not allowed to read books. He wants to read or write what he thinks. Physically and mentally, isolation for an extended period can cause great psychological damage. It is very cruel to subject a human being to the kind of treatment my husband has endured for many years.

During his first detainment, I was also arrested and detained for nearly 2 years, when I was under constant harassment to plead guilty on my husband's behalf for the various crimes which he was never charged with nor was he ever convicted. It was also during my husband's detention that I had to make the most difficult decision any mother had to make. It was to send my two older sons, one at a time, at the age of 14 and 12, respectively, out to sea. I sent them out on fishing boats, hoping that they would be picked

up and brought to first-asylum country refugee camps, and to ultimately join their relatives in America. This had to be done, despite the danger of losing them forever to the sea, in order to give them an opportunity for a better future. My youngest son, during my detention, had to live with his uncle, who was so poor that he could hardly support his own family.

I have shared the hardship with my husband, however, I will never regret its cause for one moment. I have always supported my husband and his dream. We will continue our peaceful and non-violent campaign until the present Government of Vietnam releases Professor Doan Viet Hoat and all other prisoners of conscience unconditionally.

My husband is just one example of thousands of victims whose basic human rights have been blatantly violated every day by the Vietnamese Government. Furthermore, tens of thousands of family members of these prisoners of conscience are also under constant harassment and abuses for their ties to them.

I have faith that the U.S. Government can and will help these unfortunate people. Today, America represents human rights, freedom and democracy for all people in the world. That is why the Arabs and Israelis have requested the American assistance in their efforts to reconcile their differences in a peaceful way.

We, the people of Vietnam, are also in desperate need for your assistance in our struggle for human rights, democracy and freedom. We urge that the U.S. Government officially apply heavy pressures on the Vietnamese Government to stop the blatant abuses and force them to observe basic human rights. You must demand that the first step toward achieving better human rights conditions in Vietnam is the unconditional and immediate release of my husband, Professor Doan Viet Hoat, as well as all other prisoners of conscience in Vietnam. We, the people of Vietnam, have faith that you can and will assist us in our fight for human rights, freedom and democracy.

Moreover, the tide of democracy is being acknowledged throughout the world. The democratic forces are supporting one another. This human rights hearing is an excellent example of that spirit of mutual and generous support. I would like to offer the following recommendations.

First, we should put the human rights violations by the Vietnamese Government in the agenda of the U.S. Congress.

Second, in granting the Most-Favored-Nation status to Vietnam, the United States and other aid donors should consider respect of human rights as one of the main prerequisites.

Finally, we should urge the Vietnamese Government to immediate release of all people imprisoned or detained for exercising their basic civil and political rights.

Finally, on behalf of my husband, I would like to express my deep thanks to all of you for giving us the opportunity to be here. I am convinced that with goodwill and determination, everything will work out and the Vietnamese political prisoners will be liberated, and democracy will come to Vietnam.

Thank you, Mr. Chairman.

[The prepared statement of Mrs. Doan Viet Hoat appears in the appendix.]

Mr. SMITH. Mrs. Doan, thank you for your very moving and eloquent testimony on behalf of your husband. I certainly do hope that the Vietnamese Government is listening to all of these testimonies. What you ask on behalf of your beloved husband—namely that Congress very seriously consider these issues—will happen, and I do believe that congressional consideration of those issues, such as Most-Favored-Nation status, will be totally bipartisan.

I know that in years back, when the country of Romania had MFN, it took 3 years for the human rights community and a number of Members of Congress, including myself and Congressman Frank Wolf and Tony Hall and others, to make the point that, unless there was real progress in the realm of human rights, MFN would be lost. They had it and we then took it away.

As a matter of fact, Ceausescu, the reigning dictator abrogated the treaty, when both the House and the Senate passed resolutions on taking MFN away. I think there is a real focus and a renewed scrutiny coming to bear on Vietnam now that the trading relationship and normalization is moving forward, and human rights absolutely has to be at the center of that relationship. If it is not, many voices in Congress—liberal, conservative and moderate—will be raised, and your husband and others who have suffered so egregiously, will be at the core of our concern.

So, I thank you for this moving appeal and I do hope the Vietnamese Government, which probably has its person here monitoring this hearing, knows that we mean business. We are not going to play games with this. Human rights comes first. Whether it be a U.S. citizen who is also Vietnamese, or a Vietnamese citizen who is not a U.S. citizen, we are concerned about their welfare and well being. Your husband, imprisoned for non-violently petitioning and raising the issue of human rights and democracy in Vietnam, desires freedom. He is a hero; he should not be in prison.

This subcommittee—and I believe the Congress and the President—will speak out with one voice, demanding his release. If not, things like MFN and a movement toward enhanced trade will be stymied, and I will do everything in my power to ensure that it is stymied, because human rights come first. Thank you for your strong appeal on behalf of your husband.

Mrs. DOAN VIET HOAT. Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mrs. Doan.

I would like to ask our third witness, a 27-year survivor, a veteran of the prison system, Mr. Nguyen, if he would now proceed.

STATEMENT OF MR. NGUYEN CHI THIEN, POET, POLITICAL PRISONER

Mr. NGUYEN CHI THIEN. Mr. Chairman, honorable members of the House Committee on International Relations, I am Nguyen Chi Thien, author of the poetry collection, *The Flowers of Hell*. First of all, I would like to thank the honorable members of the Subcommittee on International Operations and Human Rights and the Subcommittee on Asia and the Pacific, for allowing me to be here today to speak to the question of human rights in Vietnam.

Since time does not permit a long elaboration of the egregious situation of human rights in my country, I would like to summarize and give you only the barest outlines of the gross violations of

human rights that have been going on since at least 1954, when the Communists first came to full power in the northern half of Vietnam. Tens of thousands of people have been executed during the time of the Land Reform. Many tens of thousands of so-called landlords were sent to prison and exile, and the numbers of landlords perishing in jail came to many times the number of those directly executed in the public denunciation grounds.

Let me clarify here that we are not talking about real landlords by the standards of other countries. In Vietnam during those years, you only had to be the owner of half a hectare of land to qualify as a landlord. The proportion of landlords to the general population was specified to be between 5 and 7 percent.

In 1961, Ho Chi Minh himself signed a decree ordering the concentration and reeducation of several hundred thousand people, consisting of those who had served in the military or government of the Bao Dai regime, those in the general population who may be discontented with the regime, including Buddhist priests, Catholic fathers, lay Catholics, bourgeois capitalists and intellectuals. They were all corralled into hard labor camps. These were the so-called political prisoners, although the term is not quite apt, since most of them have never engaged in politics, as such. On top of this, there were many more ruffians arrested at the same time, and put in the same camps. The vast majority of these people were never brought to trial and their fate depended entirely on the disposition made by the public security people.

Millions of people also lost their lives in the so-called war to liberate the south. In actuality, this war of liberation was nothing more than a struggle to impose communism or its Marxist-Leninist brand, on the whole of Vietnam as a stepping stone to the domination of the rest of Southeast Asia. After the fall of South Vietnam in 1975, hundreds of thousands of people went to fill up the Vietnamese Gulag. There was no need for a bloodbath, since that would be too obvious.

Instead, under the new regime, hundreds of thousands of people died of hunger or cold or simply died without notice in God-forsaken corners of the jungle. Your life or death was entirely in the hands of the Communist Party of Vietnam.

Since the collapse of the socialist bloc and the evaporation of the Marxist-Leninist paradise, the Vietnamese Government has adjusted through its renovation policy, which consisted of a certain amount of economic liberalization and untying the chains of culture accompanied by some minimal political reform.

But, in reality, what is the true nature of these reforms? Economically speaking, it meant that the common people are allowed to engage in petty business while the country opens itself to dollars coming from abroad. Thanks to these incoming dollars, the government has been able to double and triple the salaries of the military and the public security personnel, giving them houses and land as a means to bribe them into keeping the people under wraps, ordering them to shoot at any dissident element, to prove their eternal loyalty to the Communist Party of Vietnam.

In Vietnam nowadays, the dollar rules supreme. Corruption is rampant and reaches into every echelon of society. A class of nouveau riches has formed, made up for the most part by the children

of high ranking Communist Party officers. The overwhelming crushing majority, on the other hand, lives in utmost poverty.

How about the so-called unchaining of literature, culture and the arts? Culture, the literature and the arts are the very soul of a nation. Who ever gave the Communist Party of Vietnam the right to chain them in the first place? The so-called untying of the chains was simply a relaxation of control that did not last more than a few years, from 1987 to 1991. The monopoly of the media and printing presses and of the publishing business has always been in the hands of the party. To become a newspaper publisher, the director of the publishing house or a printing press, one must always be a high ranking and trusted member of the Communist Party of Vietnam. Even so, the party is far from feeling reassured. It makes certain that public security officers are always in charge. The people simply have no voice in society, except when they choose to sing of Uncle Ho or the party.

What about the so-called political reforms? They simply do not exist. The National Assembly is an instrument of the party, and so are the labor unions and the various administrative units of the government, everything belongs to the party. Buddha and the Christian God, too, must belong to the party if they are to survive. That is why the Communist Party of Vietnam seeks every means to control the religions of Vietnam. Anyone broaching a protest can be expected to go straight to jail. Even Buddhist temples must display the likenesses of Ho Chi Minh, whether it is a picture or a bust. Everywhere one can encounter public security officers disguised as Buddhist priests. The Catholic Church must have the previous approval of the party before it can ordain its priests or elevate them to the rank of bishops, or when it wants to recruit teaching personnel for the seminaries. Everything thus depends on the whims of the party. No wonder that every church ends up lacking in everything.

Anyone daring to say a word, whether he be a party member or not, in favor of pluralism or multipartyism, on behalf of freedom and democracy, or attacking Marxism or Uncle Ho or the Communist Party of Vietnam, can expect to go straight to jail.

Witness the cases of Messrs. Nguyen Dan Que, Doan Viet Hoat, Hoang Minh Chinh, Do Trung Hieu, Nguyen Ho, Nguyen Dinh Huy and numerous others that no one can possibly list all out.

Mr. McNamara's recent book on the war in Vietnam shows how little he understands Vietnam and the Vietnamese people. Furthermore, he insulted the memory of those who have fought and sacrificed for the cause of the freedom and democracy in Vietnam, which is closely linked to the same cause in the world and in the United States, itself. He failed to understand the finality of the collapse of communism and the dimensions of the victory of the free world, which was due in no small part to the valiant struggle that we put up in Korea, Vietnam and Afghanistan.

He regretted the sacrifice in blood and money that went into the Vietnam War, but one should ask him, pray tell us a good deed that does not cost anything. If that was the case, the whole world would be made up of good Samaritans.

In retrospect, the war in Vietnam can be compared to a battle, a major battle if you want, that was lost but which, in the end, contributed to a victory on the grandest scale.

I have lived for more than 40 years in the very bowels of communism. I realize better than anyone that no pressure from the outside world can force the current leaders of Vietnam to adopt a pluralist and multiparty solution, to opt for freedom and democracy, for that is equivalent to abandoning their monopoly of power and giving up on their illegal gains.

This will not happen until such a time as the system disintegrates and collapses by itself. At the present time, this disintegration process has reached to a great depth and spread really wide. But, in the immediate future, I believe it is within the power of the United States and other free nations on earth to influence Hanoi in many ways so that it will have to release the prisoners of conscience from their cruel places of exile and shameful prisons.

This is especially urgent as they are near exhaustion point, most of them having spent many, many years in jail and therefore, their constitution has suffered greatly. That is why I would like to add my desperate voice to appeal to the conscience of mankind to work with determination and force the Vietnamese Communists to let go of all their prisoners of conscience. This should be done at once and unconditionally.

The family of the political prisoners and the people of Vietnam yearn for this outcome every hour and minute of the day. Please do not let them down and let them sink into despair and hopelessness.

To close my remarks, I would like to thank the Government and Congress of the United States as well as all those who have done in any way to seek my release from Vietnam, so that I could put my feet on the soil of this capital of the free world, and have this opportunity to address to you the above remarks.

[The prepared statement of Mr. Nguyen Chi Thien appears in the appendix.]

Mr. SMITH. Thank you very, very much, Mr. Nguyen. With the incisiveness of a true poet, you have laid a number of things on the table, including your criticism of Mr. McNamara's recent book, and the fact that the Vietnamese War was a battle that made the rest of the demise of communism possible. I think that is a very keen insight that you provided to me and to the subcommittee today.

You pointed out in your testimony—and the others might want to respond to this as well—that notwithstanding economic liberalism, there really have not been political reforms. They simply do not exist. Yet, we have some in our own government and some Vietnam watchers who suggest that human rights and political reforms will flow automatically from the trade that is occurring and the expectation of more trade.

I happen to believe that it is not so much of a given, that such reform is possible, but it is certainly not probable. Dictatorships in the past have shown that they can make the trains run on time while even more severely repressing their own people.

I would appreciate it if you would comment on whether or not you think the Administration's tack, our government's tack has been helpful or neutral or perhaps even hurtful. As you pointed

out, Mr. Nguyen, the salaries of the military have doubled. They now have more money to perhaps repress their own people. Has the situation gotten worse since the normalization process has begun with the United States?

Mr. YOUNG. With your permission, I will translate briefly.

Mr. SMITH. If you would want to respond, as well.

[Pause.]

Mr. NGUYEN CHI THIEN. Mr. Chairman, I believe it is impossible to improve on the human rights situation in Vietnam by the influx of foreign capital and money, because as we have seen actually in Vietnam, that money has helped the Vietnamese Government to pay their military and their security forces to enlarge them, to bribe them, to entice them with ways to become even more loyal in oppressing more people.

So, this connection that some people see between foreign investment and improving human rights is actually nonsensical and cannot exist.

Mr. SMITH. Mr. Tri or Mrs. Doan?

Mrs. DOAN VIET HOAT. I think that we must make progress in both economics and politics. Economics is good in the ways that the people can earn more money, but if they do not have freedom, it will be worse, because the government shall always suppress the people and then it makes them to be, they will corrupt much more than usual. Because, through the economic channel, the companies in the government try to smuggle out, to corrupt, they try to share the profits through economy called channel, that the reason we have to make progress and most in politics and economics. Not only economics, it will be handicapped because democracy and freedom are much more important than economics, because democracy, freedom and human rights are perpetual topics. So, the reason I do not agree that when you think that economics, development, could help, that is not right.

Mr. NGUYEN TAN TRI. Mr. Chairman, I would like to answer that question, too. In my opinion, if the country changes the economic situation, I do not think it is a good idea. I think before we do anything about economy, we need to change the political system. Because if you do not change the political system, you cannot make the country better, just with a change in economy.

So, for 3 or 4 years, they said they have a new policy, they call it renovation policy. But, by now, the human rights and I mean the way the government treats the people is still very bad. Two years in jail is, I think, a good example, and a lot of my friends are still in jail right now. They did not do anything wrong. They did not do anything against the law. They just want to tell the Communist Party their opinion. They just want to tell them the way to make the country better, but they still have to go to jail. Thank you.

Mr. SMITH. Mr. Young, did you want to comment on that?

Mr. YOUNG. Not on that question, thank you very much, Mr. Chairman. Well, excuse me, Mr. Chairman, yes, maybe just very briefly. I am sitting here sort of in the capacity as translator, but it seems to me that it is in the great interest of both the Congress and the Administration to have a human rights policy which transcends individual cases of individual people in prison, and looks to structural reforms of a system.

There are many things that we could do, I am convinced, to encourage the Vietnamese to make structural reforms, moving toward democratization, ways that are of good change, which would be acceptable to the vast majority of Communists, as well.

Mr. SMITH. I appreciate that.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I want to thank our panelists for their fine testimonies, and the testimony of Mr. Nguyen Chi Thien, I was very impressed. I hope your book, the collection of poems, Hao Dia Nguc, The Flowers of Hell, I hope we have that in the Library of Congress, Mr. Chairman, because I do plan to read it. The fact that Mr. Nguyen has had 40 years of experience in dealing with the Communists, I want to ask you a question. I, too, support your position with real irony, and I say with bitterness, with what Former Secretary McNamara has done in terms of the position that he has taken and admission of his wrong.

I want to ask you, how many prisoners of conscience do you think there currently are in the prisons of Vietnam right now that you talk about?

Mr. NGUYEN CHI THIEN. I cannot know exactly how many prisoners of conscience, because it is a top secret of the Communist Party.

Mr. FALEOMAVAEGA. Can you give your best estimate?

Mr. NGUYEN CHI THIEN. Top secret of the Communist Party. No one can know.

Mr. FALEOMAVAEGA. Can you give an estimate, I mean, in the thousands, 2,000 or 3,000? My understanding is that 2 million Vietnamese in Vietnam right now are members of the Communist Party. That is kind of strange, controlling the whole affairs of the government currently with 70 million people. But, I just wanted to ask Mr. Nguyen if he has any idea or just an estimate as to how many political prisoners are we talking about that currently are incarcerated?

Mr. NGUYEN CHI THIEN. I think that there are actually about 2,000 or 3,000.

Mr. FALEOMAVAEGA. About 2,000 or 3,000 political prisoners?

Mr. NGUYEN CHI THIEN. Of political conscience.

Mrs. DOAN VIET HOAT. I think that the estimate of 10,000 political prisoners is extremely conservative. Through the surveys of the human rights organizations, NGO organizations, they think that 10,000 political prisoners in Vietnam are the most recent estimate.

Mr. FALEOMAVAEGA. So, our skill is improving from 2,000 to 10,000? Maybe our friend here can help us.

Mr. SMITH. Identify yourself, please?

Mr. TRAN TU THANH. My name is Tran Tu Thanh. I am a former political prisoner. I have been detained for almost 15 years in Vietnam, and as an activist for human rights in Vietnam, I can answer you. I estimate about 10,000 the number of political prisoners right now detained in Vietnam.

I would like to submit to you just two lists of political prisoners in Vietnam, just in two camps. The first camp is the A20 in Vietnam. In this camp right now, 374 political prisoners are currently being detained—

Mr. FALCOMAVAEGA. Mr. Chairman, can I ask that we receive that and it be made part of the record?

Mr. SMITH. Without objection, it will be.

[The information appears in the appendix with the prepared statement of Mr. Tran Tu Thanh.]

Mr. TRAN TU THANH. The second camp is Xuan Loc, Dong Nai in South Vietnam. The second camp currently detains 153 political prisoners. Most of them were sentenced from 15 years to life imprisonment. That is only two camps, and we have some more lists that we can submit to you later on.

Mr. FALCOMAVAEGA. When I was in Vietnam, I participated in a program that is known as Chieu Hoi. I notice you have Doi Moi over here, but at that time, we called it Chieu Hoi, and it was a program to assist defectors, supposedly to come back to our side of the fence, so to speak, and it never worked very well.

Again, Mr. Nguyen, I am very impressed with your testimony. You made a very interesting statement in saying that Vietnam can be compared to a battle. I guess your suggestion that we may have lost the battle but we won the war, but I do not know what you meant if you say that we won the war, in what respect, the fact that we did lose the war?

The fact that our country has now formally recognized the sovereignty of Vietnam, even though it is a Communist regime, do you support that position taken now by the Administration, the same way that we recognize the Communist regime in Russia? I take it back, is Vietnam the only Communist country we have left now? Try Burma, China.

[Pause.]

Mr. NGUYEN CHI THIEN. My opinion about the U.S. recognition of Hanoi is that it is quite significantly different from the United States' recognition of the Soviet Union, because there is no war between the two major countries. Whereas, in the case of Vietnam, what the United States is doing is basically breathing life into something which is very near dying or almost like a corpse.

What is happening right now is that people talk about investment in order to improve the human rights situation in Vietnam, but you need to know that in Vietnam, all the industries and companies and businesses and everything are in the hands of the party. So, what you are doing is actually you are financing the party to continue their repressive regime.

Mr. FALCOMAVAEGA. Mr. Nguyen, I notice also in observation, you say that in Vietnam nowadays, the dollar rules supreme, there is rampant corruption and graft in every echelon of society. Would you agree with me that this might also be a description of a democratic form of government that we had in the early 1960's in South Vietnam? It seems that there is a little sense of repetition. We are pointing fingers at the Communists being corrupt, but did we not also have the experience and have to handle the problems of corruption that was rampant in Saigon with the officials that were there, supposedly elected officials?

The problems that delve into the well of the Vietnamese people to fight against communism the way they should have and failed, or am I wrong in saying that they failed, and maybe the American people failed?

Mr. YOUNG. I would like to reply.

Mr. FALCOMVAEGA. I would like to hear from Mr. Nguyen.

Mr. YOUNG. He is getting a translation, if that is all right.

Mr. FALCOMVAEGA. It is almost a paragraph. Can you translate that?

Mr. YOUNG. Well, Mr. Nguyen observed that corruption certainly is not unknown in the world. We see that in the democratic society, see that in society. But, he thinks that there is a difference in degree. You say that corruption as it is in Vietnam now is what he calls mass corruption. He says that he agrees with you, that it was corruption that brought about partially the defeat of the South in the war.

But, nonetheless, then, this degree, it is limited to some circles. Whereas in Vietnam now, the corruption spread everywhere. You could go down into the village and it is the policeman at the corner of the street, he is also corrupt. It goes all the way up.

Mr. FALCOMVAEGA. I am sorry, I do not mean to deal with the sins of the past. I think we ought to focus on what it is now, and what can we do to improve the situation for the future. I did not mean to get into that, but my problem is I always have to take a kind of historical perspective as to why we are where we are right now, and some of the problems that we need to identify, so that we can find solutions hopefully to those problems and then that is why I like to see how we can relate to some of the issues that we are discussing this afternoon.

Mr. YOUNG. Mr. Tri would like to add a few points to the remarks of Mr. Nguyen Chi Thien. I would like to completely agree with his remarks, as I, too, am a witness to that situation. I am not as good as Mr. Bic. Mr. Bic is one of the best translators in the world today, but I will try.

Second, in the prison, and I mentioned I was just in prison as recently as a week ago. They did not give us very much to eat and drink, and what they really gave us was just white rice all the time, so we had to buy anything else that we needed to eat, and we had to buy it from people who were relatives of the prison guards.

If our family relatives wanted to bring food to us, the guards would not let them give it to us, so we were forced to buy things, even the water we drank, we were forced to buy it from the low-level prison people.

Mr. FALCOMVAEGA. Obviously, Vietnam is a poor country, and I do not think Vietnam has much of the luxury that we have in our prison system today here in America. So, I do not know how we can make comparisons. You have been fed only rice because the economic standards of the country are in a very dire situation; it is difficult to feed prisoners, but even the people outside in the streets trying to make ends meet in a very, very bad situation.

So, I appreciate the experiences that you had as a prisoner, but I just was wanting to catch that view. Thank you, Mr. Chairman.

Mr. SMITH. Just let me make a comment. Is it not true that the very meager rations that you are provided, such as the rice, are designed to emaciate you? Are they a form of torture?

Mr. YOUNG. For Mr. Tri, yes, let me reply briefly. The situation of always keeping us in a state of hunger is a form of torture. Yes,

it is true that Vietnam is a poor country, but that does not mean it has to force us to buy food. For example, why could it not give us the same water that it sells to us? By selling it to us, it is just like slitting our throats.

Mr. SMITH. I would just remark, I have been working on behalf of human rights for the 15 years that I have been in Congress, and in every gulag, whether it be in the former Soviet Union in Russia, in Castro's gulags, or anywhere else in the world, food is almost always used as a weapon against the prisoners.

In cold climates, they often will add exposure to the elements and lack of heat to the lack of food. When one is not getting enough to eat or drink, that quickly leads to a need for medicines and then those are not provided. I have been in gulags—I was one of the first ones to be in a gulag in the Soviet Union, Perm Camp 35, where Cheransky and some of the other noted dissidents had been held—and it is amazing how consistent the Communist dictatorships are in using these forms of torture against their people.

Of course, this is in addition to other, more overt forms, such as cattle prods and things of that kind.

Mr. FALCOMA. Mr. Chairman, please, I am not trying to advocate on protecting the prison system of Vietnam. I was just trying to seek answers to some of the questions that I have, and I have the utmost respect for the very bad experience that you and your colleagues have had in dealing with the situation there in Vietnam.

Mr. SMITH. I appreciate that. Let me ask one more question and then ask Mr. Dornan if he has any additional questions. I know you obviously used the Orderly Departure Program to transport yourself here. There are some within the Administration suggesting that the program has outlived its usefulness. What is your view on that, Mr. Tri, if you could start?

Mr. YOUNG. Excuse me, Mr. Chairman, the orderly departure program?

Mr. SMITH. Is the Orderly Departure Program out of Vietnam something that we need to retain as a way of getting refugees here?

Mr. YOUNG. For Mr. Tri, in my opinion, the ODP program has a humanitarian characteristic which is very admirable. This is a program which allows families to get together after forced separation. I give you the example, the husband who was in the political concentration camps, the wife could not make her way in Vietnam. She had to go overseas. They have been separated, but now through this program, the family can be reunited again.

Mr. SMITH. Thank you. Mr. Dornan.

Mr. DORNAN. Thank you, Mr. Chairman. Probably this question has been already asked, and if it has, I will let the chairman explain it to me. But, where do we go from here? Who are prominent political prisoners that we can raise the political visibility for and get them released? From what I can determine, working the American missing in action issue, the Vietnamese Embassy here in town, the Communist Embassy, is now obsessed with Most-Favored-Nation status on trade. They have gotten everything else they wanted out of the Clinton administration, but they want that Most-Favored-Nation status. They do not care about American

businessmen coming in as much as they want to get their products out and start to make money.

What can we do while they are nervous about this to keep the pressure on? Who can we help now?

Mr. YOUNG. For Mr. Tri, I would like to reply to that, Mr. Congressman. As has been testified to, there is an estimate that there are perhaps as many as 10,000 total political prisoners in Vietnam. There are several whom I know for absolute certain have been in prison since 1975. The conditions in prisons are just terrible, because my friend who was also released with me was imprisoned with some of these people, and they told him and he passed it on to me, the horrible conditions that these other prisoners have been subjected to.

I plead with the U.S. Government that in its bargaining process with the Vietnamese Communists that it set as conditions for any benefits that the Communists will receive, the release of all political prisoners. I believe that the American Government must take a different look at human rights, not like the look that the Government of Hanoi takes.

Mr. DORNAN. Well, I was just looking at overhead imagery of some of the bigger camps. Photographs taken from space. I wonder, Mr. Chairman—the chairman has left.

Mr. FALEOMAVAEGA. The chairman has asked me to fill in for him at this time.

Mr. DORNAN. I wonder if the acting chairman, which gives this a bipartisan approach, I wonder if there is some way we could ask that returned prisoners who have been leaders, like our witnesses here. Maybe you could help us with this, Steve, to advise our intelligence agencies on where to look for these camps with our satellite imagery, so we could come up with a close figure regarding these 10,000 political prisoners.

I think if America knew there were 10,000 political prisoners, some in their 20th year of captivity, that Clinton would never have been able to normalize relations.

Mr. FALEOMAVAEGA. I would submit to my good friend from California, if we can manage to get satellite photos of the Great Wall of China, I see no reason why we would not be able to do the same similar thing to what you are requesting, and I could not agree with you more that this is certainly something the chairman would like to pursue.

Mr. DORNAN. Let me nail this down. Let me make a request through Mr. Young. As soon as you are rested a bit from traveling half way around the world, literally, 12 time zones from Saigon to here, let us see if you can designate for us on rough coordinates, mileages outside of main city points, 10 or 15 or 20 major camps. I will make a request as a member of the Intelligence Committee, for overhead imagery of these camps, so we can see the extent of the installation, the physical buildings and then make a determination of how many people are in each one of these camps.

Mr. TRAN TU THANH. Mr. Congressman, even the U.N. team group investigators went to Vietnam and the Vietnamese Government always say that they do not have any political prisoners. But, as we prove here, the political prisoners, former political prisoners are here, and my husband and 10,000 other political prisoners. We

could just give you the names of the camp, and then the problem is how could the Vietnamese Government give you permission to investigate? That is a problem.

Mr. DORNAN. Well, the full subcommittee chairman, Mr. Christopher Smith, pressed the Russians on going to the world's worst political prisoner camp, PRIM. I do not know what that means, PRIM 35, in Russia, and they finally let him in, because they were releasing most of their political prisoners, and keeping only hard core criminals.

What we would have to do is make a sociological estimate of how an older culture like Vietnam, how many criminals they would have. There is no gang warfare like there is here, there is no crack cocaine. What would be the number of people normally in prison in an Asian country of that size for regular street crimes, burglary, thievery, and then apply it to the numbers of prisoners estimated from overhead images, pictures, of all the major camps. That way, we may be able to make the United Nations listen. That is the only thing I can think of.

That is a worthy project for Amnesty International and every other human rights group I can think of. I will talk to the chairman about it.

Mr. FALCOMAVAEGA. I thank the gentleman from California.

Mr. DORNAN. I have no more questions. Thank you, Mr. Chairman.

Mr. FALCOMAVAEGA. On behalf of the chairman, who will be coming back very soon, he would like to extend his appreciation to the members of the panel for your fine statements. Definitely, it will all be entered and made part of the record, and we certainly appreciate your sharing with us the experiences that you have had in dealing with the prison system of Vietnam.

I thank you, and we would like to call on the next panel that we have now at this time, Mr. Mike Jendrzejczyk, who is the Washington director of the Human Rights Watch Asia, a private independent human rights monitoring organization. He is the campaign director for Amnesty International New York, and also previously involved with the International Amnesty in London, published numerous articles on human rights in the Herald Tribune, the L.A. Times, the Washington Post, The Christian Science Monitor, the Asian Wall Street Journal and the Boston Globe.

We also have with us Ms. Nina Shea, who has been an international lawyer for 15 years now, and is now the program director for Freedom House Puebla Program of Religious Freedom.

Also, and forgive me, oh, it is Mr. Vo Van Ai, the president and founder of the Vietnam Committee on Human Rights, a Paris-based monitoring organization.

Mr. Tran Tu Thanh is the executive director of the Vietnam Helsinki Commission, a non-profit organization. I want to thank the members of the panel for being here this afternoon.

Again, the gentleman from California, as well as the chairman, Mr. Smith, who will be right back in about 2 or 3 minutes, but we would like to proceed with your testimony, so please proceed.

Mr. Jendrzejczyk.

**STATEMENT OF MR. MICHAEL JENDRZEJCZYK, WASHINGTON
DIRECTOR, HUMAN RIGHTS WATCH ASIA**

Mr. JENDRZEJCZYK. Thank you, Mr. Chairman, for inviting us to testify on this important subject. I would like to make my remarks very brief, given the lateness of the hour, and summarize some of our recommendations and also comment briefly on some of the remarks made by the State Department witnesses earlier this afternoon.

Mr. FALEOMAVAEGA. Please do.

Mr. JENDRZEJCZYK. Thank you, Mr. Chairman. As Vietnam opens its economy and seeks closer ties to the United States, this is a crucial moment for the Administration and Congress to send clear signals to Hanoi on how precisely progress on human rights will affect other aspects of the evolving bilateral relationship.

We welcomed President Clinton's announcement that normalized relations, that progress would, in fact, be dependent on certifications regarding human rights and labor rights, specifically as they pertain to MFN and OPIC.

However, we believe the Administration has to do much more to follow up these statements with concrete action. First, the United States should join other governments in calling on Vietnam to release all persons imprisoned or detained for peacefully exercising their civil and political rights. This seems to have been a theme that has run through all the testimony today.

The calls for the release of these political prisoners should be made not only by political delegations but by trade delegations. I thought it was interesting that nobody said this morning that the inter-agency delegation in Vietnam right now, talking about trade and economic issues, even has a list of political prisoners, even has human rights on its agenda. I think it should be.

Second, Members of Congress on both the House and Senate side, who travel to Vietnam, I think have played a key role and can continue to play a crucial role in raising specific human rights issues with Vietnamese leaders at all levels. Attached to my testimony, Mr. Chairman, is a sample list of some of the best, well known political and religious prisoners, and certainly, there are very many more, but the government does not publish names or statistics, nor does it allow outside monitoring of human rights. My organization this year, unfortunately, was denied permission by the Vietnamese Government to pay an official visit to Vietnam. This is a decision we hope the government will reconsider. We believe their cooperation with the U.N. working group on arbitrary detention last November is also very important to encourage and continue.

Third, we believe the U.S.-Vietnam dialog on human rights should be elevated to a higher level. We heard this afternoon that, in fact, there have been some very specific interventions by Secretary Christopher, and that is welcome. But that is not the same as having an Assistant Secretary of State, on a regular basis, conducting a dialog on human rights, just as took place on the POW/MIA issue, when Winston Lord made that the top priority in the portfolio of his talks.

We also believe the Administration should present regular reports to Congress, perhaps every 6 months, on the progress or lack

of progress in the dialog of human rights. This provides transparency and accountability, not only for Hanoi but also for the Administration.

Fourth, we think the Administration should spell out what benchmarks will be required before OPIC and MFN can be considered. Again, the State Department said this morning, these were being discussed, but they did not say what they were. Once again, I think this is the crucial moment when the leaders in Hanoi are looking for precisely those signals.

Certainly, given the abysmal record of this Administration with MFN for China, congressional oversight and scrutiny is absolutely required. Otherwise, we understand OPIC right now, for example, is lobbying very heavily within the Administration to get into Vietnam very quickly. Unless Congress weighs in formally and informally, they may just get their way.

Fifth, it is very important that the United States not do this alone. This has got to be a multilateral issue. Later this month, on November 30 and December 1, in Paris, the World Bank will be convening all of Vietnam's major bilateral donors. The United States will be represented there in an observer status, even though we are not now an aid donor to Vietnam. It is crucial that in such discussions, human rights and the development of the rule of law be very much on the agenda. I think the United States should do what it can to urge our allies in Europe and Australia, especially, to encourage this.

Finally, I would like to make a suggestion based on talks I have had recently in Tokyo with the Foreign Ministry and other officials in the Japanese Government. Japan is now the largest single foreign aid donor, bilateral donor to Vietnam. They gave \$543 million in development aid in 1993 alone. Later next week, the President will be meeting with the Prime Minister of Japan. Secretary Christopher will have discussions with his counterpart, Foreign Minister Kono. This is a real opportunity for the United States and Japan together to cooperate to promote not only economic reform, but greater respect for the rule of law and enhancement of human rights.

Japan does have an aid charter that says human rights and democratization should be a principle in its foreign aid program, and I think the United States, in the person of the President and the Secretary of State in the meetings next week, have an opportunity to encourage the Government of Japan to actually apply this charter when it comes to Vietnam.

Based on my discussions with Japanese officials, yes, human rights are sometimes raised, but only in very general and vague terms, and we believe the Government of Japan can do much more, especially as an Asian Government that is the largest donor, not only in the Asia Pacific region, but in the world. Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Jendrzeczyk appears in the appendix.]

Mr. FALCOMAVEGA. Thank you. Did you say, Mike, there was a \$500-million foreign aid program to Vietnam?

Mr. JENDRZEJCZYK. In 1993, Japan gave \$543 million in development aid.

Mr. FALCOMAVAEGA. That is going to be followed up with about a \$30-billion investment return.

Mr. JENDRZEJCZYK. Yes, and Party Secretary Do Moi from Vietnam visited Japan this past April, and Japan indicated another \$700 million in an infrastructure loan would also be forthcoming. Yes, Japanese companies are very interested in getting involved in Vietnam.

Mr. FALCOMAVAEGA. At the same time, we are investing \$150 billion to provide the security of the region, at our expense, while they are making the money. Very good.

Nina, please.

STATEMENT OF MS. NINA SHEA, DIRECTOR—PUEBLA PROGRAM ON RELIGIOUS FREEDOM, FREEDOM HOUSE

Ms. SHEA. Thank you, Mr. Chairman. These are important hearings today, and though the Puebla Program on Religious Freedom of Freedom House focuses on all three major religions on Vietnam, I am going to, in the interest of time, just focus on the Christian religions today, and defer to the excellent witnesses on Buddhism on the Buddhist repression, which we are also very concerned about.

Hanoi permits religious expression only with instructors and organizations that are submissive to the State and serve State interests. Because of its need to replace Soviet patronage with Western money and soften its image in the United States, Vietnam has, in the last several years, reluctantly allowed some meager but well publicized reforms, such as two printings of the New Testament and the opening of some Catholic seminaries.

But, the bottom line is that Vietnamese Communist authorities continue to claim control over belief and religious activity. After a summer of diplomatic triumphs that include full diplomatic recognition by the United States and admission into ASEAN, Vietnam has embarked on a frenzy of activity to intimidate and suppress independent worship. Since July, it has detained several Evangelical pastors, including an American, shut down Baptist and Evangelical churches, confiscated Bibles, blocked the appointment of Catholic bishops, sentenced the second-ranking official in the Buddhist Church to 5 years in prison, given stiff sentences to five other Buddhists and announced the impending trial of the Buddhist Supreme Patriarch.

To the best of our knowledge, no religious leaders were amnestied from prison in September, on the 50th anniversary of Ho Chi Minh's declaration of independence. Vietnam continues to use the harshest tactics where they feel they can get away with it, outside the international spotlight. The key victims of these brutalities are the ethnic Christian Evangelicals from the remote mountain villages, the Buddhists, who have few proponents in the West, and the members of the Congregation of Mother Coredemptrix, the only Catholic order that is indigenous to Vietnam.

But, even the well connected Christian Church suffers forms of religious repression that are more hidden and sophisticated. The congregation of Mother Coredemptrix is the only Catholic order founded by Vietnamese citizens, and thus it is highly popular. Fourteen priests and monks from the Coredemptrix have been im-

prisoned since 1987. To give an example, 77-year-old Brother Nguyen Chau Dat, for example, is serving a 20-year sentence on counter-revolutionary charges after a trial with 22 other of his co-religioners from the Coredemptrix order in October 1987.

Over the last 2 years, Vietnam has employed a repression strategy, striking at the Catholic churches' hierarchical structure. The government has sharply curtailed church leadership, both by barring bishops from their post and by stanching the flow of seminary entrants and graduates.

Hanoi continues to block a Vatican Episcopal appointment for Saigon, Vietnamese Catholicism's most important center, and in April 1995, rejected all four of the Vatican's appointments for bishop. It also bans Catholic education for the laity and forbids Catholic literature and publications, with limited recent exceptions.

As the situation stands, the Vietnamese Catholic Church is forced into a stunted existence with its pastoral ministry virtually limited to celebrating mass at strictly prescribed times and places.

Though Evangelical pastors were released from long-term detention during the debate about the lifting of the U.S. trade embargo in 1993, harassment of the Christian churches takes other forms such as short-term detentions, fines and property confiscations, which are no less onerous for the Evangelicals.

They do not have access to a new print run of Bibles, the first legal Bible was allowed in several decades, unless they register with and thus submit to the control of the government. Bibles, including the personal ones of citizens and tourists alike, are routinely confiscated in Vietnam. In July, Saigon airport authorities confiscated 600 Bibles being brought in by American tourists. In January of this year, police raided Village Number Three of Son Nhat and confiscated all eight Bibles possessed by the 35 families of the Christian community there, and prohibited them from holding further house church meetings.

Raids on independent Evangelical churches are common. On September 17 this year, authorities in Dalat raided a local church affiliated with Reverend Dinh Thien Tu's house church movement, which is the largest autonomous Protestant movement in Vietnam. In early August, police had raided and closed a government-sanctioned Baptist church in Dalat after finding "illegal" Christian literature on their premises.

On September 10, Vietnamese-American pastor Reverend An Doan Sauveur was apprehended by police as he led an open air service with 70 local Christians on a hillside outside Haiphong. He was detained 3 days under incommunicado house arrest, where he and a Vietnamese-Canadian colleague, arrested at the same time, were interrogated. They were then fined and deported.

Short-term detentions are common. During the first 3 months of 1995, four Pentacostals were in custody for crossing the border to Cambodia to attend a revival campaign conducted by visiting U.S. evangelist Mike Evans. In March, 1995, this year, a senior pastor of a large South Vietnamese house church movement was informed that he is prohibited from traveling, after he was accused of going overseas for religious reasons rather than for business, as he claimed.

Four Evangelicals working with the K'Hor tribe continue to be in prison 3 months past the expiration of their sentences which were imposed earlier this year for illegal preaching. The three lay leaders among them were arrested for evangelizing on bicycles. They were also denied food, by the way, for 5 days for praying while in prison.

Mr. Chairman, Freedom House recommends that the U.S. step up the pressure for the releases of the long-term Catholic and Buddhist prisoners and also for the free distribution and possession of Bibles, the free appointment of Catholic bishops by the Vatican and ordination of priests, the end to harassment of pastors through short-term detentions and fines, and the recognition of religious freedom in general. Respect for religious freedom is a starting point for all human rights. Thank you.

[The prepared statement of Ms. Shea appears in the appendix.]

Mr. FALEOMAVAEGA. Thank you, Ms. Shea. Now, Mr. Vo Van Ai.

STATEMENT OF MR. VO VAN AI, PRESIDENT, VIETNAM COMMITTEE ON HUMAN RIGHTS

Mr. VO VAN AI. Mr. Chairman, I am honored to testify before the distinguished members of the subcommittees today, on behalf of the Vietnam Committee on Human Rights, a non-governmental human rights monitoring group based in Paris and as overseas spokesman of the Unified Buddhist Church of Vietnam.

I am here today to sound the alarm and call on Congress to take urgent action, for unless the international community, led by the United States, takes swift and firm measures to stay Hanoi's hand, 2,000 years of Buddhism faces extinction in Vietnam today. Indeed, in a recent clampdown which culminated in the arrest of virtually all the Buddhist leadership, two of the church's most prominent and respected dignitaries were jailed; seventy-seven-year-old Patriarch Thich Huyen Quang and his deputy, Thich Quang Do. In a country which counts over 56 million Buddhists, 80 percent of the population, the arbitrary arrest of these two imminent figures shows the government's cynical disregard of justice and of its people's tradition. Then, barely 3 weeks after the renewal of diplomatic relations with the United States, Vietnam openly defied the international community by bringing a group of democracy activists, led by Nguyen Dinh Huy and six prominent Buddhists to trial. Thich Quang Do and five others were convicted on August 15 of sentences of up to 5 years imprisonment. Their crime? Organizing a rescue mission to distribute relief aid to flood victims and circulating documents calling for religious freedom and human rights. The trial was typical of all human rights trials in Vietnam's so-called "people's courts". No defense lawyer, no public, no press. The Foreign Ministry even turned down requests from the State Department and other Western Governments to send diplomatic observers to monitor the trial.

Through these attempts to suppress the Unified Buddhist Church of Vietnam, Hanoi is seeking to silence the voice of Vietnam's most active and influential movement for democracy and human rights, the only force capable of playing a significant role in the peaceful transition to democracy in Vietnam.

There are a number of basic differences opposing Buddhism and the State. The first is ideological. Communist ideology is based on the class struggle, conflict and on hatred. Buddhist philosophy is based on compassion, tolerance and love.

Second, the Communist one-party system commands uniformity of ideas and action, as well as total obedience. Buddhism, on the contrary, encourages the development of individual capacities and their harmonious cooperation into vibrant and diversified whole.

It may seem a paradox that Vietnam is repressing Buddhists so fiercely at a time when religion appears to be increasingly tolerated in Vietnam. In fact, this is not the case. For reasons of political expediency and to attract a flourishing tourist trade, the party condones wide *freedom of worship*, the freedom to pray, to meditate in silence, to keep religion enclosed between the four walls of pagodas and churches. But, true *freedom of religion* continues to be repressed. Repression against the Unified Buddhist Church is not new. The heir to a 20th-century-long tradition of Vietnamese Buddhism, the VBCB was denied the status of a church by French Colonial Decree No. 10. Founded in 1951, it was the first organization to unify Buddhists all over North, Central and South Vietnam. Thousands of its monks and nuns perished in North Vietnam under the Government of Ho Chi Minh. Recent official statistics indicate the extent to which communism has taken its toll. In North Vietnam, the cradle of Vietnamese Buddhism, 39 years of communism have left the country with only 3,172 monks and nuns for a total of 4,531 pagoda, an average of just over half a monk for each pagoda.

After the Communists took power in the south in 1975, a similar policy of repression was introduced. The vast network of Buddhist pagodas, schools, universities, and hospitals were dismantled, and thousands of Buddhist monks and nuns arrested. Among them was the Venerable Thich Thien Minh, tortured to death in a reeducation camp in 1978, and well known scholars, such as Thich Tue Sy and Le Manh That, a brilliant historian and graduate of Wisconsin University, now serving 20 years hard labor in reeducation camps.

In 1981, the Unified Buddhist Church was formally banned and a state-sponsored body, the Vietnam Buddhist Church, directly under the control of the Communist Party's Bureau of Religious Affairs and the Fatherland Front, became the only Buddhist organization officially recognized by the State. Buddhists refusing to join it were brutalized or jailed.

At the same time, the authorities restricted Buddhism and other religions by means of the law. Although the Vietnamese Constitution guarantees religious freedom, regulations such as Decree 69, adopted in 1991, provide heavy punishment for any religious activities deemed to "sabotage national independence and go against the interest of the state". This loose definition makes it legal for the State to imprison anyone for the simplest expression of their religious beliefs.

Tension flared up again in 1992, after the death of the Patriarch Thich Don Hau. He appointed Thich Huyen Quang, the pioneer of the Buddhist struggle against State control, to succeed him at the head of the church. Conflict came to a head in May, 1993, when 40,000 Buddhists took to the streets of Hue to protest against gov-

ernment persecution. Never since the Communist Party took control, had there been such a massive demonstration of public protest in Vietnam. The demonstration marked a turning point in the conflict with the Buddhists as a strong democratic force, capable of mobilizing mass popular support.

Perceiving the church as a challenge to its authority, the government intensified its repression. In a vast security sweep launched in November 1994, Patriarch Thich Huyen Quang, Thich Quang Do and the organizers of the Buddhist rescue mission, were arrested. The clampdown on this humanitarian mission illustrates the contradiction in Hanoi's policy once again. On the one hand, the authorities appealed for international aid to help the flood victims. On the other, they imprisoned Vietnamese who tried to help their own people.

Buddhists are not the sole victims of repression. In May 1994, a former high-ranking Communist veteran, Do Trung Hieu, one of the principal architects of Hanoi's religious policy, circulated a document accusing Hanoi of seeking to transform Buddhism into a puppet of the Communist Party. Do Trung Hieu was arrested on June 14. In fact, as I speak to you this very day, Do Trung Hieu and another Communist veteran, Hoang Minh Chinh, former Dean of Hanoi's Institute of Marxist-Leninist Philosophy, stood trial in Hanoi. Both men were arrested on June 14. Hoang Minh Chinh's crime was to circulate documents calling on the party to abolish the Marxist-Leninist monopoly of power and set up a democracy in Vietnam. They were sentenced respectively to 15 and 12 months imprisonment. Even stronger protests have come from Buddhists, within the State-sponsored Vietnam Buddhist church. In July of this year, 49 senior monks in the Binh Dinh Province sent a petition to the Vietnamese Government calling for the immediate release of Thich Huyen Quang. In September, 280 clergy and lay followers in the Ho Chi Minh City area wrote to Prime Minister Vo Van Kiet, protesting against the unfair trial of Thich Quang Do and the five leaders of the rescue mission.

As I left Paris to testify at this hearing, I received another petition sent clandestinely from Vietnam, dated November 1, signed by 233 monks and peasants from the Mekong Delta region. It describes the terrible floods that hit the region this year, leaving thousands homeless and famished once again. Appealing for the release of Thich Quang Do and his colleagues, the petition declared, "These monks only came to rescue us. They did nothing to oppose the government."

I strongly believe that the United States has a vital role to play in encouraging human rights improvements in Vietnam. Private diplomacy is important, but it is also necessary to make public intervention on serious human rights concerns. Vietnam must be made aware that its relationship with the United States is a partnership based on the common commitment to democratic values and principles.

First, I urge the United States to demand that Hanoi give a full accounting of the status and whereabouts of detained Buddhist monks and release all those imprisoned, solely on account of their religious belief, with special regard to the cases of the Patriarch Thich Huyen Quang and Thich Quang Do.

Second, cease all discussions on economic assistance to Vietnam until this issue has been resolved. More generally, I urge the United States to press publicly for the release of all prisoners jailed for the expression of their opinions or beliefs——

Mr. FALÉOMAVAEGA. Mr. Vo Van Ai?

Mr. VO VAN AI. Just three more phrases.

Mr. FALÉOMAVAEGA. Three more phrases? OK.

Mr. VO VAN AI. More generally, I urge the United States to press publicly for the release of all prisoners jailed for the expression of their opinions or beliefs, and encourage Vietnam to take concrete steps toward real democratic reform. To begin, I suggest two basic measures; then I will conclude: Hanoi should allow the publication of private, independently run newspapers in Ho Chi Minh City by providing a free flow of ideas and information. This newspaper would play a vital part in stimulating real debate of ideas in Vietnam.

Also, Clause 4 of the Constitution concerning the mastery of the Communist Party should be abolished. This would ensure the equal participation of all social, religious and political families in the process of national reconciliation for the reconstruction of Vietnam. Thank you for your attention.

[The prepared statement of Mr. Vo Van Ai appears in the appendix.]

Mr. FALÉOMAVAEGA. Before I turn to Mr. Tran Tu Thanh, I just want one little observation in your statement and I commend you for it, and you traveled all the way from Paris to come meet with us, and I really appreciate your being here.

Just a note and I think your suggestions are highly commendable, that the United States take this very strong action, but here are two things that trouble me. We will come back to it and discuss it, before I miss my train of thought and what Mr. Jendrzeczyk stated earlier, the fact that Japan had given \$500 million in economic assistance to help Vietnam, and the fact that France was the first country in the world that recognized Vietnam. I was wondering if France is holding the same standard that you are expecting the United States to take in terms of human rights and making sure that we take in multilateral effort and not just the United States being the point man, while everybody else is collecting and making huge investments and gaining profits and everything, and we are stuck with the human rights issues.

Yet, countries like France and Japan and everybody else are making the money. So, I just wanted to leave that with you. I would like to ask Mr. Tran Tu Thanh for his thoughts and then we will come back and continue the dialog, all right?

Mr. VO VAN AI. Yes.

Mr. FALÉOMAVAEGA. I have some very juicy thoughts about the French Government. I will share that with you later.

Mr. Tran Tu Thanh.

STATEMENT OF MR. TRAN TU THANH, EXECUTIVE DIRECTOR, VIETNAM HELSINKI COMMITTEE

Mr. TRAN TU THANH. Mr. Chairman, honorable members of the joint committees, ladies and gentlemen, it is a great honor for me to appear today before the Subcommittee on International Oper-

ations and Human Rights and the Subcommittee on Asia and the Pacific, to testify on the human rights situation in Vietnam.

My name is Thanh Tran. I am executive director of the Vietnam Helsinki Committee, a non-profit organization working for the protection of human rights and monitoring human rights conditions in Vietnam. Today, I wish to bring to your attention the following with regard to the detention of religious leaders and political prisoners in re-education camps.

Since 1975, the Socialist Republic of Vietnam Government has consistently resorted to violence in its dealings with religious leaders and political dissidents who speak out on human rights in Vietnam. Hanoi's policy of persecution is a deliberate one, planned and directed at the highest level of the Communist Party of Vietnam. It is carried out by security forces at all levels throughout Vietnam.

The Vietnam Helsinki Committee has done a thorough study of the Socialist Republic of Vietnam's treatment of the various churches in Vietnam entitled "Religious Persecution in the Socialist Republic of Vietnam, 1975-1995", published in September of this year. Together with attachment one, this publication should contain ample and concrete evidence of Hanoi's human rights violations in just one area of Vietnamese life. I respectfully submit these documents for the record.

Mr. FALCOMAVAEGA. Without objection, your materials submitted will be made part of the record.

Mr. TRAN TU THANH. The Communist Government has also resorted to lengthy and among the toughest sentences to repress opposition elements. To express a different political viewpoint, which is common practice elsewhere, is enough to expose oneself to the risk of death or a sentence of anywhere between 15 years and life imprisonment.

Many do not even have the luxury of a public trial while the rest, right after a closed trial, may be sent directly to a forced labor camp, which goes under the euphemism of re-education camp. Even worse, common criminals are used to harass, terrorize, and in some instances, murder the political prisoners. Political prisoners are kept in the same wards with murderers, robbers, rapists and hard-core criminals. These criminals are then used by the prison wardens to provide surveillance, abuse or even to degrade the political prisoners at will.

These inhumane tactics have led to the tragic death of a number of political prisoners. For instance, the death of Mr. Tran Tu Thanh Quang Quan in Ham Tan re-education camp, Z30D/K1, situated some 80 miles northeast of Saigon. Mr. Quan was born in 1950 in Gia Dinh Province, arrested on June 14, 1982. He was incarcerated in Z30D, K1, Ham Tan, Thuan Mai Camp (A20, Phu Yen) Province, and sentenced to 20 years of hard labor. In April, 1995, a common criminal crushed his head against a stone, causing his instant death.

Another political prisoner, Mr. Van Dinh Nhat, was tried on August 25, 1993 and sentenced to 6 years of imprisonment and 3 years under house arrest upon release. Before his release, he was stabbed four times by his cell mate, who was a hard-core criminal.

Attachment two is a list of the 374 political prisoners currently detained in A20 re-education camp and 153 others in Camp Z30A, Xuan Loc, Dong Nai Province.

Prostitutes and female criminals with contagious diseases were also used to intimidate, harass or terrorize female political prisoners. In many prisons, 60 to 70 female prisoners, political and criminal alike, would be sandwiched in a 16-by-30-foot ward. Some of the victims included such persons as one of my sisters-in-law, Dr. Giac Duc Nu Tri Hai, a very learned Buddhist nun, Mrs. Doan Viet Hoat herself, and the daughter of the late Head of State Phan Khac Suu of the former Republic of Vietnam.

To silence opposition to the regime, the Communist Government has utilized death squads and well-publicized execution grounds to spread terror, fear and deterrence in re-education camps and among the population. In Ho Chi Minh City alone, there are four execution grounds with Hoc Mon and Long Thanh My being the most infamous. At the Long Thanh My execution ground, I saw with my own eyes more than 100 graves where political prisoners were buried in shallow graves. The first commander, Mr. Le Van Phong of Ho Chi Minh City's execution squad, has executed 45 political prisoners by his own hand.

In 1992, he told Tuoi Tre, Youth, the official newspaper of the People's Committee of Ho Chi Minh City that at one time he shot as many as eight coups de grace to eight prisoners that he was in charge of executing. He later resigned because of a severe case of depression. We have just been informed by our Vietnam Helsinki Committee contacts in Vietnam that the Long Thanh My ground will soon be leveled to eradicate the vestige of such crime. Attachment three is a partial list of political prisoners executed by the Socialist Republic of Vietnam's Government execution squad.

The above are just a few examples illustrating the cruelty and inhumanity of Hanoi's policies and their total disregard of basic human rights as warranted in the universal declaration of human rights, and upheld as a matter of common practice by the American people.

In view of Hanoi's current lobbying effort with Congress for the Most-Favored-Nation status, we recommend that the United States strongly pressure Hanoi first to release at once and unconditionally all political prisoners, including religious leaders, activists, writers and political dissidents. Some of the names that come readily to mind are the Supreme Patriarch Thich Huyen Quang and the most Venerable Thich Quang Do of the Unified Buddhist Church of Vietnam, Professor Doan Viet Hoat and Dr. Nguyen Dan Que.

Second, to allow humanitarian organizations and independent monitoring groups to visit re-education camps to ensure that medical care be provided and prison conditions be improved.

Third, to separate immediately all political prisoners from the common criminals.

Fourth, to give a full accounting of all Vietnamese political prisoners, whether they are presently in jail or under house arrest.

The Vietnam Helsinki Committee believes that the U.S. Congress has an enormous role to play and great influence that it can bring to bear on Hanoi so as to stop the human rights abuses in Vietnam and for that reason, the U.S. Government should always

bring up human rights concerns during all bilateral talks with Hanoi. The Vietnamese-American community in the United States appreciates very much any consultation from the U.S. Government on all issues concerning Vietnam.

On a last issue, we call on the U.S. Government to strongly oppose the forced repatriation of the Vietnamese asylum seekers in Southeast Asia and Hong Kong. Many among them have been victims of severe persecution before they escaped. They would face persecution again if repatriated.

Thank you, Mr. Chairman and honorable members of the two subcommittees for an opportunity to speak to you today.

[The prepared statement of Mr. Tran Tu Thanh appears in the appendix.]

Mr. FALEOMAVAEGA. Thank you very much. I would like to pursue the statement or an observation that I made to Mr. Vo Van Ai earlier, and especially with Mr. Jendrzejczyk's earlier statements. Let me try and restate the problem and I would love to have your response.

Suppose the United States takes the lead on the human rights and then it looks on the side, you have its allies, the British, the French, the Italians, the industrial democracies of the world, all wanting to make huge investments, seeing the potential of 70 million people that need to be fed with McDonald hamburgers and all these things that we love to make investments and exports.

But, suppose if France or Britain says, the heck with you. That is not our problem. We just want to go there and do an economic shake with the Vietnamese Government officials and that is what we are here for. We are not here about human rights. What would be your suggestion on how we might resolve this problem, Mr. Jendrzejczyk?

Mr. JENDRZEJCZYK. Well, unfortunately, the opposite, I think, is the case. It is the United States that is playing catch up. Sweden, which has been a very close ally to the Vietnamese Government, has had human rights high on its agenda. When President Mitterand of France visited Vietnam a couple of years ago, specific human rights issues and cases were brought up. The European union just finished negotiating this July a trade cooperation agreement that was held up nearly 2 years because of problems on a human rights clause. Now, we do not know how that is going to be implemented.

Australia sent a parliamentary delegation specifically to look at human rights in Vietnam, after again running into lots of problems with the Vietnamese Government. So, I think, in fact, there is a track record among some of our allies of having been rather vigorous in at least pursuing this issue.

I also think there are opportunities with Japan, and I will mention another one that I brought up with members of the Japanese Diet (Parliament). That is a joint congressional Diet delegation going to Vietnam to talk about both economic reform and the rule of law and human rights, I think, could send a very strong signal. There is a human rights caucus in the Japanese House of Representatives, and I would encourage any such efforts.

So, I think there are, in fact, opportunities to work in a multilateral way, while at the same time, human rights becomes more important, hopefully, in our bilateral relations.

Mr. FALEOMAVAEGA. This may be an incentive that the chairman can initiate with the members of our own subcommittee in line with the parliamentarians of other countries, who have the same similar interest in promoting human rights.

Mr. JENDRZEJCZYK. Precisely.

Mr. FALEOMAVAEGA. Go there with a group of different countries, with their respective parliamentarians to visit and pursue the issue, as you suggested.

Nina Shea, did you have anything?

Ms. SHEA. I did not have anything further to comment on that issue.

Mr. FALEOMAVAEGA. Mr. Vo Van Ai.

Mr. VO VAN AI. I ask your permission to ask my friend to translate for me.

Mr. FALEOMAVAEGA. I am sorry, I do not speak French.

Mr. VO VAN AI. The United States is the leading country in the world, and they have a lot more to offer to Vietnam than other nations. The United States does raise the condition of human rights. At the same time, corporate investment companies do discuss human rights issues, and that is something which is different than other countries. Other countries of the West, as I was saying, do not have a priority on human rights, and that is a bad thing.

Mr. FALEOMAVAEGA. You are saying that France does not have a high priority on human rights?

Mr. VO VAN AI. Regrettably, although France always says in speeches that it is the nation of human rights, unfortunately in practice, we have found certainly with respect to Vietnam that often economic interests have taken precedence over considerations of human rights in the Vietnamese case.

Mr. FALEOMAVAEGA. I recall Prime Minister Chirrac made a statement that France is the home of the enlightenment. France is the home of human rights, freedom, democracy, and justice should be utmost in the hearts and the minds of the French people, and I respect that. I know that the good people of France have that.

Mr. Vo Van Ai, I do not mean to get at you, but I have one particular question that I want to ask you as a citizen coming from Paris, the French are conducting nuclear explosions in the Pacific against the will of the French people. Sixty percent of the people in France are against it. The entire people in French Polynesia are against it. Would you suppose that might be a violation of the human rights of the poor people out there in the Pacific?

Mr. VO VAN AI. Yes, I agree with you, that is a violation of human rights.

Mr. FALEOMAVAEGA. The lives of 200,000 men, women and children are at stake, because for the last 20 years, this great democratic country exploded over 165 nuclear bombs on this one atoll, and it is equivalent to ten Chernobyls, if that atoll ever breaks or starts to leak out the nuclear contamination.

You also have an additional 28 million people that live in the Pacific whose lives also may be at stake in terms of their health and safety, because of this.

Mr. VO VAN AI. I think it is safe to say, it is not only French people in France who are against that, but Vietnamese people living in France feel exactly the same, too. We oppose it totally.

Mr. FALEOMAVAEGA. Thank you, Mr. Vo Van Ai. Mr. Tran Tu Thanh, I go back to my regular thought again about—yes.

Mr. TRAN TU THANH. As you know, corruption is very current now in Vietnam.

Mr. FALEOMAVAEGA. Yes, it does not discriminate whether it is a Communist country or democracy, corruption is corruption.

Mr. TRAN TU THANH. As a counter-intelligence officer, I always use reliable numbers. Mr. Cam, he is the general inspector of the Government of Vietnam right now, declared publicly to the newspapers in Vietnam that the officials in the Government of Vietnam appropriate to themselves each year, annually, about \$3,000 billion dong in value, that is one quarter, one fourth, of the national budget of Vietnam.

Mr. FALEOMAVAEGA. I am sorry, \$3,000 billion dollars? Million?

Mr. TRAN TU THANH. Billion Vietnamese dong (piasters).

Mr. FALEOMAVAEGA. Oh, yes, but how much is that in U.S. dollars? So, \$3,000 million. Divide by 10,000, OK.

Mr. TRAN TU THANH. So, one fourth of the national budget, if the United States invests in Vietnam, all this money goes into the pockets of officials of Vietnam and members of the Communist Party. So, I think you should choose another means to invest into Vietnam, but not right now.

Mr. FALEOMAVAEGA. You do not agree with our policy of initiating investments?

Mr. TRAN TU THANH. Another way of investment but not right now.

Mr. FALEOMAVAEGA. But, France wants to do it, Britain wants to do it, other democratic countries want to do it, so why should the United States not do it?

Mr. TRAN TU THANH. I think you just help the Vietnamese people; not the Government, or the leaders of the Communist Party.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Faleomavaega, and first of all, let me thank our panel. I have read through the testimonies. Unfortunately, I had business outside the room for part of your presentations. But as I think both you—Mike and Nina—saw, I was asking questions out of your testimony of the Administration.

I do want to thank you so very much for your testimony. I only have one question and we might have some additional ones for the record. We have heard this Administration may look to dismantle the Orderly Departure Program, which I think would be a mistake. I would appreciate your expert opinions on that, maybe from right to left?

Mr. JENDRZEJCZYK. I am not aware that is the case, but I certainly will look into it, because as you say, that is quite disturbing if, in fact, that is the case. But, I had not heard that.

Mr. SMITH. You would be in favor of keeping ODP?

Mr. JENDRZEJCZYK. I just do not frankly understand right now what the status is and what the budget considerations are, but I certainly agree it bears looking into immediately and that is some-

thing I will do, and I hope the committee will do. But, again, I have not heard this before.

Ms. SHEA. I would like to submit it for the written record.

Mr. SMITH. OK, fine. I want to thank you again for your testimony and this hearing is adjourned.

Mr. FALCOMA. Mr. Chairman, I just want to say that one of my most favorite food items that I enjoyed, loved eating very much in Vietnam was nuoo mam.

[Whereupon, at 6:36 p.m., the subcommittees were adjourned.]

APPENDIX

HUMAN RIGHTS IN VIETNAM : NEED FOR IMPROVEMENT

*Rep. Howard L. Berman
November 8, 1995*

o This hearing could not be scheduled at a more timely moment. The release this past week-end by the Vietnamese government of two Vietnamese-Americans, held since last November 1993, for trying to organize a conference on democracy, and the departure over the week-end of an American delegation to Hanoi to hold trade and economic talks illustrate both how far we have come and how far we still have to go in our relations with Vietnam.

o I have been assured that our trade delegation will make it very clear to the Vietnamese - as was made clear by the Bush Administration - that progress on such issues as OPIC insurance and most-favored-nation trading status will not be possible unless there is also progress in improving human and labor rights conditions in Vietnam.

o At the same time, I believe Vietnam should take steps now to implement recommendations of the United Nations Working Group on Arbitrary Detention, including:

- permitting regular prison visits by international humanitarian groups, such as the ICRC;
- permitting regular family visits, and
- revising the Criminal Code to permit freedom of expression.

o Many of us applauded the decision by President Clinton to normalize relations with Vietnam. We would now welcome additional steps towards expanding our contacts but these must be predicated on progress being made on human rights. Continued reports of religious persecution and a lack of toleration for the government's critics only serve to make difficult further diplomatic improvements.

o Three of the recommendations made by Asia Watch appear to me to be especially salient:

- biannual reports by the State Department on the human rights conditions,
- a high level human rights dialogue with the Vietnamese, and
- closer cooperation with the Japanese in such a dialogue.

o I look forward to the Administration's reaction to these points.

OPENING STATEMENT
CONGRESSMAN DONALD M. PAYNE
INTERNATIONAL RELATIONS COMMITTEE
HUMAN RIGHTS IN VIETNAM
NOVEMBER 8, 1995

Thank you Mr. Chairman, I would like to request that my written statement be submitted for the record. Let me just say that this issue of Human Rights in Vietnam is a topic that I as well as most Americans are deeply concerned with.

The war with Vietnam was a very costly experience for the United States. It divided the nation. It's pain is still felt today. I had the opportunity to visit Ho Chi Minh City in 1975.

58,000 thousand Americans died in Southeast Asia. Some were my students and my son's friends. Three hundred sixty-five thousand wounded and at war's end, some 2,500 were unaccounted for.

Today, that figure is over 2,000 and over 50 Americans who were seen alive in Vietnam remain missing. Now 20 years later after the communist takeover, we must try to establish formal relations with Hanoi.

The U.S.-Vietnam relationship must be improved. Vietnam must make strides in improving human rights, the ability to trace our American soldiers that did not return from the war, and the halting of international narcotics traffic.

I understand the need of Vietnam to be able to fully enter the international economic community. Vietnam is especially eager to win the Most Favored Nation (MFN) trading status. This would reduce tariffs on the exports to the United States. Before this can occur, Hanoi must fully open its markets to foreign competition, implement legal reforms and move away from socialism.

Trade and human rights is an important area. I am strongly committed to human rights. Vietnamese Foreign Minister Nguyen Manh Cam, seems committed to "normalizing" relations. They have become signatories to the Covenants on International Civil and Political Rights, and Economic, Social and Cultural Rights but we know that the government is very complex and constantly changing. Despite rhetoric, they should be held accountable to the provisions within these covenants.

The "renovation" policy opened the door to improvements in human rights, including the release in 1987 and 1988 of thousands of prisoners who had been transferred to labor camps without a fair trial on the basis of their religious and political ideologies. However, implementation of the laws remain problematic. The penal and judicial system remain weak.

Also, there are many exiled Vietnamese in various camps in Hong Kong, and Malaysia. In addition to the refugee problem, a wave of arrests of intellectuals continues. The "reeducation" policy that Vietnam committed itself to should be enforced.

The United States is now the eighth largest foreign investor in Vietnam with some 600 million dollars. U.S. exports to Vietnam this year were expected to top 230 million dollars with Vietnamese exports to the U.S. at about 50 million dollars.

In light of the Vietnamese integration with ASEAN, democratization is hopeful. My concern is that the expatriates will finally be able to return home.

If a "comprehensive" trade accord is one goal, Vietnam, however, must be held accountable for violations of individual rights. Vietnam's prosperity depends on the expediency of change in its political climate.

I welcome the panelists here today to tell us about the recent human rights abuses in Vietnam.

Thank You.

TESTIMONY OF DEPUTY ASSISTANT SECRETARY OF STATE
KENT WIEDEMANN

NOVEMBER 8, 1995

COMMITTEE ON INTERNATIONAL RELATIONS
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS
SUBCOMMITTEE ON ASIA AND THE PACIFIC
U.S. HOUSE OF REPRESENTATIVES

HUMAN RIGHTS AND U.S. POLICY TOWARD VIETNAM

Human Rights and U.S. Policy Toward Vietnam

Thank you Mr. Chairman. I'm pleased to have the opportunity today to speak to you today about an important aspect of our relations with Vietnam. I will begin by taking a few minutes to outline the current state of U.S.-Vietnamese relations and the part human rights concerns play in those relations. Mr. Coffey will then speak to you in greater detail concerning Vietnam's human rights record and our ongoing dialogue with the Vietnamese government.

Obtaining the fullest possible accounting for our POW and MIAs remains the Administration's highest priority in relations with Vietnam. As you know, on January 28, 1995 the United States established a Liaison Office in Hanoi. Following the President's decision to establish diplomatic relations with Vietnam, Secretary Christopher opened the U.S. Embassy in Hanoi on August 6.

The presence of a U.S. post in Vietnam has enhanced our ability to make progress in accounting for American POWs and MIAs, allowed us to advance the interests of U.S. companies, and made possible provision of consular services to U.S. citizens. Most important for the subject of this hearing, diplomatic relations has led to a deepening of our dialogue on human rights and an increase in the depth of our understanding of the current situation in Vietnam.

Since the President's announcement of diplomatic normalization with Vietnam in July, we have continued to receive strong cooperation from the Vietnamese on matters of importance to the U.S. Most significantly, SRV cooperation in our efforts to seek the fullest possible accounting for our POW/MIAs continues to be vigorous. We have continued to make progress in each of the four key areas identified by the President in 1993 (remains, discrepancy cases, trilateral cooperation, and documents).

- Remains: With additional repatriations in August and October, remains believed to represent 31 Americans have returned to the U.S. from Vietnam in 1995. Since January, 1993, we have repatriated 174 sets of remains, including remains obtained through joint activities and those turned over unilaterally by the Vietnamese.

- The increased pace of repatriations of remains over the past two years is resulting in a significant number of identifications, the final step in accounting for missing Americans. Since January 1993, the remains of 45 Americans lost in Vietnam have been identified and returned to their loved ones.

Identifications completed this year include two individuals from the "last known alive" discrepancy case list and two from a list of 84 "Special Remains" cases on which we have evidence indicating the remains had once been under Vietnamese control.

- Discrepancy cases: The discrepancy case list is a subset of cases in which evidence suggests individuals could have survived their loss incident. Of the 196 individuals originally named on the list, the remains of 26 have been recovered and identified. As noted above, two of these identifications were completed this year. Since January 1993, we have confirmed the deaths of another 80 individuals, reducing the number whose fate remains unknown to 55. Vietnamese officials continuing to work closely with us to resolve these remaining cases.
- Trilateral Cooperation with Laos: Under a mechanism established in December 1994, Vietnamese witnesses to loss incidents in Laos continue to accompany U.S. investigators to sites in that country. Vietnamese witnesses played important roles in a number of investigations, providing information helpful in locating crash and grave sights.
- Documents: In response to our request, the Vietnamese set up search teams in the Ministries of Interior and National Defense. In 1995 the teams and other Vietnamese organizations and individuals have located and turned over to U.S. investigators a total of 295 documents totaling 563 pages. Included have been a number of documents containing leads on unresolved cases, including documents specifically requested by the National League of POW/MIA Families.

A Presidential delegation on POW/MIAs will visit Vietnam in December to review the efforts to date and to pursue further progress toward the fullest possible accounting.

- 3 -

Vietnam is also cooperating with us on other important matters, including counter-narcotics efforts, and regional security matters in the context of the ASEAN Regional Forum. We have concluded a good settlement for U.S. private claimants against Vietnam, settled our diplomatic property claims with Hanoi and are involved in ongoing negotiations over our pre-war government to government debts.

In addition, our governments are engaged in an ongoing dialogue on human rights. As Secretary Christopher said in Hanoi, "Progress in this dialogue will enable our two nations to further deepen our ties." As Mr. Coffey will describe in greater detail, the fourth round of these talks was held in Washington last month. I want to emphasize that in no sense do we confine our discussions of human rights with Vietnamese officials to the formal dialogue process. Human rights has been on the agenda in every single significant contact between U.S. and Vietnamese officials, including at senior levels. That is because we believe our human rights dialogue with Vietnam reinforces our political and economic interests across a broad spectrum. To borrow again from Secretary Christopher's speech in Hanoi, we believe "that the rule of law and accountable government are the bedrock of stability and prosperity."

Just three days ago we welcomed Vietnam's humanitarian gesture in releasing two American citizens, Nguyen Tan Tri and Tran Quang Liem, who had been detained since 1993. These releases came in response to direct requests by Secretary Christopher in Hanoi in August and here in Washington last month. We believe the releases demonstrate Vietnamese willingness to address our concerns in this area in the context of the overall expansion of our relationship.

Not surprisingly, economic and trade ties are an area of paramount interest for the Vietnamese government in its relations with the United States. We believe such ties are important, for the mutual benefits they can bring to our two countries and economies certainly, but also for their contribution to creating an atmosphere in which we can continue to make progress across the broad range of our bilateral agenda, including POW/MIA accounting and human rights. Accordingly, in announcing normalization of diplomatic relations with Vietnam, the President stated that the USG would implement programs to develop trade with Vietnam "consistent with U.S. law." During his August visit to Hanoi, Secretary Christopher announced our intention to negotiate a trade agreement with Vietnam.

- 4 -

As a next step in our relationship, we have dispatched a fact-finding mission to Hanoi November 6-10 to explore possibilities for expanding economic relations. In addition to fact-finding, the delegation is educating the Vietnamese authorities on U.S. concerns and requirements attendant to expansion of economic ties, including a bilateral trade agreement, Jackson-Vanik freedom of emigration issues, worker rights, bilateral debt, and other economic topics.

We will continue to consult with Congress on the unfolding of normalization, and will be happy to provide debriefs on the delegation's trip following its return.

HUMAN RIGHTS IN VIETNAM

TESTIMONY OF
THE HONORABLE STEVEN J. COFFEY
ACTING DEPUTY ASSISTANT SECRETARY OF STATE
BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

BEFORE THE SUBCOMMITTEES ON
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS
AND ON ASIA AND THE PACIFIC
COMMITTEE ON INTERNATIONAL RELATIONS

U.S. HOUSE OF REPRESENTATIVES

NOVEMBER 8, 1995

Mr. Chairman, I would like to thank you for the opportunity to be here with you today to discuss how we are handling the issue of human rights with Vietnam.

It goes without saying that few countries have elicited as much passionate debate and soul-searching among the American people as has Vietnam. Thus it is appropriate that we approach this newest, and promising, chapter in U.S.-Vietnam relations with our commitment to human rights and freedom very much in mind.

Introduction

Mr. Chairman, the President's decision last July to normalize relations with Vietnam came after long reflection, and tireless effort, above all by those who have sought an accounting of the fate of American prisoners of war and missing-in-action. Indeed, achieving the fullest possible accounting of our American prisoners of war and missing in action will remain our highest priority in our relations with Vietnam.

This in turn points to a deeper truth about our ties with Vietnam -- that we enter the future with enduring memories and feelings. We do not forget for a moment that thousands of Americans gave their lives for the cause of freedom in Southeast Asia. And so the human rights concerns that attend our foreign policy today have special resonance when dealing with Vietnam. This is why our human rights dialogue with Vietnam preceded normalization, and why the President is committed to pursuing an improvement in Vietnam's human rights practices.

Mr. Chairman, I can assure you that human rights is very much on our minds as we broaden bilateral ties with Vietnam. One indication of this fact is that since assuming the position of Acting Principal Deputy Assistant Secretary for human rights a month ago, I have devoted more time to Vietnam than any other subject.

Our dialogue with Vietnam on human rights issues dates to February 1994, when the President first initiated a dialogue with the Vietnamese in order to formally and systematically address our human rights concerns. Our bureau was assigned primary responsibility for the dialogue, working with the East Asia and Pacific Affairs bureau, and held second and third rounds in August 1994 in Washington and in May 1995 in Hanoi. Just two weeks ago, on October 30, we held the latest round, and the first since normalization.

My experience in this latest round reinforced my belief that the establishment of formal diplomatic ties will enhance our ability to pursue our goals of improving Vietnam's human rights practices. Our principal message to the Vietnamese has been that we seek progress in all areas of our relationship, including human rights, and that human rights will affect the warmth and depth of bilateral relations.

We are encouraged by the emphasis placed by the Vietnamese themselves on establishing a civil society based on the rule of law. Our human rights dialogue and other forms of engagement that support these efforts will ultimately benefit the Vietnamese people.

In fact, as economic liberalization has progressed in Vietnam, we have seen the beginnings of potentially hopeful trends:

- o Government intrusiveness into the daily lives of the populace has decreased.
- o The Government has made some progress in developing a legal structure, although much remains to be done.
- o Within narrow boundaries, the Government has allowed and even encouraged serious press debate and criticism, particularly on corruption issues and Government mismanagement.
- o Citizens also have greater freedom to travel and change their residences and to engage in economic activities than in the recent past.

Human Rights in Vietnam Today

Notwithstanding these promising beginnings, Mr. Chairman, there is no getting around the fact that the Vietnamese Government still severely limits civil liberties, particularly freedom of expression, association, and religion. Nor does the one-party state currently permit open political debate.

The Government continues to monitor the activities of Vietnamese citizens, particularly those suspected of engaging in political or religious activities outside those approved by the Government. In order to control dissenting voices, the Government also continues arbitrarily to arrest and detain persons for the peaceful expression of opposing views. Our estimates indicate that 200 and perhaps as many as 1,000 Vietnamese citizens have been imprisoned for such peaceful activities, including well known political dissidents such as Professor Doan Viet Hoat, Dr. Nguyen Dan Que, and Doan Thanh Liem.

Some recent events confirm this overall assessment:

- o On August 12, the Vietnamese Government tried and convicted nine pro-democracy activists, including American citizens Nguyen Tan Tri and Tran Quang Liem, for planning a pro-democracy conference in Ho Chi Minh City in November 1993.

-3-

- o Several days later, six Buddhist clerics were tried and convicted for participating in flood relief efforts and other activities sponsored by the Unified Buddhist Church of Vietnam.

These developments are particularly disappointing in light of Vietnam's recent efforts to broaden its ties internationally.

U.S. Human Rights Efforts

As you know, Mr. Chairman, we normalized relations with Vietnam four months ago. We cannot expect comprehensive change overnight. As elsewhere in the world, the realization of the Vietnamese people's human rights is a work-in-progress which will require steady and long-term effort on our part, and of course, on theirs. We are committed to seeing this process through.

While our dialogue is the principal mechanism for us to raise human rights issues, human rights also figures prominently in all contacts between U.S. and Vietnamese officials. As Secretary Wiedemann made clear, human rights was highlighted in Secretary Christopher's meetings with Vietnamese officials in Hanoi and in his major speech to Vietnamese students there. I personally, and numerous other USG officials, including Secretary Christopher, have conveyed the message that the American people will be paying close attention to the Government's human rights practices. We believe the Vietnamese leadership understands that progress on human rights is necessary in order to achieve the kind of warm bilateral ties both our governments seek. As part of the process of expanding economic relations, we will initiate a dialogue on worker rights in order to collect more information and identify areas where further progress can be made. We intend to move forward in this area of our relationship in a carefully phased approach, consistent with U.S. statutory requirements.

While we would like to see fundamental changes in Vietnam in the short term, such progress is highly unlikely. However, through candid dialogue, we have begun the process of establishing benchmarks by which we can measure progress toward positive change. By agreeing to conduct the human rights dialogue, the Vietnamese have acknowledged the fact that human rights will remain an important part of our bilateral relationship. We will continue to press our concerns on all issues, including those where near-term progress is difficult.

I would, at this point, Mr. Chairman, like to turn to some specific issues that are particularly salient in our human rights engagement with Vietnam.

U.S. Citizens Tri and Liem

The release last Sunday of American citizens Nguyen Tan Tri and Tran Quang Liem was a welcome step. Their release came after several months of serious efforts by USG officials to resolve these cases favorably. Following Secretary Christopher's October 3 meeting with Vietnamese Foreign Minister Cam, we were assured that the two Americans would be released as a humanitarian gesture in the interests of improving relations. In follow-up conversations we pressed the Vietnamese to act promptly.

Although the Vietnamese Government contends the activities of Mr. Tri and Mr. Liem were unlawful, and their arrest and subsequent conviction justified, we wholeheartedly disagree. From the information available to us, these two Americans did nothing other than enter Vietnam. No meetings were ever held, papers produced, or demonstrations planned. Despite these differences of opinion, Vietnam's decision to release Mr. Tri and Mr. Liem is an indication that both sides can come together to resolve difficult issues.

I would add the observation that our diplomatic presence in Hanoi, as a result of normalization, helped this process immensely, enabling us to conduct regular prison visits, meet with government officials, and monitor legal proceedings. These activities are essential in order to protect the rights of American citizens, and we must have the resources to carry-out these tasks.

Mr. Chairman, I also want to assure you that we have not forgotten the seven Vietnamese citizens who remain imprisoned for involvement with Mr. Tri and Mr. Liem. We intend to continue to press the Vietnamese to release all prisoners of conscience.

Legal Reform

Mr. Chairman, the Vietnamese Government's stated desire to move toward the rule of law affords a good opportunity to address the arbitrariness and lack of transparency in the legal system. It is in Vietnam's interest to bring its laws into conformity with international standards, both for the maintenance of a stable and just society, and because the lack of a consistent, clear legal system deters the prospective investors and entrepreneurial spirit the country's economy so urgently needs.

Thus far, Vietnam has expressed interest in cooperating on legal reform efforts, and is currently receiving assistance from the governments of Canada, Australia, France, and others. One American legal expert is currently posted to Vietnam under the auspices of the UN Development Programme, working with the Ministry of Justice. IRI is active on these issues as well.

Of particular concern to us are the ambiguities within the legal code that can be used to arrest individuals involved in the peaceful expression of dissenting views. The Vietnamese Government has not yet taken action to address these provisions in the criminal code.

Arbitrary Detention/Prison Access

In our human rights dialogue we have raised the issue of arbitrary detention and prison access, and explained that the arbitrariness of the legal system is fundamentally incompatible with Vietnam's stated goal of establishing the rule of law.

There have been some helpful steps. In December 1994, the SRV allowed the UN Working Group on Arbitrary Detentions to visit Vietnam. Earlier in the year, it also allowed an Australian delegation to visit prisons. We have urged the SRV to adopt the recommendations of the UN Working Group, including allowing the Working Group to return to Vietnam. The Vietnamese have assured us that the recommendations are currently under consideration.

Religious Persecution

Mr. Chairman, the Vietnamese Government has in recent years taken a number of steps to relax restrictions on freedom of worship. However, the Government continues to restrict the activities of religious organizations.

Indeed, tensions between the Government and the Unified Buddhist Church of Vietnam have heightened since 1992. We have, on numerous occasions, expressed to Vietnamese authorities our serious concerns about the treatment of the leaders of the UBCV.

- o Six Buddhist monks, including the Venerable Thich Quang Do, were convicted of "sabotaging the solidarity policy." According to the information available to us, these monks were engaged in peaceful activities, including flood relief efforts in November 1994.
- o We have also urged the Government to allow an independent observer to meet with the Venerable Thich Huyen Quang in order to confirm his status. The Government denies he is being held under house arrest.

Similarly, the dispute between the Government and the Vatican over Vatican appointments is unresolved, and the Government continues to maintain restrictions on other activities of the Protestant and Catholic churches including the right to assemble, speak, and teach.

To date, we have made little headway on this issue, but intend to keep trying through more coordinated efforts with interested parties.

Conclusion

As I think I have demonstrated, Mr. Chairman, we are engaged on human rights in Vietnam and are pursuing these concerns with the Government. Through the cultivation of civil society and the rule of law, and what we hope will be expanded bilateral ties, we will continue to work to resolve these outstanding issues, both in the near term, and in the longer term. The release of Mr. Tri and Mr. Liem is one clear example of what can be achieved through dialogue, mutual understanding, and a commitment to strengthen bilateral ties.

Our human rights issues in Vietnam do not differ substantially from those issues over which we contend with a number of countries. We do believe that normalization has afforded us new channels in and through which to advance human rights in Vietnam, the world's eighth most populous country. And in so doing, Mr. Chairman, we may help pursue our shared goals of enabling the people of Vietnam to live in freedom and dignity.

STATEMENT OF MR. NGUYEN TAN TRI
before the
House International Relations Committee
Subcommittee on International Operations & Human Rights

Chairman Smith; members of the committee. I am pleased and honored to appear before this committee on my first full day back in my country -- the United States of America.

I will return to my home in Houston, Texas tomorrow to be reunited with my family for the first time in more than two years. These have been two lonely and terrible years. But, I felt it important to come before this committee today to discuss those times; those violation of human rights; and their impact on the future of relations between my new country -- the United States - - and my native homeland, Vietnam. I am, by the way, a citizen of the United States, and have lived in this wonderful country for 17 years. We own a convenience store in Houston, Texas. My daughter will graduate next month from Texas A&M University.

I want to thank particularly Chairman Smith for his invitation to appear today, and for his interest in our plight during those 24 dark months in Vietnam.

I particularly want to thank Mr. Stephen Young who is with me today. He has worked tirelessly for our release, and I know I speak for Mr. Liem who is now with his family in Orange County, California in expressing our deepest gratitude to Steve Young and all who helped secure our release from Vietnamese prison.

In 1993, I was in Saigon to help the movement to unite people and build democracy in Vietnam. The purpose of this conference was to develop Vietnam. There was absolutely no conspiracy to overthrow the Communist government of that country, but on November 12, 1993 -- two years ago -- I was arrested and was interrogated for six hours.

Also arrested was Mr. Tran Quang Liem and Mr. Nguyen Dinh Huy, head of the movement to unite people and build democracy in Vietnam. This movement is the new, peaceful and democratic movement to which I subscribe.

After twenty-one months in jail, being held without charges, I and Mr. Liem were put on trial in Vietnam. We could not hire our own lawyers. We could not offer evidence of our innocence. We could not see the evidence used against us, although we asked to see such evidence many times.

Basically, we were not allowed to defend ourselves. This was a show trial. At its conclusion I was sentenced to 7 years in prison.

I can now say I am an expert on Vietnam prisons. They are very, very bad.

Statement by Stephen B. Young
 House Subcommittee on International Human Rights
 November 8, 1995

Western concepts of democracy and human rights have strong analogs in Vietnamese culture. These concepts are not alien to Vietnamese. Thus we in the United States need have no hesitation in engaging in dialogue with the Communist Party leadership and other Vietnamese regarding the evolution of Vietnam's political system away from its current dismal state of one party dictatorship.

Vietnamese culture rests on an amalgam of Buddhist and Taoist beliefs in individual destiny. Each individual has a unique fate - a "so". Each individual's "so" prescribes a level of success and happiness, including ownership of private property, for that person. Communism is contrary to Vietnamese beliefs and that is why Communism has failed in Vietnam.

Vietnamese individualism is further inconsistent with dictatorship. Vietnamese like to think for themselves and act for themselves. They change leaders frequently and have many organizations and political tendencies when left to their own. The imperial model of authoritarian rule was imported from China and never fully won the allegiance of ordinary Vietnamese.

The Communist party has attempted to rule Vietnam in line with the imperial Chinese model of top down, command and control government managed by a bureaucratic elite. It has not worked well. But the Communist party has a powerful repressive arm in the police and the security services. Through fear the Party can keep the self-interest of individual Vietnamese in line behind Party domination.

But now nearly all Communist realize that their form of state is out of step with history and political forces. They are seeking a way to open up the regime before it collapses and yet preserve their personal advantages and privileges.

Under these circumstances, a gradual, step-by-step transition of Vietnam to political pluralism is possible. Most nationalist Vietnamese are now ready to exchange non-retribution and participation in politics for a gradual opening of the regime. To suggest one way of accomplishing this I put forward in the summer of 1993 a six step plan bring Vietnam to political pluralism by 1997 without bloodshed.

This plan has the same basis in Vietnamese culture that my 1989 suggestion for an interim UN Administration for Cambodia had in Cambodian culture, the dynamics of the rivalry between China and Vietnam over Cambodia, and international law of fiduciary undertakings.

The 6 step plan for Vietnam will work just as the UNTAC program for Cambodia was successful in ending the war, ending Communist dictatorship and promoting democracy in that country. A copy of the 6 step proposal is attached.

During my two years in prison, I was not beaten nor tortured. But, living conditions were deplorable and certainly harmful to my health. Four of us were held in a tiny cell, and we were fed only rice. If you wanted any other food, you had to have money to buy it from the prison guards.

For two years I slept on the floor. There were no beds; and no ventilation. I remained in my cell 24 hours a day and did not see the sun for the entire duration.

For the first six months I was not allowed to read anything. Finally, I was allowed to buy a dictionary.

I was questioned continually by the police and they always tried to trick me into saying something bad. But, I always argued back with them so they never got any evidence against me.

Today, I say once again I am innocent. Mr. Liem is innocent. Mr. Huy is innocent. Mr. Trong, Mr. Tan, Mr. Dong Tuy, Mr. Dinh, Mr. Bien, Mr. Chau are all innocent.

I say this because the movement to unite people in the cause of human rights and the building of Vietnamese democracy broke no law.

The 1995 conference was to help Vietnam develop; not to attack. We had no motive of overthrowing the Vietnamese government. Our movement is peaceful and only wants good for the Vietnamese people. After twenty years of Communist rule, the Vietnamese people want democracy; and the Vietnamese people want human rights.

Today, Mr. Liem and I are spending our first full day in the land of the free – the United States of America. Unfortunately, my friends still in Vietnam do not have freedom. The people of Vietnam do not have freedom. I hope you can help them as you have helped us, Mr. Chairman.

I will be happy to answer any of your questions.

But the 6 step plan needs official American support to encourage acceptance by Hanoi. Hanoi needs assurances that the United States will provide support against Chinese ambitions and pressures, especially in the Spratly Islands. Hanoi would respond better with a clear road map of change laid out before it so that fear of change would shrink to non-threatening levels of anxiety.

Building political and social organization outside the control structure of the Communist Party is essential for the development of democracy in Vietnam. The non-violent, Movement to Unite the People and Build Democracy exists in Vietnam throughout the country to begin a process of dialogue with the Communists and others. The country's constitution recognizes the Fatherland Front, which has been given new power and responsibilities in line with my recommendations and the Front of the People United. Embryonic structures are in place out of which progress towards democracy can come.

Religious leaders, local leaders, and educational leaders exist in great numbers to provide responsible transition to political pluralism.

The United States should have a clear policy of promoting a peaceful transition to political pluralism in Vietnam, in the best tradition of Vietnamese nationalism, the Dien Hong conference of the Tran Dynasty when Vietnamese came together to resolve on national defense against an invasion by Mongol forces.

**A PLAN FOR THE DEMOCRATISATION
OF VIETNAM**

By: Stephen B. Young
for submission to all
chapters of the
International Committee
for a Free Vietnam

Stage 1 July 1991 - October 1992

Consideration and adoption by Non-Communists of a policy of non-retribution (Khoan Hong) in return for a commitment to dialogue by the PolitBureau of the Communist Party of Vietnam.

Stage 2 December 1992 - April 1993

Formation of the movement to Unite the People and Build Democracy as the first dialogue partner for the Politbureau; acceptance of the Movement by the Politbureau.

Stage 3 June 1993 - December 1993

A) Conferences, seminars on the role of private sector entities in solving Vietnam's economic, social, educational disadvantages to prepare for the complete modernization of Vietnam. Participants to include all non-violent Vietnamese political points of view.

B) Creation of non-political, liturgical, private organizations for Buddhist, Catholic, Cao Dai and Hoa Hao adherents.

C) Creation of organized clubs (Cau Lac Bo) for non-violent expression of different political and cultural points of view. The clubs are not political parties.

Stage 4 1994

A) Elections for village government; members of the movement and clubs will be sponsored for office by the Fatherland Front.

B) All members of the police must resign from the Communist Party.

THICH GIAC DUC, Rev. Dr.
Chairman of the Planning and Development Committee and Official Representative of
Vietnamese American Unified Buddhist Congress in the United States of America

and his Assistant THICH VIEN LY, Ven.
Secretary General of Vietnamese American Unified Buddhist Congress in the USA

November 8, 1995

House Committee on International Relations

Subcommittee on International Operations and Human Rights and
Subcommittee on Asia and the Pacific

**STATEMENT OF THE REVEREND DR. THICH GIAC DUC
VIETNAMESE AMERICAN UNIFIED BUDDHIST CONGRESS
IN THE UNITED STATES OF AMERICA**

House Committee on International Relations
Subcommittee on International Operations and Human Rights
Subcommittee on Asia and the Pacific
November 8, 1995

Mr. Chairman,
Honorable Members of Congress,
Ladies and Gentlemen,

Buddhism came to Vietnam shortly after the beginning of the Christian era. As with any religion that has seen development in nearly twenty centuries, Vietnamese Buddhism has had its orders and different sects. But all these orders and sects came together into a single church in 1950 at a national convention held in Hue. The division of Vietnam after the Geneva Accords of 1954 into two competing nations, unfortunately, arrested this development and split the Buddhist Church into two separate entities.

In the North, the church had to follow the atheist practices of the communist regime in power. In the South it fared better but the Ngo Dinh Diem government's policy of religious discrimination brought about a profound crisis that finally toppled the regime. After the fall of President Diem's government, the southern Buddhist sects came together once again into the Unified Buddhist Church (UBC) of Vietnam (1964), where all different schools were tolerated and lived in peace with one another.

Mr. Chairman,
Ladies and Gentlemen,

Today, we come before you as official representatives of the Unified Buddhist Church of Vietnam. We deeply appreciate the fact that you have taken time from your busy schedule to listen to us and to the sad state of affairs that has befallen the Buddhist church in general and the UBC in particular in Vietnam. We will not have time to go into all the details of the policy of religious repression orchestrated by the Communist Party of Vietnam (CPV) since the regime came to power in August 1945 and which continued to this day. We can therefore give you only some notable examples that are clear illustrations of that policy.

For example, on the very day of the successful August Revolution (August 19, 1945), the Most Venerable THICH DUC HAI (secular name Nguyen Binh Nam), the master in religion of TMV Thich Quang Do and myself, was killed by the Communists in Ha Dong Province, North Vietnam. Branded a traitor, he was executed in cold blood with not even a semblance of a trial.

The following year, in 1946, TMV THICH DAI HAI (secular name Do Danh Giao), who was my master's elder brother in religion, was killed in Bac Ninh Province north of Hanoi. No explanation was given by the Communists as to why he deserved to be eliminated.

In 1948 Venerable THICH TUE CHIEU and Reverend THICH GIAC DAN were killed in Thanh Hoa Province, Central Vietnam.

In 1950 Patriarch THICH THANH QUYET, who was my master's father in religion, was accused of using the "opiate" of religion to "hoodwink" the people. Subjected to a public

campaign of "denunciation and struggle," he was driven to commit suicide as he was given no food nor water for several days while in detention.

No wonder that after North Vietnam became a firmly entrenched communist society, the Buddhist Church there, like its Catholic counterpart, became what was known as "a Church of Silence."

Mr. Chairman,
Ladies and Gentlemen,

Since 1975 the Communists have tried to impose the same fate to all churches in South Vietnam and because of its opposition, the Unified Buddhist Church of Vietnam has suffered the most. The Communists have, among other:

1) forced more than ten thousand Buddhist monks and nuns to leave the church and return to secular life through the government's enforced policy of assigned residence and food control (known as the "ho khai" policy).

2) arrested more than four hundred Buddhist monks and nuns without trial and imprisoned them for no specific charges. As of today fifty of these have died in prison and forty are still in prison.

3) arrested and imprisoned more than one hundred thousand Buddhist lay persons throughout the country.

4) confiscated more than ten thousand temples and all their contents, turning many of them into warehouses and government offices or even pigsties. The remain ones have been put under the direct or indirect control of the government.

5) taken over more than two hundred orphanages, putting the orphans on the streets. These were children who have already been victims of the war.

6) closed 237 high, middle, and elementary Buddhist run schools.

7) taken over Van Hanh University, the premier Buddhist university of Vietnam, Hue Nghiem Institute for Advanced Buddhist Studies and Research, not to mention several institutes for Buddhist studies (advanced, intermediate and beginning levels), the Youth School for Social Services, and several libraries and medical dispensaries.

To decapitate the UBC, the Communist government arrested TMV THICH HUYEN QUANG, President of the UBC, THICH THIEN MINH, UBC Vice President, THICH QUANG DO, its Secretary General, and other leading Buddhist monks in 1977. The Most Venerable Thich Thien Minh thereafter was tortured to death in prison where he died on October 17, 1978. TMV Thich Huyen Quang has been under house arrest since 1982. And TMV Thich Quang Do was exiled to his home province in North Vietnam until 1992.

To protest the government's encroachments, Reverend THICH HUE HIEN and eleven other reverends burned themselves on November 2, 1975 at Duoc Su Temple in Can Tho City, South Vietnam.

In early 1981, the government formed a state-sponsored Buddhist Church of Vietnam (BCV) and put pressure on members of the UBC to join this competing entity. If they refused they would have their food rations cut and their residence permits revoked.

On April 2, 1984, the security forces attacked the Gia Lam Temple in Saigon and arrested several Buddhist monks and nuns, among them two world renowned scholars of Buddhism and editors of the Buddhist Encyclopedia, Reverends THICH TUE SY (secular name Pham Van Thuong) and THICH TRI SIEU (secular name Le Manh That), who were given a death sentence for "attempt to overthrow the people's government." This was later commuted to 20 years in

prison due to intense international pressure and especially the personal intervention of President Bush.

Suspected of involvement in the same event, the Patriarch THICH TRI THU was grilled for hours and died shortly after his release. Not long after, TMV THICH THANH TRI, assistant to the Patriarch, also died for unknown reasons in a state-owned hospital in Hue.

Other high ranking Buddhist leaders made to die in prison included: TMV THICH TAM HOAN in 1981 in Qui Nhon Prison, Binh Dinh Province; TMV THICH KIM SANG in T82 Prison in 1986; and Reverend THICH THIEN AN, beaten to death in Chi Hoa Prison in Saigon in 1992.

In May 1994, to protest against the government's oppression, Reverend THICH HUE THAU, abbot of Ngoc Phat Temple in Vinh Long Province, immolated himself. Another self-immolation in Thien Mu Temple in Hue in May 1993, which the police did its best to cover up, ignited one of the largest public demonstrations ever seen in Vietnam--over 40,000 people turned up for a sit-in that blocked traffic on National Highway No. 1 for several hours.

In October 1994, a gigantic flood caused the death of over 300 people and rendered half a million people in the Mekong Delta homeless. In response the UBC officially organized a relief mission involving hundreds of trucks to deliver food and clothing donations, medicine and other aid to the flood victims. The government sent in security people to break up the convoy, arrest the leaders of the relief mission and confiscated all the supplies and money meant for the victims.

In August 1995, the government put TMV THICH QUANG DO (secular name Dang Phuc Tue), my brother in religion since 1943, on trial together with the monks and lay persons arrested in October 1994, and gave them prison sentences up to five years for the crime of "disturbing the peace."

Such blatant illegality is so revolting that even leaders in the government-sponsored Church have been led to raise their voices against the proceedings: in April this year 49 leading monks in Binh Dinh Province wrote a letter criticizing the government's use of Buddhist temples as prisons to detain Buddhist monks. They also demanded the immediate release of the Most Venerable THICH HUYEN QUANG, 77 years old. On September 10, 1995, 39 temple abbots in Ho Chi Minh City and 241 lay Buddhist leaders signed a petition to protest the illegal trial in August of TMV Thich Quang Do and the leaders of the flood relief mission, who the petition says committed no crime whatsoever. In fact, an unhappy if unforeseen and unprecedented development also took place as a result of that trial: a 25-year old German student of Vietnamese at the University of Saigon, Sabine Kratze, also burned herself to death in protest on September 5.

Mr. Chairman,
Ladies and Gentlemen,

The United States of America was founded on the principle of religious freedom. We have therefore served as a beacon of freedom around the world. As we are a society of great religious tolerance, I believe that we can help the Vietnamese people and Vietnamese Buddhism by making clear to the government of Vietnam that we cannot and will not tolerate their backward and inhumane policy towards the Unified Buddhist Church of Vietnam as well as towards other religions in that country.

Thank you once again for giving me time today. And we thank you for all the help that you can give to our unfortunate brethren in Vietnam.

THICH GIAC DUC

Following are some attached documents:

1. "Declaration by the Head of the Institute for the Propagation of the Faith of the Unified Buddhist Church of Vietnam": The Declaration was written by the most Venerable Thich Huyen Quang on November 20th 1993 to address for the world's awareness of how the Unified Buddhist Church of Vietnam has been oppressed by the communist government of Vietnam and how and what the government could do to bring justice and freedom to all Vietnamese people.

2. "Letter from Venerable Thich Quang Do to Mr. Do Muoi, Secretary General of the Communist Vietnamese Party": The letter was written by the most Venerable Thich Quang Do on August 19, 1994 to point out several mistakes which the Communist Vietnamese Party has committed toward the Vietnamese people.

3. "File on the UBCV Relief Mission for Flood Victims in Mekong Delta": The file recorded what occurred to the Relief Mission in October 1994. In the very unjust trial of August, 1995, the communist government of Vietnam sentenced the most Venerable Thich Quang Do and others as follows:

- the most Venerable Thich Quang Do with five years in prison,
- Venerable Thich Khong Tanh with five years in prison,
- Venerable Thich Nhat Ban with four years in prison,
- Reverend Thich Tri Tuu with two years in prison,
- Lay people Nhat Thuong Pham Van Xua with three years in prison,
- and lay people Dong Ngoc Nguyen Thi Em with two years at house detainment.

Unified Buddhist Church of Viet Nam
Institute for the Propagation of the Faith

No II-56/VPLV-VHD

Buddhist era 2537 - Quang Ngai, November 20th 1993

DECLARATION

by

the Head of the Institute for the Propagation of the Faith
Unified Buddhist Church of Vietnam

The following observations should be borne in mind :

- Communism was imported into Vietnam by Ho Chi Minh on his return from the Soviet Union in 1930. Since then, from the moment the proletarian dictatorship was established until today, the Vietnamese Communist Party has relentlessly pursued dogmatic, hard-line policies, bent on the destruction of Marxist-Leninism's two arch enemies : religion and capitalism. After an experience of seventy years, the demise of Communism in its mother-country, the Soviet Union, has proved the manifest failure of this system to guarantee the fundamental well-being, prosperity, freedom and moral welfare of the people. Sadly, the Vietnamese Communist Party (VCP) has drawn no lessons from this failure, and made no attempt to change its policies. As a result, obscurantism, poverty and repression - so typical of all Communist regimes - continue to predominate in Vietnam today.
- The VCP and the State advocate economic liberalisation and the transition towards a market economy. Yet they persist in maintaining a power-hungry, political structure nourished on prerogatives and privileges which in itself stifles all possibility of economic growth. Today, graft and corruption among top-level cadres have become veritable State institutions. The press is authorised to criticise corruption in general, but is strictly forbidden to attack the root cause of corruption, i.e. the political system that breeds it, which is common to all communist societies. The regime in Vietnam today combines the very worst of Soviet and East European communism with the very worst of wild-cat capitalism. As for the National Assembly, which ostensibly represents the people, it is little more than a stage, where monologues in the form of Party directives and decrees are acted out. The people's voice is stifled, for there are no independent representatives to speak out for them.
- The VCP has swallowed its past hatreds and is now courting its old arch enemies, the "capitalist imperialists" overseas. Yet at home, the Party and State continue to implement a policy of repression, particularly against the religious communities, regardless of the fact that by doing so they are destroying the very foundations of morality, and crushing the conceptions of truth, beauty, fraternity and solidarity inherent in Vietnamese culture. The result of this policy is today's decadent society in which the spiritual values that elevate mankind and orient him towards righteousness are totally submerged.
- The VCP and the State have now realized that their anti-religious policy launched on April 30th 1975 was an overall failure, and that, regarding Buddhism in particular, they have not

they changed tactics and set up a Buddhist Church under State control with the aim of "dividing to rule" by pitting Buddhists against each other.

- However, Buddhists cannot accept that a people's government worthy of its name should be allowed to defy the people's will by suppressing the UBCV, especially in the light of the sacred Testament left by the late Patriarch Thich Don Hau, which entrusts our Buddhist community with three important missions :

- 1) that church elders and dignitaries must take up the Patriarch's succession at the Head of the UBCV Supreme Council of Two Institutes ; 2) that they must organise the 8th UBCV Conference - this Conference should have been held in 1977, but was postponed because of Government persecution against Buddhists ; 3) that they must guide Buddhist affairs through this new, decisive phase, and mobilise the Buddhist community not only at home but also throughout the world, wherever there are sections of the UBCV.

- Responding unanimously to the appeal for Unity, Solidarity and Reconciliation launched by the late Patriarch in his Message on 31.10.91, Vietnamese Buddhists at home and abroad, and particularly Buddhists from the UBCV have unified the different congregations of the Sangha in preparation for the new challenges to Buddhism announced by the Patriarch. Following the terms of the Patriarch's Testament, on 25.6.1992 the UBCV Office in Exile addressed a 9-point letter of claims to six Government departments. Basically, the letter called on the authorities to :

- 1) recognise the right to existence of the UBCV, and allow it to function freely as it did before 1975 ;

- 2) restore all Church property, including pagodas, institutes, cultural and academic centres, hospitals and schools, which were illegally confiscated by the authorities after 1975 ;

- 3) release all monks, nuns and Buddhist followers who are detained arbitrarily without trial, or as a result of unfair trials, simply for the "crime" of advocating the respect of religious freedom and human rights ;

- 4) account for the death of Venerable Thich Thien Minh in reeducation camp in 1978.

However, apart from sending high-level Government cadres to discuss these concerns with the UBCV Office in Exile in Quang Ngai, up till now the SRV authorities have taken no steps to remedy any of the grievances expressed in this letter.

- Not only did the authorities refuse to reply to the UBCV's grievances, but they stepped up repression against the UBCV, arresting monks, nuns and lay-persons, banning the organisation of a Memorial Ceremony for the late Patriarch Thich Don Hau, and launching a concerted vilification campaign against the Patriarch's Testament in the official press, television and radio. Furthermore, they issued two top-level documents, one classified "Top Secret" No 125/TUDV, issued by the VCP Propaganda Department on 17.8.93 and signed by its Director Phan Minh Tanh, and the other classified "Absolutely Secret" No 106/PA 15-16, issued by the Ministry of the Interior and the Quang Ngai Security Police, signed on 18.8.93 by the Director of the Quang Tri Security Police, Colonel Truong Huu Quoc, giving specific directives for repression against the UBCV. Both these documents were submitted to the UN Commission on Human Rights in Geneva in February 1993 by the International Federation on Human Rights and the Vietnam Committee on Human Rights as tangible proof of the deliberate policy of repression waged against the UBCV by the Vietnamese authorities. Until today, the Vietnamese delegation at the UN has never refuted the authenticity of these documents.

- Historically speaking, the UBCV is heir to a 20-century long tradition of Vietnamese Buddhism, and represents 80% of the population. Legally, it dates back to the assembly of six

monastic and lay congregations from North, Central and South Vietnam which gathered in a National Congress at Tu Dam Pagoda, Hue on 6.5.1951 to form the "General Association of Vietnamese Buddhists", fore-runner of the present-day UBCV. It was called an "association" because under Decree No. 10 of French colonial law, Buddhism was forbidden the status of a Church, and only allowed to exist as a simple association. However, after an intensive struggle for the safeguard of Buddhism and religious freedom which began in May 1963, Buddhists successfully obtained the abrogation of Article 10. At a National Buddhist Congress held in early 1964, the rightful status of "Church" was regained, and the traditional Buddhist Church, i.e. the Unified Buddhist Church of Vietnam was allowed to pursue its religious functions. It is clear, therefore, that Colonial Decree No. 10 and all other decrees and resolutions on religions posterior to 6.5.1951 have no legal value in regards to the historic or statutory existence of the UBCV.

- The UBVC's non-violent and legitimate struggle in favour of a just cause has won the support of Buddhist at home and abroad. It has also gained recognition from international public opinion and from many world Governments. A recent example was the demonstration of 40,000 Buddhists in Hue on 24.5.1993 which drew strong reactions of support from Governments and parliamentary representatives in Europe, Asia, the United States, Africa, Australia, the European Parliament, the United Nations. It was also supported by international bodies such the International Federation of Human Rights, the US Confederation of Labour AFL-CIO, by Amnesty International and other international human rights organisations, and also by numerous religious and political organisations within the Vietnamese community overseas. This resounding support for the Buddhist struggle cannot be ignored - as SRV Prime Minister Vo Van Kiet realised himself during his official visit to Australia and Europe this year. In every country visited by the Prime Minister, Governments called for the release of Buddhist monks and for the recognition of the right to existence of the UBCV.
- Instead of ceasing their policy of repression against the Buddhists and putting into practice the appeals launched by Prime Minister Vo Van Kiet and VCP General Secretary Do Muoi during the New Year festival to *"abolish all complexes, efface hatred and look towards the future"* so that *"all Vietnamese, regardless of their social and ethnic origins or religious beliefs, whatever their past affiliations or functions in the former [South Vietnamese] regime, whether they live inside or outside Vietnam, may rally together to form one great body of national union"* - the SRV authorities persist in undermining national unity, interfering in internal Buddhist affairs, intimidating and arresting monks, nuns and followers of the UBCV.
- Although the Buddhists are the principal victims of religious persecution, other religious orders in Vietnam such as the Catholics, the Cao Dai, Hoa Hao, Protestants etc... have also suffered repression and discrimination. A recent example is the State's veto on the appointment of Bishop Huynh Van Nghi as Apostolic Administrator of Ho Chi Minh City.
- The task of reconstructing Vietnam, rehabilitating traditional moral values in a society plunged in a spiritual and cultural crisis, and releasing our people from the grips of poverty and bondage requires the combined efforts of a participation of every social class, religious family and political formation. The policies of political dictatorship and one-Party control are dangerous obstacles which are blocking our people's road to development - a road forged and frayed by our ancestors at the cost of so much suffering and bloodshed.

In the light of these general observations on the repression of Buddhism, and because of the unwarranted exclusion of the Vietnamese population as a whole from the process of national reconstruction, I solemnly address the following Declaration to the Vietnamese people and to international opinion :

1. Vietnamese Buddhism is an integral part of our national heritage. From the dawn of Vietnamese civilisation, Buddhism has played a momentous role in the foundation of our nation and the development of its culture. The UBCV is the legitimate successor to a millennium tradition which dates from the first Buddhist Masters to the Bodhisattva martyrs. It is the unique representative of the Buddhist community in Vietnam. On the international level, the UBCV is one of the founder members of the World Federation of Buddhists, created in Colombo, Ceylan, in 1950. No other Buddhist organisation, be it the creation of individuals or of any political power, whose objectives differ from those stipulated within the UBCV Charter, can take control of the UBCV or replace it as the spiritual leader of Vietnamese Buddhists at home and abroad, and as the legitimate representative of Vietnamese Buddhism in the world ;

2. The recent action taken by the VCP and the Vietnamese authorities against the Office in Exile of the UBCV and the Head of its Institute for the Propagation of the Faith, through the intermediary of the Government Board of Religious Affairs and the Quang Ngai People's Committee violates the SRV Constitution, the provisions of domestic law and the United Nations International Covenant on Civil and Political Rights, to which Vietnam is a State party and has a binding obligation to respect ;

3. The Vietnamese Communist Party and the State must immediately initiate a process of democratic reform, and promote the development of a civil society by guaranteeing civil and political rights such as freedom of expression, freedom of the press, freedom of conscience and religion, freedom of association... One of the specific characteristics of Vietnamese civilisation is the notion of virtue. The past 20 centuries of Vietnamese history demonstrate to what extent the Vietnamese people is essentially an assembly of communities with different religious faiths. The religious forces of Vietnam, amongst which is Buddhism, englobe the majority of the population. They possess an unparalleled capacity to temper the people's accumulated hatreds, and they have a unique role to play in rebuilding the nation, devastated by 50 years of wars waged in the name of conflicting imported ideologies. By seeking to suppress religions in general, and Buddhism in particular, the authorities are perpetuating obsolete Cold War politics and draining the potential for national reconstruction. Repression against the UBCV must cease at once.

4. The Communist Party and State should not merely pay lip-service to their call for "*abolishing complexes, effacing hatreds and looking together towards the future*", or use this as a ploy to delude world opinion into believing in their "economic renovation" and capacities for "political stability". "A State cannot effectively respect human rights or promote a sustainable democracy unless it has an opposition. An opposition is a constructive element, because it checks the power of extremist tendencies and promotes an equal and fair participation of the whole population in the process of national reconstruction. By repressing the religious communities and suppressing all political opposition movements, the Communist Party and the State are imposing neo-colonialist rule which, although it may achieve short term stability of the power-machine, can only succeed in crushing the nation's capacities for development in the long term. The Party and State should set about "*abolishing complexes and effacing hatreds*" not only in words, but in deeds by implementing an effective human rights policy, and guaranteeing fundamental rights within the framework of law. Regarding Buddhists, the Party and State should immediately release all monks, nuns and lay-persons who have been arbitrarily detained in prisons, reeducation camps and under house arrest since 1975. If the State deems they have committed any criminal offence, they should be given the right to a fair trial. Trials should be held in the presence of the public and the international press, and defendants must be assisted by Vietnamese or international defence lawyers of their own choice".

5. The UBCV Executive formally calls upon the authorities to review the recent trial in Hue in conformity with international standards and with the provisions of United National Charter

and other UN International Conventions. At the trial of Venerables Thich Tri Tuu, Thich Hai Tang, Thich Hai Thinh, Thich Hai Chanh and the five Buddhist lay-persons on 15th November 1993, the Law was absent from the seat of judgement, and Security Police took the place of defence lawyers chosen by the UBCV. Four days before the trial began, several Western Embassies who asked to send diplomatic observers were told by a Foreign Ministry official in Hanoi that the trial had been postponed, and that no new date had been fixed. Foreign press correspondents were banned - Agence France Press, for example, was denied permission to attend - and the three French lawyers from the Paris-based International Federation of Human Rights (FIDH) mandated by the UBCV were not granted travel visas, so they could not come to defend the monks in Hue. The international community has vigorously protested against this arbitrary and unfair trial, denouncing in strong and objective terms the State's total disregard for the law. Particularly noteworthy are the interventions of the Paris-based FIDH, US Senators Bill Bradley and Robert Kerrey, the Chairman of the UK Parliamentary Human Rights Group, Lord Avebury, representing 130 members of the Houses of Lords and Commons, the AFL-CIO Labour Confederation, the US Congressional Human Rights Caucus representing 200 Members of Congress, Asia Watch, the Chairman of the Human Rights Sub-Commission of the European Parliament etc...

6. A State which respects the rule of Law must separate the powers of the executive, the legislative, and judiciary organs, and prevent any single political party from usurping the reins of power. The one-party dictatorship empowers the State to systematically repress non-violent democratic movements with impunity, because the judiciary is helpless to address or sanction any such acts. The UBCV asks the SRV authorities to lay the foundations of democratic law by the following three concrete measures : a) **abolish Clause 4 of the Constitution** [regarding the supremacy of the Communist Party in all affairs of society and State, trans. note] so that each and all can participate in the reconstruction of the nation ; b) **organise free and fair general elections** with the participation of independent candidates from political and religious currents outside the Communist Party to elect a new National Assembly truly representative of the people, not simply of the Party ; c) **draft a new Constitution** which reflects the people's aspirations for human rights and democracy, as formulated by its new, independent representatives, and which also reflects the general world tendency towards conciliation, harmony and peace. We must sweep away the relics of the past, put feudalism, colonialism and the Cold War behind us, and turn over a new page in the history of our people and our nation. We emphasize that abolishing Clause 4 does not imply the exclusion or dissolution of the Communist Party as such. It simply means the abolition of the Party's monopoly of power in order to avoid the abuses this creates - abuses which have caused so much suffering and devastation to our country. A truly democratic regime should stimulate the participation of all sectors of the population, regardless of their political affiliations or religious beliefs. It should foster competition as a mutually reinforcing relationship, not as a race to oust one's opponents. After all, whether our compatriots be Communists or members of any other political party, they are first and foremost Vietnamese. Our common heritage of five-thousand years civilisation will serve as the basis for future dialogue and cooperation, and we will be bound together in one common aim - to forge a place within the community of nations for a stable, flourishing and prosperous Vietnam.

7. The collapse of Communism in the Soviet Union and other East-European countries resulted from a process of natural selection, it did not need to be triggered off from outside. The internal conflicts within the VCP suggest that communism in Vietnam is doomed to self-destruction in the same manner. For we Buddhists, this cycle of life and death is a natural, inexorable process. Nevertheless, if the Party and State are clairvoyant, and act before it is too late, they can avoid terrible reprisals and prevent an explosion of the people's pent-up hatred.

The Party and State have inflicted too much suffering and misfortune on the people over the past 40 years - now they must try to redeem themselves by sowing the seeds of good. As of today, Buddhism and other great religions must be granted freedom to practice their religious activities normally, so they can work to dispel hatred and repair the moral decadence which has penetrated all levels of our society today. No force is capable of quelling the people's hatred (of the Party) apart from the religious forces. The greatest fear of the Party and the State today is something they call "the peaceful evolution", (*dien bien hoa binh*, implying the evolution towards democracy, *trans. note*) and they are deploying massive efforts to prevent this process taking root in Vietnam. But for all their efforts, Peace is already on the march, in an inexorable evolution that will bring spiritual fulfilment and physical well-being to the people of our land. For after all, is not a "peaceful evolution" far preferable to a "war-ful" evolution*? The Party and State should not fear this process, nor try to impede its development. Over the past three centuries, from the conflict of the Trinh- Nguyen dynasties to the colonial period, through the Vietnam war and its aftermath, our land has been torn apart by perpetual internecine wars. Why can't we welcome peaceful evolution as the harbinger of a new era of cooperation and national reconciliation for our people ?

8. During the Vietnam war, the Party and State looked on US POW's and servicemen missing in action as sworn enemies. Nowadays, they have suddenly turned into friends, and the Government is bending over backwards to trace their remains and report piously on their findings to the American Government. Such actions are praiseworthy, for they concretize the policy of "*effacing hatreds*" by showing compassion to our former enemies, which is an essential Vietnamese virtue. But have the Party and the Vietnamese authorities done as much for their own sons *? The bodies of millions of soldiers from both North and South Vietnam were abandoned on the battlefields, jettisoned in the depths of our jungles, in our rivers and seas, left rotting at the frontiers like departed spirits. Has anyone ever looked for their remains*? Have their families ever been notified, comforted, or granted compensation*? Apart from those who died, what about the millions of war veterans on both sides who were wounded and disabled ? Have the authorities taken charge of their welfare*or helped out their families ? According to a millennium tradition dating back to the Hung Kings, founders of the nation, we Vietnamese are bound by a debt of loyalty towards the dead. This belief is perpetuated by the popular custom of ancestor- worship and the cult the dead. It is therefore by conviction and duty that we must honour our debt towards the dead, and engrave their right to remembrance in our bones and in our hearts. Let us think of all those who died in the 1968 Tet Mau Tan Offensive. The memoirs of top-ranking military and political cadres in charge of operations in Hue now reveal the horrendous massacres of innocent victims perpetrated by the revolutionary forces. The Communist Party and the SRV authorities must publicly repent for the crimes committed by the soldiers of the People's Army and the local revolutionary forces. They must also make a public act of penance towards the families of all the peasants murdered in the Land Reforms, and rehabilitate them in the name of their own dignity and that of their descendants. A National Day of Contrition should be organised to ask for the people's forgiveness and pray for all those who were unjustly put to death or forced to commit suicide by the regime. This act of contrition towards the dead must also be a pledge to the living, a firm promise to promote and protect the rights and dignity of all beings.

9. The truth is not always pleasant to hear. If this Declaration angers the Party and the SRV authorities, the Unified Buddhist Church of Vietnam and I accept full responsibility. Although I have been detained under house arrest in Quang Ngai without judgement or charge since 1982, I consider that by making this Declaration I am simply exercising my own right to freedom of expression, as guaranteed by the SRV Constitution. If the VCP and the Vietnamese authorities wish to punish me for this, they must give me a public trial, with full guarantees of fairness and

expression, as guaranteed by the SRV Constitution. If the VCP and the Vietnamese authorities wish to punish me for this, they must give me a public trial, with full guarantees of fairness and impartiality, and access to legal counsel of my own choice. If, for any reason, the State decides to put me on trial, I hereby mandate the International Federation of Human Rights in Paris to provide a lawyer for my defence.

Furthermore, from the moment this Declaration is made public, the VCP and the Vietnamese authorities will be answerable for my physical safety and for anything that may happen to my Pagoda at Hoi Phuoc, which is the Office in Exile of the UBCV. As I write this, Security Police have my Pagoda under constant surveillance. I am forbidden from all contacts with the outside. All comings and going are controlled, all visitors are harassed, interrogated, arrested, searched and followed by Security Police. I have been subjected to particularly harsh surveillance since the demonstration in Hue on May 24th 1993.

As this Declaration is published, I would like to take this opportunity to extend my warmest thanks to all the Governments and Parliaments of Europe, Asia, America, Africa and Australia, to the European Parliament, the US Congressional Human Rights Caucus, the UK Parliamentary Human Rights Group, to the different Commissions and Working Groups of the United Nations, to the International Federation of Human Rights, to the American Labour Confederation AFL-CIO, to Amnesty International and all other human rights organisations, and to all the press, radio and television agencies who demonstrated their solidarity by raising their voices in support of the UBCV's struggle for religious freedom and human rights in Vietnam over the past year. Moreover, the UBCV at home and abroad will never forget the noble efforts of the Vietnamese community overseas, who spontaneously and wholeheartedly mobilized their religious movements, political organisations, associations and magazines published all over the world to highlight the movement for the Safeguard of Buddhism launched by the UBCV and the Buddhist population in Vietnam.

We hope that you will all continue to support us until the day Vietnamese people have achieved true freedom of religion, human rights and lasting democracy.

Thich Huyen Quang

President of the
Institute for the Propagation of the Faith
Unified Buddhist Church of Vietnam
(Signature and seal)

Copies to :

- Prime Minister Vo Van Kiet, Socialist Republic of Vietnam, Hanoi *"for attention"* ;
 - as the UBCV Office in Exile in Quang Ngai is blockaded by Security Police, this copy is to be forwarded by the UBCV Overseas Office of the Institute for the Propagation of the Faith in the United States, ;
 - HE Boutros Boutros-Ghali, Secretary General of the United Nations
- "requesting a more effective intervention"* :
- to be forwarded by the Overseas Office of the Institute for the Propagation of the Faith, USA
 - to Governments, Parliaments, Churches, international human rights organisations, to Amnesty International, to Trade Unions, to international television and radio networks, press agencies and the international press
- "urging continued support"* : to be forwarded by the UBCV's International Buddhist Information Bureau, Paris
- to all dignitaries and members of the UBCV, at home and abroad, *"for study, communication and execution"* ;
 - on file at the UBCV Office in Exile, Quang Ngai.

Letter from Venerable Thich Quang Dô to CVP Secretary-General Do Muoi

The document published below is a letter written by Venerable Thich Quang Do, Secretary General of the Institute for the Propagation of the Dharma of the Unified Buddhist Church of Vietnam (UBCV) to Mr Do Muoi, Secretary General of the Communist Party of Viet Nam.

Ven. Thich Quang Do (secular name Dang Phuc Tue), is a well-known writer and scholar, and one of the UBCV's highest dignitaries. He is also one of the foremost advocates of UBCV's movement for religious freedom. Ven. Thich Quang Do was first imprisoned with Ven. Thich Huyen Quang in 1977, tortured and detained in solitary confinement for 20 months, then released in December, 1978 as a result of international pressure.

In 1982, Ven. Quang Do was sent into forced exile in Thai Binh, North Vietnam and detained under house arrest because of his strong opposition to the creation of the State-sponsored Vietnam Buddhist Church set up in 1981 on March 22 1992.

Although he had not been formally released from house arrest, on March 22 1992 he left North Vietnam and returned to his former residence in Thanh Minh Pagoda, Ho Chi Minh City.

On August 19 1994, he sent this letter to CVP Secretary General Do Muoi, along with a 40-page document entitled «Observations on the grave offenses committed by the Communist Party of Viet Nam against the Vietnamese people in general and against Buddhism in particular». A copy of the document was sent clandestinely to the Vietnam Committee on Human Rights with the request that it be published after a period of three months if Mr Do Muoi made no reply.

In November 1994, he again made a public protest against the police damp-down on the UBCV Rescue Mission for flood victims in the Mekong Delta in which 5 monks and followers were arrested and tons of relief aid were confiscated manu militari by the Police.

As a result of these protests, Ven. Quang Do was arrested on January 4 1995 at Thanh Minh Pagoda in Ho Chi Minh City. According to an SRV Foreign Ministry spokesman, he will soon be brought to trial, «as a Vietnamese delinquent, but not as a Buddhist» on charges of disturbing public order. According to all available evidence, Ven. Quang Do is «guilty» of nothing more than expressing views at odds with the CPV, and exercising his legitimate right to freedom of expression, conscience and belief.

Mr Do Muoi
Secretary General
Communist Party of Viet Nam
Hanoi

Saigon. 19 August 1994

Mr Secretary General,

My name is Thich Quang Dô. I am a Buddhist monk and would like to present to you the following points :

Exactly 49 years ago today, my master, the most Venerable Thich Duc Hai, resident monk of Linh Quang pagoda, Thanh Sam village, Ung Hoa district, Ha Dong province, was killed by the Communists at 10 o'clock. On that day, 19 August 1945 (the twelfth day of the Seventh Month of the Year of the Rooster), the Revolution was pronounced successful but on the green just outside the *dinh* (communal house, *trans. note*) of Bat village, Hung Hoa district, province of Ha Dong, and a mere two kilometers away from his own pagoda, my master was murdered after being labelled a "traitor".

My master's religious elder brother, the most Venerable Thich Dai Hai, resident monk of Phap Van pagoda (also called Dau pagoda), Bac Ninh province, was also arrested in 1945. He was to die soon afterward, after being accused of having ties with the VNQDD (Vietnamese Nationalist Party).

My master's religious father (i.e. my religious grandfather, so to speak), whose religious name was Thich Thanh Quiet, resident monk of Tra Lu Trung pagoda, was to get a similar treatment. In 1954, communist cadres came to his pagoda and after accusing him of using the "opiate" of religion to hoodwink the people, they threatened to classify him as an "enemy of the people" and subject him to a "denunciation and struggle" campaign. My master's religious father was so afraid of being denounced and struggled against that he hanged himself.

Then it was my turn to be imprisoned. After being incarcerated at Phan Dang Luu prison in Ba Chieu, Gia Dinh province, from 6 April 1977 to 10 December 1978, I was sent into exile on 25 February 1982 at Vu Doai village, Vu Thu district, Thai Binh province allegedly because, the authorities said, "*doing religious work is tantamount to being politically active*". On 10 February 1982, my mother, for reasons I am still unaware of, was also exiled to Vu Doai village. On the fourteenth day of the 12th Month of the Year of the Buffalo (circa January 1985), my mother died a most terrible death : she died of cold and hunger. Living in complete isolation, I told myself one day that I had done nothing to deserve the morally indefensible oppressive measures I was unceasingly subjected to. That is why on 22 March 1992 -i.e. 10 years and 27 days after being sent into exile- I simply informed the Security Department of Hanoi that I would return to Saigon and I arrived there on the 25th. On 20 April 1992, I again received an "order" of the local security service, extraditing me back to the North, but I refused to comply with it : I did what I did not so much because I liked to live in the South and dislike living in the North. As a monk. I can live anywhere and in any conditions, however difficult they might be. But things must be done according to the law. I was an innocent citizen, in full possession of my civil rights. I could not accept that anyone had the right to act so capriciously as the Communists had done in 1982. If the authorities considered I had committed any crime, they should use the due process of law to try me in an open court. In that case, I would obey the court's order. Being a citizen conscious of his rights and duties, I only wanted to live according to the law. I did not want anything more.

Mr Secretary General,

In relating to you the story of the tragic deaths of some of the people I have always held very close to my heart and that of the persecution and detention I myself have been subjected to over a decade, I have only one thing in mind : I want to demonstrate to you that as a victim of Communism, I am fully qualified to send you the document called "**Observations**" which you will find attached hereto and in which I have proven my master's innocence of the charges brought against him and called your attention to the many serious mistakes the Communist Party of Viet Nam (CPV) has made over the years and in so doing, has caused countless tragedies for the people in general and the Buddhist Church in particular. Of course, I will accept full responsibility for what I wrote and I am ready to accept all the consequences, including dying the tragic death of my religious grandfather, uncle, and father, the kind of death of my own mother had to suffer, and that which Quan Ki Tu received at the hand of Prince Trinh.

But even if I should be killed, I would still want to share with you my conviction that Communism will not last much longer. I did not come to that conclusion recently. I had that conviction at exactly 10 o'clock in the morning at 19 August 1945 (I was then 19 years of age), when I saw my master standing in the middle of the courtyard of the *dinh* of Bat Village -with both arms tied with barbed wire behind his back and his neck carrying two placards, one covering his chest and the other his back, proclaiming him a "country-selling traitor". My master was then squeezed between two groups of men armed with trudgeons and sticks, spears and lances, rakes and sickles. Another group of men, the so-called People's Court judges, were

standing on the *dinh* platform to conduct the case. They ordered my master to kneel down and hang down his head while listening to the charges. But my master refused to do so. One of the judges stepped down from the platform and planting himself in front of my master, declared : "You are a traitor and, therefore, you can't afford to be recalcitrant". Upon saying so, the judge hit my master a number of times on the chin, bloodying his mouth. The blood kept dripping on the placard covering his chest that proclaimed him to be a "country-selling traitor". Right then and there, they sentenced my master to death and took him to the village green in front of the *dinh*, where his blood continued to drip on his robe and the place where he was standing. Then they forced my master to lie down and one of them shot point-blank three shots at his temple. Another spurt of blood gushed out and my master died on the spot.

The spurt of blood and the spectacle of my master lying motionless on the grass with both hands tied behind his back, dying in a pool of blood remains vivid in my mind. Indeed, not only my master's face, but his robe, his legs, the spot where he was standing were all covered in blood. The two placards denouncing him as a traitor were also red with blood. Forty-nine years after the fact, I still remember the scene as if I had witnessed it only yesterday. What a nightmare it was !

At that moment, I felt utterly miserable : sitting on the grass looking at the corpse of my master, tears streaming down my cheeks, I already knew that Communism could not last long. The reason is simple enough : since the communists were proponents of hatred and class struggle, they were prepared to kill people in the most wicked manner. But as demonstrated by History, wickedness had never been a successful basis for political longevity. Indeed, psychologically speaking, it can be said that most people prefer good as apposed to evil. If that is so, what is abhorred by the people is not likely to last. Historically, the 74 years of Soviet Communism is not a long time, especially if one compares it with the 215 years of the Ly dynasty, which constitutes, according to Professor Hoang Xuan Han, the most peaceful and tolerant period in Vietnamese history.

In 1975, I came to another conclusion : In the natural process of elimination, whatever serves mankind is likely to be maintained, even if it has been buried, man will dig it up. On the contrary, whatever fails to serve mankind is bound to destroy itself. After living for some time under Communism, I came to notice that it does not serve mankind at all. Indeed, people living under a Communist regime are not only spiritually oppressed but also materially deprived of everything. That is so true that in Viet Nam today, the government is now forced to follow the Capitalist road and adopt the market economy. As things are now, "Communist" is only a label completely devoid of meaning. It can thus be said that the communist regimes in Eastern Europe and the former Soviet Union collapsed as a result of self-destruction, simply because they were incapable of meeting the needs of their people, not because they were attacked by any outside force. In the case of Viet Nam, no-one can be accused of attacking the regime, least of all the Buddhists, who have never attacked anybody but have been forced to defend themselves against the many-pronged attacks the Communists have mounted with the intention of annihilating the Buddhist Church.

But in the natural process of elimination I have just mentioned above, it can be said that from a certain perspective, Buddhism is still capable of meeting the needs of man. That is why it is very hard to destroy Buddhism. One can see this just by looking at North Viet Nam, where except for those pagodas that have been completely destroyed and their lands turned into paddy-fields, local people have pooled their efforts to rebuild most places of Buddhist worship. In poverty-stricken villages, of course, they have only been able to erect thatched huts, but better off communities have built brick houses. Unfortunately, these structures are covered with "french" rather than "traditional" tiles, for all those things that we had inherited from our ancestors have been destroyed. The same can be said of the people's quest for Buddhist texts. Most sutras, especially those that had been translated into Vietnamese, were labelled "decadent"

and set afire by the authorities. However, people in the Northern provinces have gone South and bought some of these books and, upon returning home, have made hand-written copies and used them at prayer sessions. This goes to show how much the common people of Viet Nam still need Buddhism - something which cannot be said in the case of communism. I remember how, after 1954, everyone was made to hang portraits of the "great" international communist leaders, including Karl Marx, Lenin, Stalin, Malenkov, Mao Zedong, and Kim Il Sung in their homes. But in 1982, when I was exiled to Vu Doai village, I did not see one single such portrait, even in Communist party members' homes.

The case of the recently departed Mr Kim Il Sung of North Korea is even more to the point. On the day he died, the CPV ordered a day of "national mourning" (17 July 1994). In my humble opinion, if Mr Kim Il Sung had been of assistance to the CPV or if members of the International Communist movement still think of one another "as close as lips and teeth", only the CPV and its 1.8 million members should mourn him. Indeed, what has Kim Il Sung done for Viet Nam and its 70 million people? Since the great majority of the people of Viet Nam are not communists, why should they be made to mourn Mr Kim, albeit for one day? Instead, why didn't the CPV build a big temple in downtown Hanoi and dedicate it to the first Hung kings, the founders of our nation, then proclaim the Tenth day of the third month of the lunar year as National Day so that the people of Viet Nam might have a holiday and use that opportunity to commemorate our the achievements of our ancestors, thanks to whom the nation was born and grew strong, and without whom the CPV would surely not be here today? Why doesn't the CPV mourn the nation's founding fathers? Although Mr Kim Il Sung was a foreigner, the CPV treated him with the greatest respect, but in their dealings with their own fellow-countrymen, the communists have absolutely no hesitation to use bullets and guns. That is why, every time I relive the nightmare of my master being beaten and murdered on the village green in Bat, I cannot help feeling heartbroken. I grieve over these crimes which bring shame on my people, descendants of the birds Lac and Hong, and disgrace our 4,000 years historical heritage.

But that is not all! Hundreds of thousands of persons were killed during the class struggle, denunciation campaign, and land reforms in North Viet Nam in 1956. Although the CPV did launch a rectification campaign -thereby acknowledging they had committed countless murders- the question might be asked whether they had organized any national day of mourning for their victims! The question should also be asked whether the CPV has done anything for the countless boat people who died at sea since 30 April 1975. Who is mourning for them? If the nation should mourn for any one, it should mourn for them - and not for North Korea's Kim Il Sung.

My respectful salutations.

Sincerely

Thich Quang Dô
Secretary General
Institute for the Propagation of the Dharma
Unified Buddhist Church of Viet Nam

Copies to :

- The Most Venerable Thich Huyền Quang
Acting President of the Institute for the Propagation of the Dharma
- All branches and organisations of the Unified Buddhist Church in Viet Nam and overseas
- Leaders of friendly churches "for information".

Arbitrary arrests of Buddhist Clergy and followers in Vietnam
**File on the UBCV Relief Mission for Flood Victims in the
 Mekong Delta (November 1994)**

This file describes the arrest of the organisers of the UBCV Mission for Flood Victims in the Mekong Delta who are currently in custody at the Security Police Detention Centre, 3C Ton Duc Thang Street in the 1st Ward of Ho Chi Minh City. They are:

Venerable THICH KHONG TANH (secular name Phan Ngoc An)

Born in Binh Dinh (Central Viet Nam) in 1943P

Profession : Buddhist monk, member of the Unified Buddhist Church of Vietnam (UBCV) Head of the Relief Mission

Address : Lien Tri Pagoda, 153 Luong Dinh Cua Street, An Khanh-Thu Duc, Ho Chi Minh City

Arrested : 6 November 1994

Venerable THICH TRI LUC (secular name Pham Van Tuong)

Profession : Buddhist monk, member of the UBCV

Address : Phap Van Pagoda, Phuong 18 Tan Binh, Ho Chi Minh City

Arrested : 5 November 1994 at 3.00 am in Ho Chi Minh City

Venerable THICH NHAT BAN (secular name Ho Buu Hoa)

Profession : Buddhist monk, member of UBCV

Address : Linh Phuong Pagoda, Tam Phuoc Village, Province of Dong Nai

Arrested : 6 November 1994 in Ho Chi Minh City

Mr PHAM VAN XUA (Buddhist name Nhat Thuong)

Born in Binh Dinh (Central Vietnam) in 1943

Profession : Secretary of the UBCV Relief Mission

Address : 444 D Cach Mang Thang 8 Street, 11th district, 3rd Ward, Ho Chi Minh City

Mrs NGUYEN THI EM (Dong Ngoc)

Arrested on 5 November 1994 at 9.00 am in Ho Chi Minh City

and the UBCV dignitary detained under house arrest :

Venerable THICH LONG TRI

Profession : Buddhist monk, member of the UBCV, first Head of the Relief Mission

Address : Vien Giac Pagoda, Hoi An, near Danang (Central Viet Nam)

Arrested : 29th October 1994 at 7.00 am in Ho Chi Minh City and detained under house arrest at his Pagoda since October 30th 1994.

Circumstances of the arrests :

In October 1994, serious flooding swept the Mekong Delta (South Viet Nam) causing the deaths of over 300 people and leaving more than 500,000 homeless.

On the initiative of Venerable Thich Huyen Quang, Patriarch of the UBCV, the Church set up a Rescue Mission to collect and distribute relief aid to the victims. On 20.10.1994, Ven. Huyen Quang wrote to SRV Prime Minister Vo Van Kiet asking for government authorization to proceed with this humanitarian operation.

The Government made no reply to this request. Nevertheless, because of the urgency of the situation, the UBCV went ahead with its operation, sending a first relief team to the disaster area on 24.10.1994. Alarmed by the extent of the damages, the Mission decided to send a second team. Ven. Huyen Quang appointed Ven. Long Tri to head the Rescue Mission. He set off from his Pagoda in Hoi An (Central Viet Nam) for Ho Chi Minh City to coordinate the operation.

On 29.10.1994 at 7.00 am, Ven. **Thich Long Tri** was arrested by the Security Police and interrogated throughout the whole day. On 30.10.1994 he was expelled from Ho Chi Minh City and taken back to his pagoda in Hoi An. He has been detained under house arrest ever since.

Ven. **Thich Khong Thanh**, Superior monk of Lien Tri Pagoda in Thu Duc (near Ho Chi Minh City) was appointed to take Ven. Thich Long Tri's place as Head of the Rescue Mission.

The second relief operation was scheduled to be ready on November 5th 1994, and a meeting place was fixed at the Nga Bay crossroads at dawn the following morning.

However, on 4.11.1994, Venerables Thich Lang Quynh, Thich Nguyen Nhu, Thich Nguyen Ly, Thich Quang Ton, Thich Tâm Vân, Thich Tam Van, Thich Nguyen Thinh and several other UBCV monks belonging to the Rescue Mission were summoned to the Ho Chi Minh City Security Police headquarters for interrogation. There, the Security Police warned the monks that action would be taken against them if they participated in the Rescue Mission.

In the early hours of 5.11.1994, the Ho Chi Minh City Police launched wide-spread security sweep, rounding up and arresting the Mission's principal organisers :

- at 1.00 am, Mr **Pham Van Xua** (Nhat Thuong), the Mission's Secretary, was arrested at his home ;
- at 3.00 am, Ven. **Thich Tri Luc** was arrested at Phap Van Pagoda in Ho Chi Minh City ;
- at 9.00 am, Mrs **Nguyen Thi Em** (Dong Ngoc) was arrested at her home in Ho Chi Minh City.

In the evening of Saturday 5.11.1994, a group of doctors who had met in Tap Thanh Pagoda to prepare medical aid for the Mission were arrested by the Security Police and temporarily detained at the Police station so that they could not join the UBCV team.

At 2.00 am on 6.11.1994, armed Security Police raided the Thien Truc Pagoda in Ho Chi Minh City. They prohibited the Superior monk and his followers from joining the Mission and seized a number of vehicles carrying relief aid collected by the Pagoda. The same happened at Lien Tri Pagoda in Thu Duc, where the armed Security Police surrounded the Pagoda, prohibiting everyone from leaving the premises.

At the meeting place at the Nga Bay crossroads, Security Police intercepted a convoy of ten UBCV vehicles carrying food, blankets and medicine. The convoy was dispersed and a number of its 360 passengers (300 Buddhists and 60 monks and nuns) were violently harassed and taken into custody.

In the afternoon of Sunday 6.11.1994, Security Police arrested Venerables **Thich Khong Thanh** and **Thich Nhat Ban** outside Lien Tri Pagoda. They then raided the pagoda, confiscating personal papers and documents belonging to Thich Khong Thanh.

Between November 7th - 12th, the treasurer of the Relief Mission, Venerable Thich Nguyen Ly, Superior monk of Tu Hieu Pagoda in the 8th Ward of Ho Chi Minh City was convoked repeatedly for questioning by different offices of the Security Police, the Board of Religious Affairs and the Fatherland Front. His pagoda was placed under day-and-night Police surveillance, and so were the pagodas of many other UBCV monks known to be involved in the mission.

At 8.00 am on 10.11.1994, "Police-monks" (security agents turned monks in order to infiltrate Buddhist ranks) from the State-sponsored Viet Nam Buddhist Church accompanied by armed Security agents, soldiers from the People's Army and local militia (200 in all, according to witnesses) broke in Tu Hieu Pagoda and confiscated *manu militari* all the food, medicines, blankets and other relief aid belonging to the Relief Mission which had been stored there after Security Police dispersed the convoy.

On 30.10.1994, UBCV Patriarch Thich Huyen Quang and Secretary General Thich Quang Do wrote to the Government of the Socialist Republic of Vietnam to protest against these arbitrary arrests.

Reasons for which these arrests are deemed arbitrary :

The arrest of these monks and Buddhist lay-persons violates Article 9 of the International Covenant on Civil and Political Rights in two aspects :

a) The authorities deny having made the arrests :

The Vietnamese Government has formally denied that these arrests ever took place. On November 9 1994, a Foreign Ministry spokesperson in Hanoi told international press correspondents that no Buddhists had been taken into custody and that the Relief Mission had not been stopped. However, the fact that Venerables Thich Khong Tanh, Thich Nhat Ban, Thich Tri Luc Mr Pham Van Xua and Mrs Nguyen Thi Em are detained in the Security Detention Centre at 3C Ton Duc Thang Street can be proved by the fact that their families have received Police authorisations to bring them food parcels to that address (see *Annexe No 1*).

The provisions of article 71, paragraph 2 of the Vietnamese Constitution which stipulate that "*No-one can be arrested in the absence of a ruling by the People's Court, or a ruling or sanction of the People's Office of Supervision and Control*" were plainly disregarded. The detention of these persons are therefore arbitrary.

b) the arrest are inconsistent with the rights of freedom of religion, conscience and expression :

Since the Vietnamese authorities deny that these five people are under arrest, it is clear that no formal charges can have been laid against them. It may be feared, therefore, that they were not arrested because they had committed any criminal offense but because of their participation in the UBCV Rescue Mission.

Indeed, the first UBCV Mission to the Mekong Delta, which was organised without any display of banners or Buddhist flags, was allowed to distribute humanitarian aid without any Government interference. It was only when the second convoy was prepared, with vehicles carrying "*UBCV Rescue Mission*" signs that the authorities intervened. Moreover, although the Government denies confiscating Buddhist banners or flags, the FIDH and the Vietnam Committee are in possession of a "*Report on Incriminating Evidence*" drawn up by the Ho Chi Minh City Security Police which records the confiscation of "*banners measuring 1 metre by 2.2*

metres bearing the inscription "Unified Buddhist Church Rescue Mission" in green letters on a yellow background".

In this case, the arrest of citizens solely on account of their participation in the UBCV humanitarian operation is inconsistent with the provisions of Article 18 of the ICCPR and Article 70 of the Vietnamese Constitution which guarantee freedom of religion, and with Article 6 (b) of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief which guarantees the right *"to establish and maintain appropriate charitable or humanitarian institutions"*. Furthermore, in accordance with the rights to freedom of expression guaranteed in Article 19 of the ICCPR and Article 69 of the Vietnamese Constitution, the UBCV should be entitled to organise humanitarian missions in its own name.

The arrest and detention of these monks and lay-persons follows a consistent pattern of discrimination displayed by the Government against the UBCV. This is apparent in the official "Announcement" on the Relief Mission issued by the Ho Chi Minh City Municipal Office of the Fatherland Front (Ref. 311/UBMT, November 10 1994) which accuses UBCV members of being *"bad individuals"* who belong to an *"organization unpermitted by our Government"* which *"lied that they were going to help the flood victims but mainly aimed at creating divisions within the Buddhist Church, dividing the great unity of the people, and harming the interests of monks, nuns and Buddhist laymen"*. The "Announcement" clearly indicates that the five monks and lay-persons were not arrested because of any alleged criminal behaviour, but because they belong to a Church which is not under State control.

The detention of Venerables **Thich Long Tri, Thich Khong Tanh, Thich Tri Luc, Thich Nhat Ban, Mr Pham Van Xua** and **Mrs Nguyen Thi Em** in Police custody and the house arrest of Venerable Thich Long Tri are therefore arbitrary and inconsistent with universally recognised human rights standards.

Annexe :

- 1) Authorization to bring food parcels to a prisoner (delivered to the families of Thich Khong Tanh and Thich Nhat Ban) ;
- 2) Announcement 311/UBMT, Ho Chi Minh City Office of the Fatherland Front, 10 November 1994.

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 26 Emerald Street
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- 1991 - 1995 • Chairman of the Planning and Development Committee, Vietnamese American Unified Buddhist Congress in the United States of America.
- 1982 - 1995 • Founder and President of the Universal Buddhist Congregation (Giao Hoi Phat Giao Dai Chung).
- 1995 • Professor of University of Massachusetts at Boston.
- 1982 - 1983 • Visiting Scholar, Center for the Study of World Religions, Harvard University.
- 1976 - 1986 • Founder and President of the Buddhist Congregational Church of America (Cong Dong Giao Hoi Phat Giao Viet Nam tai My).
- 1976 - 1981 • Founder and Executive President of the Buddhist Social Service.
- 1975 - 1975 • Buddhist Chaplain employed by US Army. Responsible for providing religious and social services for Indochinese refugees at Port Indiantown Gap, Pennsylvania.
- 1971 - 1975 • Professor and Advisor, Faculty of the Social Science, Van Hanh University, Saigon, South Vietnam.
- 1974 - 1975 • Acting Secretary General, Unified Buddhist Church of Vietnam.
- 1973 - 1975 • Secretary General, Leading Council of All Buddhist Sects of Vietnam (Hoi Dong Lanh Dao Cac Giao Phai Phat Giao Viet Nam).
- 1971 - 1975 • General Commissioner of Buddhist Youth, Unified Buddhist Church of Vietnam.
- 1964 - 1970 • Studied at Columbia University, Claremont Graduate School and Universities Center, CA, USA.
 - PhD in Government and Asian Studies.
- 1963 • Leading Buddhist Struggle for Religious Freedom and Equality against the Religious Discrimination Policy of Ngo Dinh Diem Government.

TESTIMONY OF MRS. DOAN VIET HOAT, NÉE TRAN THI THUC,
REGARDING PROFESSOR DOAN VIET HOAT,
A PRISONER OF CONSCIENCE IN VIETNAM

House Committee on International Relations
Subcommittee on International Operations and Human Rights
Subcommittee on Asia and the Pacific
November 8, 1995

Mr. Chairman,
Honorable Members of the Subcommittee on International Operations and Human Rights
and the Subcommittee on Asia and the Pacific,

First of all, I would like to thank you for giving me this opportunity to present the case of my husband, Dr. Doan Viet Hoat, a prisoner of conscience in Vietnam. Also, I would like to thank all the members of the media for being here. Your presence is extremely encouraging to me and my family, and we very much appreciate it.

As the wife of a man who has been a prisoner of conscience for more than 17 years, I am here to present to you the numerous violations of basic human rights perpetrated by the Vietnamese government in the case of my husband, and thousands of other prisoners of conscience in Vietnam.

My husband, Professor Doan Viet Hoat, was arrested on August 28, 1976. Since that time, I have become one of more than 500,000 women classified as reeducation wives. Even worse, my three sons at the ages of 8, 4 and 2 joined the other two million children of the reeducation camp inmates. My husband was detained from 1976 to 1988. During those twelve years, he was accused of being opposed to Communism. Once a year, his family was allowed to visit him for 15 minutes under the close supervision of the prison guards who stood nearby. It was not until 1986 that the Vietnamese Communist government declared that it was time for "Doi Moi" (Renovation). Therefore, in February of 1988, my husband was among the many prisoners of conscience released without ever being charged with a crime. After his release a new world order was forming, starting with the political reform in the new Russia called "perestroika" along with the collapse of the communist countries in Eastern Europe. Individuals such as my husband did nothing more than wishing to see the same thing happen to Vietnam.

Between 1988 and 1990, my husband wanted to contribute to the political transformation process in Vietnam. He and a few of his friends recorded on cassette tapes messages calling for democracy, stating that the "country's fate lies in our hands" and "urging" the return of power to the people." They wrote and also translated some articles from foreign journals. Through these articles they hoped to suggest a way to rebuild the country. These were known as the Freedom Forum. This led to his second detainment in November of 1990 on the charge of "propaganda against the people's government." His friends were also arrested for their involvement in the Freedom Forum.

It was not until after 28 months of imprisonment that Professor Doan Viet Hoat and his friends were brought to trial. The long detention was in violation of the Criminal Code of the Socialist Republic of Vietnam. At the trial, the charge was upgraded from "propaganda against the people's government" to

"attempting to overthrow the people's government." Professor Doan Viet Hoat was sentenced to 20 years of imprisonment. His friends in the Freedom Forum received sentences from 4 to 16 years each.

Then in August of 1993, the Appeals Court of Ho Chi Minh City reduced my husband's sentence to 15 years of imprisonment, followed by 5 years of house arrest. This is an outrageous sentence for crimes that he was not guilty of. He did not disturb the national security nor did he ever call for the use of force. He did not promote violence. All he did was to call for respect of human rights and democracy.

The arbitrary arrests, imprisonment, indictment, prosecution and conviction of my husband were in serious violation of the Universal Declaration of Human Rights, as well as the very Constitution of the Socialist Republic of Vietnam.

All those false charges could not stop Doan Viet Hoat from speaking up for what he believes in. From jail he has managed to send out several letters calling for reform. After each time, he was transferred further from home and to camps with increasingly harsher living conditions. He had been in seven different camps starting in the South and ending up in the North.

His writings in prison can be chronologically listed as followed:

- 1 Appeal to the Communist Leaders of Vietnam (November 1, 1992)
- 2 Open Letter to Vietnamese Overseas (September 1, 1993)
- 3 Human Rights from a Human and Social Perspective (December 1, 1993)
- 4 Summary Report on Human Rights in Vietnam (January 1, 1994)
- 5 Open Letter to the Communist Party National Congress (January 24, 1994)
- 6 Protest Letter Regarding the Treatment Policy toward Prisoners (April 1, 1994)

The latest stop on my husband's unwilling "trip" through the Vietnamese Gulag is Thanh Cam Camp in Cam Thuy district, Thanh Hoa Province. In our last visit, it took my son and me two days to get to the province by train, which is the only access. Then we had to wait for the only bus of the day to reach the small town after one more day of traveling hardship. The bus was full of people, food, goods, and even live poultry. Most of the passengers did not have seats, they ended up sitting on top of piles of bottles or bags of rice or corn. The driver of the old coach never thought of rest stops during the extremely rough and tiring trip. Arriving at the terminal, which is three kilometers from the camp by path, we had the choice of walking up and down the hills or riding in an ox cart.

Thanh Cam Camp is located in the middle of a deep valley surrounded by lime stone mountains. The weather is very harsh - terribly hot in the summer and freezing in winter. The water supply is contaminated, pumped and filtered by simple devices from a small river nearby. Diarrhea and malaria are common deadly diseases in this camp. My husband is the only political prisoner in a camp among six hundred other common criminals. Only members of his immediate family can visit him.

In April of this year, which was the last time that we received news of my husband from our relatives in Vietnam, he was still struggling with the extremely harsh living conditions in that camp. They were still isolating him from any human contact. No books or magazines were allowed. We have not heard anything else since then. About my husband, he initially was not interested in politics. Trained in education and school administration in the United States, he would have liked to be a professor all his life. That was, and still is, his favorite career. However, as an honest intellectual, he cannot give in to the blatant forces of

oppression. He cannot be passive while his motherland is in a transitional period. He was only trying his best to help in the process of democratization of Vietnam. The political situation made him one of the brightest symbols for the Vietnamese democratic struggle. The hardship and suffering inspired his determination. Surely, he will spend the rest of his life fighting for democracy.

I am very concerned for his failing health and his safety. I am also worried about his state of mind. Dr. Hoat is an intellectual yet he is not allowed to read books he wants to read, or write what he thinks. Boredom and isolation for an extended period can cause great psychological damage. It is very cruel to subject a human being to the kind of treatment my husband has endured for many years.

During his first detainment, I was also arrested and detained for nearly two years, when I was under constant harassment to plead guilty on my husband's behalf for the various crimes which he was never charged with nor for which he was ever convicted. It was also during my husband's detention that I had to make the most difficult decision any mother had to make. It was to send my two older sons, one at a time, at the ages of 14 and 12 respectively out to seas. I sent them out on fishing boats hoping that they would be picked up and brought to first asylum countries refugee camps, and to ultimately join their relatives in America. This had to be done, despite the danger of losing them forever to the seas, in order to give them an opportunity for a better future. My youngest son, during my detainment, had to live with his uncle, who was so poor that he could hardly support his own family.

I have shared the hardship with my husband; however, I will never regret its cause for one moment. I have always supported my husband and his dream. We will continue our peaceful and non-violent campaign until the present government of Vietnam releases Dr. Hoat, and all other prisoners of conscience, unconditionally.

My husband is just one example of the thousands of victims whose basic human rights are being blatantly violated everyday by the Vietnamese government. Furthermore, tens of thousands of family members of these prisoners of conscience are also under constant harassment and abuses for their ties to them.

I have faith that the United States government can and will help these unfortunate people. Today, America represents human rights, freedom and religion, and democracy for all people in the world. This is why Arabs and Israelis have requested the Americans assistance in their efforts to reconcile their differences in a peaceful way.

We, the people of Vietnam, are also in desperate need for your assistance in our struggle for human rights, democracy, and freedom. We urge that the U.S. government officials apply heavy pressures on the Vietnamese government to stop their blatant abuses and force them to observe basic human rights. You must demand that the first step towards achieving better human rights conditions in Vietnam is the unconditional and immediate release of my husband, Professor Doan Viet Hoat, as well as all other prisoners of conscience in Vietnam. We, the people of Vietnam, have faith that you can and will assist us in our fight for human rights, freedom, and democracy.

Moreover, the tide of democracy is being acknowledged throughout the world. The democratic forces are supporting one another. This Human Rights Hearing is an excellent example of that spirit of mutual and generous support. I would like to offer the following recommendations:

1. We should put the human rights violations by the Vietnamese government in the agenda of the United States Congress.

- 2 In granting the Most Favored Nation status to Vietnam, the US and other aid donors should consider respect of human rights as one of the main prerequisites
- 3 We should urge the Vietnamese government to immediately release all people imprisoned or detained for exercising their basic civil and political rights

Finally, on behalf of my husband, I would like to express my deep thanks to all of you for giving me this opportunity to be here. I am convinced that with goodwill and determination, everything will work out and the Vietnamese political prisoners will be liberated, and democracy will come to Vietnam.

Thank you Mr. Chairman.

**TESTIMONY OF MR. NGUYEN CHI THIEN,
A 27-YEAR VETERAN OF THE VIETNAMESE PRISON SYSTEM**

House Committee on International Relations
Subcommittee on International Operations and Human Rights
Subcommittee on Asia and the Pacific
November 8, 1995

Mr. Chairman,
Honorable Members of the House Committee on International Relations,

I am Nguyen Chi Thien, author of the poetry collection *Hoa Dia Nguc* ("The Flowers of Hell"). First of all, I would like to thank the honorable members of the House Committee on International Relations, especially the Subcommittee on International Operations and Human Rights and the Subcommittee on Asia and the Pacific, for allowing me to be here today to speak to the question of human rights in Vietnam.

Since time does not permit a long elaboration of the egregious situation of human rights in my country, I would like to summarize and give you only the barest outlines of the gross violations of human rights that have been going on since at least 1954 when the Communists first came to full power in the northern half of Vietnam. Tens of thousands of people have been executed during the time of the Land Reform (1953-1956), many tens of thousands of so-called landlords were sent into prison and exile, and the number of landlords perishing in jail came to many times the number of those directly executed on the public denunciation grounds. Let me clarify here that we are not talking about real landlords by the standards of other countries. In Vietnam during those years you only had to be the owner of half a hectare of land to qualify as "landlord." And the proportion of landlords to the general population was specified to be between 5 and 7 percent.

In 1961 Ho Chi Minh himself signed a decree ordering the concentration and reeducation of several hundred thousand people consisting of those who had served in the military or government of the Bao Dai regime, those in the general population who may be discontented with the regime, including Buddhist priests, Catholic fathers, lay Catholics, bourgeois capitalists and intellectuals. They were all corralled into hard labor camps. These were the so-called "political prisoners" although the term is not quite apt since most of them have never engaged in politics as such. On top of these, there were many more ruffians arrested at the same time and put in the same camps. The vast majority of these people were never brought to trial and their fate depended entirely on the dispositions made by the public security people.

Millions of people also lost their lives in the so-called war to liberate the South. In actuality, this "war of liberation" was nothing more than a struggle to impose Communism, or its Marxist-Leninist brand, on the whole of Vietnam as a stepping stone to the domination of the rest of Southeast Asia. After the fall of South Vietnam in 1975, hundreds of thousands of people went to fill up the Vietnamese Gulag. There was no need for a bloodbath since that would be too obvious. Instead, under the new regime,

hundreds of thousands of people died of hunger and cold or simply died without notice in godforsaken corners of the jungle. Your life or death was entirely in the hands of the Communist Party of Vietnam (CPV).

Since the collapse of the socialist bloc and the evaporation of the Marxist-Leninist paradise, the Vietnamese government has had to adjust--through its "Doi Moi" ("Renovation") policy, which consisted of a certain amount of economic liberalization and "untying the chains" of culture, accompanied by some minimal political reforms. But in reality, what is the true nature of these reforms? Economically speaking, it meant that the common people is allowed to engage into petty business while the country opens itself up to dollars coming from abroad. Thanks to these incoming dollars the government has been able to double and triple the salaries of the military, of the public security personnel, giving them houses and land as a means to bribe them into keeping the people under wraps, ordering them to shoot at any dissident element--to prove their eternal loyalty to the CPV!

In Vietnam nowadays the dollar rules supreme. Corruption is rampant and reaches into every echelon of society. A class of *nouveaux riches* has formed, made up for the most part by the children of high-ranking CPV officers. The overwhelming, crushing majority, on the other hand, lives in utmost poverty.

How about the so-called unchaining of literature, culture and the arts? Culture, the literature and the arts are the very soul of a nation. Who ever gave the CPV the right to chain them in the first place? The so-called "untying of the chains" was simply a relaxation of controls that did not last more than a few years, from 1987 to 1991. The monopoly of the media, of printing presses and of the publishing business, has always been in the hands of the Party. To become a newspaper publisher, the director of a publishing house or a printing press, one must always be a high-ranking and trusted member of the CPV. Even so, the Party is far from feeling reassured, it makes certain that public security officers are always in charge. The people simply have no voice in society except when they choose to sing of Uncle Ho or the Party.

What about the so-called political reforms? They simply don't exist. The National Assembly is an instrument of the Party, and so are the Labor Unions and the various administrative units of the government--everything belongs to the Party. Buddha and the Christian God, too, must belong to the Party if they are to survive! That is why the CPV seeks every means to control the religions of Vietnam--anyone broaching a protest can be expected to go straight to jail. Even Buddhist temples must display the likenesses of Ho Chi Minh, whether it is a picture or a bust. Everywhere one can encounter public security officers disguised as Buddhist priests. The Catholic Church must have the previous approval of the Party before it can ordain its priests or elevate them to the rank of bishops, or when it wants to recruit teaching personnel for the seminaries. Everything thus depends of the whims of the Party. No wonder that every church ends up lacking in everything.

Anyone daring to say a word, whether he be a Party member or not, in favor of pluralism and multipartyism, on behalf of freedom and democracy, or attacking Marxism, or Uncle Ho or the Communist Party of Vietnam, can expect to go straight to jail. Witness the cases of Messrs. Nguyen Dan Que, Doan Viet Hoat, Hoang Minh Chinh, Do

Trung Hieu, Nguyen Ho, Nguyen Dinh Huy and numerous others that no one can possibly list all out.

Mr. McNamara's recent book on the war in Vietnam shows how little he understands Vietnam and the Vietnamese people. Furthermore, he insulted the memory of those who have fought and sacrificed for the cause of freedom and democracy in Vietnam, which is closely linked to the same cause in the world and in the United States itself. He failed to understand the finality of the collapse of communism and the dimensions of the victory of the Free World, which was due in no small part to the valiant struggle that we put up in Korea, Vietnam and Afghanistan. He regretted the sacrifice in blood and money that went into the Vietnam war but one should ask him: Pray tell us a good deed that does not cost anything! If that were the case, the whole world would be made up of good Samaritans! In retrospect, the war in Vietnam can be compared to a battle--a major battle if you want--that was lost but which in the end contributed to a victory on the grandest scale!

I have lived for more than 40 years in the very bowels of Communism. I realize better than anyone that no pressure from the outside world can force the current leaders of Vietnam to adopt a pluralist and multiparty solution, to opt for freedom and democracy. For that is equivalent to abandoning their monopoly of power and giving up on their illegal gains. This will not happen until such time as the system disintegrates and collapses by itself. At the present time this disintegration process has reached to a great depth and spread really wide.

But in the immediate future, I believe it is within the power of the United States and other free nations on earth to influence Hanoi in many ways so that it will have to release the prisoners of conscience from their cruel places of exile and shameful prisons. This is especially urgent as they are near exhaustion point, most of them having spent many many years in jail and therefore their constitution has suffered greatly. This is why I would like to add my desperate voice to appeal to the conscience of mankind to work with determination and force the Vietnamese communists to let go of all their prisoners of conscience. This should be done at once and unconditionally. Not only do the families of the political prisoners and the people of Vietnam yearn for this outcome every hour and minute of the day. Please do not let them down and let them sink into despair and hopelessness!

To close my remarks I would like to thank the Government and Congress of the United States as well as all those who have done in any way to seek my release from Vietnam so that I could put my feet on the soil of this capital of the Free World, and have this opportunity to address to you the above remarks.

November 8, 1995
 Nguyen Chi Thien

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Human Rights in Vietnam

Statement by Mike Jendrzeczyk, Washington Director,
 Human Rights Watch/Asia
 Before the Subcommittees on International Operations
 and Human Rights, and on Asia and the Pacific
 November 8, 1995

Thank you, Mr. Chairman, for inviting us to testify on the important topic of human rights in Vietnam. Just yesterday, a U.S. delegation arrived in Vietnam to hold talks with Vietnamese authorities on a range of economic and trade issues. As Vietnam opens its economy and seeks closer ties to the U.S., this is a crucial moment for the administration and Congress to send clear signals to Hanoi on how progress on human rights will affect other aspects of the evolving bilateral relationship. I would like to present a brief overview of human rights conditions in Vietnam and developments of the past year, then make some recommendations for U.S. policy.

Overview

Unfortunately, recent diplomatic break-throughs have not led to improvements in Vietnam's human rights record. On July 11, 1995, the U.S. announced normal diplomatic relations with Vietnam, and just about two weeks later, on July 28, Vietnam was formally admitted as a member of the Association of South East Asian Nations (ASEAN). I should also mention that in July, the European Union signed an economic cooperation agreement with Vietnam, after two years of negotiations stymied to a large part by a disagreement on the human rights clause.

But at the same time, the Vietnamese government and the Vietnamese Communist Party have shown their determination to firmly maintain tight political control. Those who have publicly questioned the authority of the Party have been detained and imprisoned, whether they are religious leaders, advocates of multi-party democracy, or proponents of greater civil and political rights. We take no position on the particular merits of views espoused by various dissidents, but we vigorously defend their rights to peacefully express them under



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international human rights law, including the International Covenant on Civil and Political Rights which Vietnam has ratified. Both national security and criminal charges have been used against political and religious detainees. Those imprisoned have faced a range of abuses including excessive pre-trial detention, inadequate nutrition and medical treatment, and for those who continue to criticize the government while in detention, punitive isolation or transfers.

The situation with regard to civil and political rights in Vietnam today is complex and decidedly mixed. Like the rest of Vietnamese society, human rights conditions are in a state of flux during this transition period in the country's development. Dissent is severely punished though a legal system that is highly politicized, but there have been areas of gradual improvement as well. Restrictions on everyday life for most citizens have eased noticeably as the market economy takes root. Travel within Vietnam is easier. Surveillance by the country's extensive network of monitors -- from neighbors to plainclothes police -- has become less intrusive, though individuals whom the government considers "reactionary" are watched closely. Worship services of many major religions now go ahead unhindered, while at the same time the government exercises control over virtually every other aspect of religion, from ordination of clergy to approval of sermons.

It is also important to note that the effect of political or economic policies by the central government varies enormously depending on the locality. This makes generalizations about the overall human rights conditions difficult. Central government policies are subject to local interpretation and individual discretion. Many areas of the country remain desperately poor, and the social and political stigmatization of those perceived as disloyal to communism can persist.

On the positive side, under the official policy of "renovation," thousands of reeducation camp detainees were freed in 1987 and 1988. The government is involved in an energetic process of legal reform, instituting codes of criminal law and procedure (in 1986 and 1989 respectively), laws on the press (the 1993 Publishing Law), on religion (Council of Ministers Decree 69/HDBT of 1991) and on prison conditions (1993 Law on Enforcing Imprisonment.) In 1992 a new constitution was proclaimed, and in June 1994 the National Assembly ratified a new labor law.¹ Most recently, the National Assembly unanimously approved a new civil code on October 28, 1995 including provisions dealing with various kinds of ownership and inheritance rights, as well as rights to compensation for damage inflicted by government employees, and so on. We have not yet been able to obtain a copy of the 181-page document, so I cannot comment on it in any detail. I would simply note that while the civil code is one more building block in Vietnam's law-making process, it does not in itself guarantee there will be increased protection of human rights. The rule of law and meaningful protection of human rights can *only* occur when there are reliable courts, an impartial and independent legal system, and effective enforcement of all laws.

Another positive development has been Vietnam's increasing involvement with the United Nations on human rights matters. Vietnam actively participated in the 1993 U.N. Human Rights Conference in Vienna and the U.N. Fourth World Conference on Women in Beijing this

¹ For a detailed analysis of Vietnam's laws, see "Vietnam: Law and Dissent in the Socialist Republic of Vietnam," Human Rights Watch/Asia, August, 1995.

past August. The government has encouraged the study of international human rights standards in many ministries, and has sent some officials abroad for training. Most significantly, in November 1994 the Vietnamese government invited the U.N. Working Group on Arbitrary Detention (a mechanism of the U.N. Human Rights Commission) to visit the country to examine prison conditions. The visit was not entirely smooth, but it was extremely welcome nonetheless. We hope that Hanoi will continue to cooperate with the various U.N. human rights mechanisms, and will take concrete steps to implement the recommendations contained in the Working Group's report of February 1995.² For example, it urged the government to allow greater transparency in the administration of prisons; this could be done by allowing regular prison visits by international humanitarian organizations and allowing regular visits by families of detainees. The Working Group also recommended revision of the Criminal Code's section on crimes against national security to ensure that the law is not used against persons exercising their internationally-recognized right to free expression.

Human Rights Developments in 1995

In contrast with previous years when the government freed numerous political dissidents on the occasion of national holidays, only one political prisoner was known to have been freed thus far this year. (Thich Hai Chanh, a monk in the Unified Buddhist Church, was freed in an amnesty to mark the April 30 anniversary of the reunification of the northern and southern parts of the country.) Instead, the Vietnamese government moved to imprison and prosecute domestic critics.

On January 4, 1995, Thich Quang Do, the second-highest ranking leader of the United Buddhist Church (UBC), was arrested because of his role in organizing flood relief in the name of the church and his protest at the arrest of five other Buddhists who had participated in the effort. The 68-year-old Venerable Quang Do had written an essay in 1994 criticizing the Communist Party for persecuting senior members of the church and sent this essay to party leader Do Muoi. He and five other Buddhist were convicted of national security offenses in April 1995 for their flood relief activities; the senior monk was sentenced to five years in prison, and the others to terms of four to two-and-one-half years. A laywomen who asked for clemency at the trial was released.

Last December, in an effort to cut him off completely from his followers, security police moved the head of the UBC, Thich Huyen Quang, from the Hoi Phuc pagoda in Quang Nai province where he was confined under house arrest, to a one-room, guarded structure in the Nghia Hanh district. He is 77-years-old and in poor health; since his confinement, the authorities have denied him visitors, doctors, and medicine for his high blood pressure. Dozens of UBC members remain imprisoned, and all of the church's leaders are now in prison or under house

² The U.N. Working Group visited three labor camps under controlled conditions. The government refused to release statistical information on the number of prisoners or the dimensions of the penal system. It also banned the delegation from visiting pre-trial detention centers. When the Working Group's report was published, the Foreign Ministry condemned media coverage of it, declaring that the delegation did not investigate human rights but merely studied the legal system in Vietnam.

arrest.³

Protestants also continued to face arrest, particularly in the highland regions, for preaching or holding house church services. We received information on arrests and confiscation of property this year from Protestants in several provinces who had distributed religious materials or held illegal prayer meetings.

There were also continued tensions with the Catholic Church in Vietnam, as the government rejected in April all candidates the Vatican had nominated for clerical positions. Among them was the candidate due to assume the administrative duties for the elderly and ill archbishop of Ho Chi Minh City, who died later in the year.

Among those political activists detained or prosecuted were two American citizens, and several prominent communist dissidents. In April, a Vietnamese court convicted Nguyen Dinh Huy and eight other members of the self-proclaimed "Movement to United the People and Build Democracy," whose stated goals were to promote peaceful political change leading in the long term to free elections. They had attempted to organize a conference on development and democracy in November 1993. The government abruptly canceled the conference and arrested them. Nguyen Dinh Huy was sentenced to fifteen years imprisonment for "attempting to overthrow the government." Others, including two American citizens, Nguyen Tan Tri and Trung Quang Liem, received sentences of four to fourteen years. (Tri was sentenced to seven years in prison and Liem to four years). A U.S. consular official was permitted to observe the trial. In response to appeals from the U.S. government, the two Americans were deported from Vietnam this past Sunday, November 5, 1995. We remain deeply concerned for the fate of the other seven men and urge the U.S. to redouble advocacy on their behalf.

In June, the government detained two prominent communist critics, Do Trung Hieu in Ho Chi Minh City, and Tran Ngoc Nhiem (also known by his alias, Hoang Minh Chinh) in Hanoi. Do Trung Hieu was formerly a Communist Party cadre in charge of religious affairs; he had written and circulated an essay describing the party's efforts to dismantle the Unified Buddhist Church after the war. Hoang Minh Chinh, an elderly communist intellectual, had been imprisoned twice before in 1967 and 1981 for advocating "revisionist" lines. He sent petitions to high-ranking Party officials demanding that his name be cleared from his previous jailings. Both men are currently being held incommunicado in Hanoi, are reportedly due to go on trial today at Hanoi People's Court.

Another well-known communist figure, Nguyen Ho, was visited by police on June 23, 1995, who attempted to take him into custody. He had been detained twice previously, once for circulating an essay exposing abuses committed by the party. In one of his essays, he noted the "unprecedented speed" with which the party had moved to reconcile with its former enemies, such as the U.S., France, Japan and China. He asked, "Why can't the Vietnam Communist Party reconcile with its own Vietnamese brothers whom it has oppressed and victimized? Are dollars the condition for reconciliation?" Nguyen Ho handed copies of this essay to the police and told them he would rather take his life rather than face imprisonment again. He was not detained, but

³ A full description of the government's campaign against the UBC is contained in "Vietnam: The Suppression of the Unified Buddhist Church," Human Rights Watch/Asia, March 1995.

he has been kept under close surveillance. We are concerned for his safety, and for his health, which is extremely fragile due to a serious heart condition.

Press censorship has also continued, with the government confiscating what is considered subversive newspapers and tapes mailed into the country, and even travel guidebooks. The Ministry of Culture shut down the weekly *Ngôi Ha Noi (People of Hanoi)* for publishing an article criticizing a government ban on fireworks at New Year. Both dissident intellectuals and foreign correspondents reported heightened surveillance following the decision by the U.S. to normalize relations, reflecting an overall tightening of security.

Labor unrest became a growing problem, especially at foreign-invested enterprises. According to a high-level government official, some 11 percent of businesses that have attracted foreign investment have suffered labor disputes, mainly caused by low wages and in some cases, maltreatment of workers by foreign managers. Vietnamese law requires all unions to belong to the state-controlled Vietnam Confederation of Labor, and the government pushed to organize unions in all foreign-invested enterprises. The 1990 Trade Union Law defines a union as an organization of the working class "voluntarily established under the leadership of the Vietnam Communist Party." The 1994 labor code for the first time recognizes the right to strike, but it forbids strikes in industries that provide "public services" or those considered "essential to the national economy or national defense." Nor is a strike legal if it "exceeds the scope of the enterprise," compromising the ability of workers to engage in sympathy strikes. The government of Vietnam has not ratified the International Labor Organization convention guaranteeing freedom of association and the right to organize freely, which this and other restrictions would violate.

The government does not allow Vietnamese citizens to form human rights associations or to engage in human rights monitoring. Despite the U.N. Working Group's visit and the visits of U.S. and Australian delegations to discuss human rights, it remains highly resistant to foreign examination of its human rights record. I would also note that Human Rights Watch/Asia was denied permission by the government to conduct an official visit to Vietnam this year -- a decision we hope will be reconsidered.

U.S. Policy

We welcomed President Clinton's statement on July 11, 1995, as he announced normalization of relations with Vietnam, that progress in relations would involve certifications regarding human rights and labor rights. The administration thus signaled that trade benefits such as Most Favored Nation (MFN) trading status, and Overseas Private Investment Corporation (OPIC) loans and guarantees would depend on Vietnam's record on human rights and labor rights. The President also said that the U.S. would pursue its bilateral dialogue with Vietnam on human rights, "especially issues regarding religious freedom."

We also welcomed Secretary of State Warren Christopher's comments in Vietnam on August 5 and 6, 1995, when he spoke at a foreign policy school and stressed the need for both free market reform, and free expression of ideas and due process.

But the administration needs to do more to follow up these statements with concrete action. This is a critical moment in our country's evolving relationship with Vietnam, and we urge the administration to carefully but firmly insist upon greater openness and respect for human rights. Most important, progress or lack of progress on human rights should be a factor in

determining the pace of U.S. cooperation in other important areas of the bilateral relationship.

1) The U.S. should join other governments in calling on Vietnam to immediately release all persons imprisoned or detained for peacefully exercising their basic civil and political rights. Calls for the release of political prisoners, by name, should be made by delegations of political and trade officials to Vietnam -- including the interagency delegation in the country this week, and visits by members of Congress. Attached to my testimony, Mr. Chairman, is a sample list of well-known political and religious prisoners; we believe there are many, perhaps hundreds more, but the government does not report the numbers or names of those imprisoned, nor allow regular monitoring by outside organizations.

2) The U.S.-Vietnam human rights dialogue should be elevated to a higher level. Exchanges on human rights concerns between mid-level State Department officials and foreign ministry officials are somewhat useful, but have limited impact and do not reflect the importance of this issue to the bilateral relationship. The administration should seek to conduct the dialogue at more senior level, having delegations explain U.S. concerns to Ministry of Interior and senior party officials. The administration should present regular progress reports to Congress every six months spelling out in which areas the Vietnamese government is and is not making progress.

3) The administration should take additional steps to make it clear that without significant human rights and labor rights improvements, neither OPIC nor MFN are possible. Even before a bilateral trade agreement is negotiated -- which must take place before either program is considered-- the administration should provide Vietnamese officials specific benchmarks. For example, reforms are needed to guarantee freedom of association in the workplace, and this should be a firm pre-condition for OPIC assistance. In light of the administration's abysmal handling of MFN for China, Congressional pressure and scrutiny is also vital.

4) The U.S. should develop a multilateral approach to encourage Vietnam to cooperate more fully with the U.N.'s human rights mechanisms, to implement the U.N.'s recommendations, to provide technical assistance and advice to assist with meaningful efforts at legal reform, and to open up all trials to outside observers. Working together with the European Union and Australia is especially crucial. An important opportunity for the international community to indicate its concern about human rights and the rule of law in Vietnam is the upcoming World Bank-convened donors' meeting in Paris, scheduled to take place from November 30 to December 1, 1995. Aid donors should also urge Vietnam to allow local as well as foreign nongovernmental organizations, including religious groups, to participate in social work, relief efforts, and development activities.

When President Clinton meets with Japanese Prime Minister Murayama in Tokyo for a bilateral summit on November 19-21, they should discuss how to most effectively encourage both economic reform and human rights improvements in Vietnam. Japan is Vietnam's largest bilateral aid donor; it gave Vietnam over \$543 million in development aid in 1993 alone. But despite a provision in its aid charter dealing with human rights and democratization, the Japanese government has refrained from raising human rights concerns with Vietnamese officials, except in very general terms.

Attachment: Sample List of Prisoners

**Attachment:
Sample Cases of Political and Religious Prisoners**

- **Thich Huyen Quang**, the seventy-seven-year-old acting Supreme Patriarch of the Unified Buddhist Church, may be put on trial soon on national security charges, according to an official Voice of Vietnam broadcast on August 16, 1995, along with **Thich Long Tri**, another senior church official who is under house arrest in the Vien Giac Pagoda in Hoi An, near Danang. Thich Long Tri, appointed the chairman of a Unified Buddhist Church flood relief mission, was arrested on October 29, 1994, when he arrived in Ho Chi Minh City to begin preparations. Although the Vietnamese government has denied he is under arrest, Thich Huyen Quang has been held under police guard at the Quang Phuoc shrine in Nghia Hanh district of Quang Ngai province. Thich Huyen Quang was previously arrested in 1982, when he was sent into internal exile at the Hoi Phuoc pagoda in Quang Ngai province for protesting the establishment of the state-sponsored Vietnam Buddhist Church. Police moved him to a more isolated temple in Nghia Hanh, Quang Ngai on December 29, 1994 after he began a hunger strike to protest the detention of a group of Buddhists in Ho Chi Minh City. Since November of last year, Thich Huyen Quang has been denied visitors and doctors and has been unable to receive medicine for his high blood pressure.
- **Thich Quang Do**, sixty-eight-year-old writer, historian, and General Secretary of the Unified Buddhist Church, has been sentenced to five years of imprisonment on national security charges of "undermining the policy of unity," for publishing a lengthy critique of the abuses of the Communist Party against Buddhists in Vietnam, for urging followers to hang signs outside their offices and temples naming their affiliation with the church, and for supporting flood relief efforts. Five other Buddhists involved in the 1994 flood relief mission were convicted with him at the April 14, 1995 trial. Four received prison sentences, among them **Thich Khong Tanh** who was sentenced to five years, **Thich Nhat Ban** who was sentenced to four years, **Nhat Thuong**, a Buddhist layman, who was sentenced to three years, and **Thich Tri Luc** who was sentenced to two and one-half years. Prior to the trial, it was reported that Venerable Thich Quang Do had been held for a time under police guard at the Vu Ban pagoda in Nam Dinh province, after five months of detention in Ho Chi Minh City. He was previously arrested in April 1977, along with Thich Huyen Quang and four other church leaders, for protesting the government's confiscation of church properties. He was re-arrested in February 1982 and forced into internal exile at the Thien Vien pagoda in his native village of Vu Doai in Thai Binh province. In mid-1992, after a decade in exile, he returned to the Thanh Minh pagoda in Ho Chi Minh City and eventually resumed his calls for the reestablishment of the Unified Buddhist Church, and supported flood relief work in its name. Police took him into custody at the Thanh Minh pagoda on January 4, 1995.
- **Thich Tri Tuu**, the senior monk of the Linh Mu pagoda in Hue and a close disciple of the late Supreme Patriarch of the Unified Buddhist Church, is serving a four-year sentence on charges of "public disorder" at the Ba Sao prison camp, Nam Ha, Phu Ly province, in conjunction with the May 1993 protest in Hue. At the time of the demonstration, Venerable Thich Tri Tuu was being held in police custody, and police refused to let Buddhist monks who began the protests see him or talk to him. The crowd later saw him slumped in the back of a police vehicle, stopped the vehicle and extracted him from it (he had apparently fainted). He was placed, unconscious, into a *cyclo-pousse* which carried him back to his temple as the protest continued and certain persons in

the crowd set the police vehicle on fire. Also still imprisoned at the Ba Sao camp on public disorder charges stemming from this protest are **Thich Hai Tang**, **Thich Hai Thinh**. **Thich Hai Chanh** was released, but not allowed to return to his residence at the Linh Mu pagoda in Hue and has been obliged to move to a pagoda in Quang Tri province.

- **Thich Hanh Duc**, appointed by the state-sponsored church to be abbot of the Son Linh pagoda of Ba Ria-Vung Tau in 1982, was arrested in July 1993 when police attempted to enter the pagoda and a violent confrontation ensued. The Fatherland Front and the provincial people's committee issued an eviction order against Thich Hanh Duc and other monks after the senior monk publicly read an oration of Thich Huyen Quang and expressed support for the restoration of the Unified Buddhist Church. In February 1993, the provincial committee of the state-sponsored church expelled him from the church for "violating the principles of Vietnamese Buddhism." Police and Buddhist followers accuse each other of initiating the violence. Thich Hanh Duc was ultimately sentenced to three years of imprisonment for "crimes against on-duty officials" and "handing out documents hostile to the socialist government of Vietnam;" he was last known to be detained at the Phuoc Co prison in Ba Ria-Vung Tau.
- **Nguyen Dinh Huy** and eight other members of the "Movement to Unite the People and Build Democracy" were tried in Ho Chi Minh City on April 11 and 12, 1995. According to the Vietnam News Agency, the defendants were convicted of "acting to overthrow the people's government" for having produced political manifestos and other documents. The movement had stated its aims were to promote peaceful political change and free elections, and it had attempted to organize a conference in Ho Chi Minh City on development and democracy before the government cracked down on these plans in November 1994. The men were sentenced as follows: **Nguyen Dinh Huy**, the leader of the movement, to fifteen years; **Pham Tuong**, a deputy leader, to fourteen years; **Nguyen Ngoc Tan**, also known by the pen name "Pham Thai," to eleven years; **Dong Tuy**, a teacher, to eleven years; **Bui Kim Dinh**, to twelve years; **Nguyen Van Bien**, to eight years; **Nguyen Van Chau**, to four years; **Nguyen Tan Tri**, an American citizen, to seven years; and **Trung Quang Liem**, also an American citizen, to four years.
- **Do Trung Hieu**, formerly a Communist Party cadre in charge of religious affairs in Ho Chi Minh City and now a private businessman, was detained by police in Ho Chi Minh City on June 14, 1995. Hieu had written and circulated an autobiographical essay describing the Party's efforts to dismantle the Unified Buddhist Church after the war out of fear that its influence and following would spread throughout Vietnam. Hieu has reportedly been transferred to Hanoi for questioning, but his whereabouts have not been confirmed. Do Trung Hieu was previously arrested in 1990 for associating with Michael Morrow, an American businessman who was expelled from Vietnam; on that occasion, Hieu was released after a short detention.
- **Hoang Minh Chinh**, a well-known communist intellectual, was also detained in Hanoi on June 14, 1995. This was his third detention for criticizing Party policy; he had previously been arrested for advocating "revisionist" lines in 1967 and 1981. The cause of the latest detention appears to be petitions he sent to the highest levels of the Party demanding that his name be cleared for his previous jailings, and his questioning the propriety of the constitutional provision that enshrines the leading role of the Vietnam Communist Party. He is believed to be in his seventies.

- **Doan Thanh Liem**, a law professor who was educated in the United States, is serving a twelve-year sentence for "counterrevolutionary propaganda," that is, notes he had prepared on constitutional reform. He was arrested in April 1990 for his association with Michael Morrow, Dick Hughes and Don Luce. He knew all three Americans from his participation in a well-known Saigon charity, the Shoeshine Boys. Liem, held in the Ham Tan camp, has developed a serious pulmonary condition in prison that is often associated with tuberculosis. Senator Tom Harkin's request to meet with Liem was denied during his July 1995 visit.
- **Nguyen Tri**, also known as Truong Hung Thai, was sentenced to eight years at the trial of Doan Thanh Liem, above, for having helped Liem purchase a typewriter and having received from Liem two documents the official press described as "anti-communist". A poet, he is also a former reeducation camp prisoner.
- **Doan Viet Hoat**, one of Vietnam's most prominent political prisoners, was transferred abruptly among three different prisons last year, ending up in the Thanh Cam camp, a facility for common criminals in a remote and malarial part of Thanh Hoa province. Arrested in November 1990, Dr. Hoat was given a fifteen-year sentence on charges of "attempting to overthrow the government" for producing the reformist newsletter *Freedom Forum*. His transfers seem to have come in reaction to public statements which he has periodically been able to release since his initial detention. The move to Thanh Cam has isolated him from the outside world, and he is allowed only limited communication with his family. Dr. Hoat suffers from a kidney disorder. Following a visit early this April, the first by a family member in close to nine months, Dr. Hoat's brother reported that his health condition had improved. However, his isolation continues to make it extremely difficult for his family to provide for his medical needs and ensure his good treatment.
- **Pham Duc Kham**, tried with Dr. Hoat for the *Freedom Forum* affair, was sentenced to sixteen years of imprisonment (later reduced to just under twelve years) for his participation. He was transferred in November 1994 from the Xuan Phuoc labor camp in Phu Yen province to the Cam Thuy camp Number 5, not far from the Thanh Cam camp in a remote part of Thanh Hoa province.
- **Le Duc Vuong**, tried with Dr. Hoat for the *Freedom Forum* affair, was sentenced to a five-year term. He was last known to be performing hard labor at the A20 camp in Xuan Phuoc.
- **Dr. Nguyen Dan Que**, an endocrinologist who was sentenced in 1991 to twenty years of imprisonment on charges of "attempting to overthrow the government" for publicly signing a declaration calling for political reform and respect for human rights, is reported to be in fair health, having received some medication for a kidney stone. Dr. Que has been held in isolation at Xuan Loc prison camp for nearly two years, following the Vietnamese government's unwillingness to allow U.S. Sen. Charles Robb to meet him. His wife is sporadically allowed to visit him.
- **Nguyen Van Thuan**, a defendant at both the *Freedom Forum* trial and the trial of Dr. Nguyen Dan Que, suffered a paralyzing stroke on February 15, 1994 at the Ham Tan labor camp, and was admitted three days later to a hospital in Ho Chi Minh City. He has partially recovered from his paralysis and is periodically allowed to visit his home, although he is still under threat of being

sent back to labor camp. Nguyen Van Thuan, arrested in November 1990, was sentenced to a ten-year term at the same time as Dr. Nguyen Dan Que, and received an additional twelve year term, later reduced to eight years, at the *Freedom Forum* trial.

- **Do Van Thac**, a former sergeant in the South Vietnamese army, was arrested with five other members of the opposition Dai Viet Duy Dan (People's Party) on July 9, 1991. In January 1992, a court in Hanoi sentenced Do Van Thac to fourteen years' imprisonment (later commuted to twelve years) on charges of "attempting to overthrow the government," apparently for circulating writings describing the People's Party and calling for political and economic reform. The five other defendants received sentences ranging from four to twelve years on the same charges. Do Van Thac, who is in his late sixties, suffered a stroke in February 1994 at the Ba Sao prison camp in Phu Ly, Nam Ha province, where he remains imprisoned. Mr. Thac is also suffers from heart disease and high blood pressure. His brother **Do Van Hung**, who received a twelve-year sentence (later commuted to eleven years) at the January 1991 trial, is also reported to be in poor health.
- **Pious Vu Thanh, Dat Hai, Paul Nguyen Chau Dat**, and five other members of the Congregation of the Mother Co-Redemptrix remain in prison. On May 15, 1987, these persons, along with Father Dominic Tran Dinh Thu and approximately sixty other Catholic clergy and laypersons were arrested when authorities raided the compound of the order founded by Father Dominic. During the raid, authorities seized rice stocks from the community and religious literature, causing people from the surrounding area to defend the congregation (and their rice stocks) with improvised arms. Pious Vu Thanh Dat Hai, Paul Nguyen Chau Dat and twenty others were tried on October 30, 1987 and convicted of "sowing disunity between the people and the government." Pious Vu Thanh Dat Hai was sentenced to ten years of imprisonment and three years of suppression of civil rights, and is now in the Long Khanh prison camp. Paul Nguyen Chau Dat was given a twenty-year term, which he is also serving in Long Khanh. **Nguyen Van Thin Quan** is serving a sixteen-year sentence in the Ham tan camp; **Mai Duc Chuong Nghi** is serving an eighteen-year term in a Thanh Hoa province labor camp; **Dinh Viet Hieu Thuc** is serving a fourteen-year sentence in the Long Khanh prison camp; **Pham Ngoc Lien Tri** is serving a twenty-year term at the Long Khanh camp, and **Nguyen Thien Phung Huan** is also serving a twenty-year term at Long Khanh.
- **Pastor Nguyen Duc Loi** and **Pastor Nguyen Van Vui** are reported to have been arrested on November 20, 1994 when proselytizing among the ethnic Hre minority in Quang Ngai province. According to unconfirmed local sources, the two have been accused of pursuing political activities under the guise of religion, and after their arrest officials ordered local Christians to cease all religious activities, including prayer meetings.



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TESTIMONY OF NINA SHEA, DIRECTOR
PUEBLA PROGRAM ON RELIGIOUS FREEDOM
FREEDOM HOUSE
before the
HOUSE COMMITTEE ON INTERNATIONAL RELATIONS
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS
AND HUMAN RIGHTS
and the
SUBCOMMITTEE ON ASIA AND THE PACIFIC

November 8, 1995

Thank you Mr. Chairman for holding these important hearings and providing an opportunity for Freedom House to testify about the government of Vietnam's continuing campaign of persecution and control of various religious groups within its borders. The Puebla Program on Religious Freedom acts to defend the internationally-recognized rights to religious freedom of all creeds, in all parts of the world.

A year ago, Puebla published the 113-page human rights report, *Vietnam: Free Market, Captive Conscience*, which describes the repression encountered by all five of Vietnam's major religious groupings. That analysis found that religious expression is permitted only within structures and organizations that are submissive to the state and serve state interests. Those acting outside these constraints are not tolerated. Because of its need to replace Soviet patronage with Western money and soften its image in the United States, Vietnam has in the last several years reluctantly allowed some meager but highly-publicized reforms -- such as two printings of the New Testament and the opening of some Catholic seminaries. But the bottom line is that the Vietnamese Communist authorities claim control over belief and religious activity.

Our analysis of a year ago is just as valid today. After a summer of diplomatic triumphs that include full diplomatic recognition by the United States and admission into ASEAN, Vietnam has embarked on a frenzy of activity to intimidate and suppress independent worship. Since July, it has detained several Evangelical pastors, including an American, shut down Baptist and Evangelical churches, confiscated Bibles, blocked the appointment of Catholic bishops, sentenced the second ranking official in the Buddhist Church to five years in prison, given stiff sentences to five other Buddhists and announced the impending trial of the Buddhist Supreme Patriarch. It failed to release any known religious

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leaders from prison in its general amnesty in September on the 50th anniversary of Ho Chi Minh's declaration of independence.

Vietnam continues to use the harshest tactics -- arrests, imprisonment, torture, church demolitions, etc. -- where they feel they can get away with it. That is, where the violence occurs outside the international spotlight. The chief victims of these brutalities are the ethnic Christian Evangelicals, such as the Hmong people, from the remote mountain villages, the Buddhists who have few proponents in the West, and the members of the Congregation of Mother Coredemptrix, the only Catholic order that is indigenous to Vietnam.

By contrast, the Roman Catholics and the Protestants in the urban areas, with their conspicuous ties to the West, are the chief beneficiaries of recent reforms. For example, Vietnam has in recent years allowed the reopening of a few seminaries, printed a few thousand Bibles, released from prison some prominent Catholic clergy and all long-term Protestant prisoners. Only against the forty year backdrop of severe religious repression can such recent positive steps be considered significant. While the reform measures are welcome, they do not represent a break in the ideology of the regime. Vietnam's leaders refuse to relinquish control over belief and religious activity. Even the "well-connected" Christian church suffers forms of religious repression that are more hidden and sophisticated.

With the Roman Catholic Church, harsh persecution continues to be directed against the indigenous Congregation of Mother Coredemptrix. This is the only Catholic order founded by Vietnamese citizens and thus it is highly popular. Fourteen priests, and monks from the Coredemptrix have been imprisoned since 1987. Seventy-year-old Brother Nguyen Chau Dat for example is serving a 20-year sentence on counter-revolutionary charges after a trial with 22 other of his co-religionists from the Coredemptrix order in October 1987. The founding director of the Coredemptrix, himself, was sentenced to life at this trial but was released in 1993 under intense international pressure.

Over the last two years Vietnam has employed a repression strategy of striking at the Catholic Church's hierarchical structure, rather than openly imprisoning clergy. The government has sharply curtailed Church leadership both by barring bishops from their posts and by stanching the flow of seminary entrants and graduates. Hanoi continues to block a Vatican episcopal appointment for Saigon, Vietnamese Catholicism's most important center, and in April 1995 rejected all four of the Vatican's appointments for bishop. Vatican sources confirmed that one of the contested appointees, Bishop Nicolas Huynh Van Nghi, whom the Vatican considers apostolic administrator of Saigon, was called in by provincial authorities during the March visit of the Vatican's under-secretary of state and told to cease pastoral activities in the city. The blocking of Vatican episcopal appointments for the Archdiocese of Saigon and for other dioceses throughout the country is the foremost concern of the Vietnamese Inter-Faith Council in the US and the Federation of Vietnamese Catholics in the U.S. Vietnam bans Catholic education for the laity and forbids Catholic literature and publications with limited recent exceptions. As the

situation stands, the Vietnamese Catholic Church is forced into a stunted existence, with its pastoral ministry virtually limited to celebrating Mass at strictly prescribed times and places.

Though Evangelical pastors were released from long-term detention during the debate about the lifting of the U.S. trade embargo in 1993, harassment of the Christian churches takes other forms, such as short-term detention, fines and property confiscations, which are no less onerous for the Evangelicals. The unauthorized Protestant Evangelical house church leaders are currently being subjected to staggering fines for holding their prayer meetings and Bible studies. If they are poor -- and most are -- they are forced to labor for the state until the fine is paid off. They do not have access to a new print-run of Bibles -- the first legal Bibles allowed in several decades -- unless they "register with," and thus submit to the control of the government. Bibles, including personal ones of citizens and tourists alike, are routinely confiscated in Vietnam. In July, Saigon airport authorities confiscated 600 Bibles being brought in by American tourists. In January this year, police raided Village No. 3 of Son Nhat and confiscated all eight Bibles possessed by of the 35-family Christian community there and prohibited them from holding house church meetings, according to Voice of the Martyrs.

Raids on independent Evangelical churches are common. On September 17, authorities in Dalat raided a local church affiliated with Rev. Dinh Thien Tu's house church movement, which is the largest autonomous Protestant movement in Vietnam. In early August, police had raided and closed a government-sanctioned Baptist church in Dalat after finding "illegal" Christian literature on the premises, according to News Network International.

Short-term arrests continue to occur. On September 10, Vietnamese-American pastor, Rev. An Doan Sauveur, was apprehended by police as he led an open-air service with 70 local Christians on a hillside outside Haiphong. He was held three days under incomunicado house arrest where he and a Vietnamese-Canadian colleague, arrested at the same time, were interrogated. The two Christians were released from custody on September 13 after being fined and ordered to leave the country. The Vietnamese Security officials confiscated all the Bibles and hymnals that the local Christians had in their possession at the time of the raid.

During the first three months of 1995, four Pentecostals were in custody for crossing the border to Cambodia to attend a revival campaign conducted by visiting U.S. evangelist Mike Evans. In March 1995, senior pastor of a large south Vietnamese house church movement, Pastor Tran Dinh Ai, was informed that he is prohibited from traveling after he was accused of going overseas for "religious reasons," rather than for business as he claimed. The September issue of the Voice of the Martyrs newsletter reported that four Evangelicals, including Pastor Ha Vvo La who has worked for over 20 years with the K'Hor tribe, continue to be imprisoned three months past the expiration of their sentences which were imposed earlier this year for "illegal preaching." The three lay leaders were arrested for evangelizing on their bicycles, and were denied food for five days for praying while in prison.

As recently as two years ago, three of the most popular Evangelical leaders were in prison precisely for the "crime" of "receiving support from American churches." It is not difficult to understand the vulnerability that even these Christians continue to feel. The urban pastors continue to be sharply restricted in their activities, especially in the areas of proselytizing and education, and their use of church facilities is under tight government control. The ethnic mountain peoples, such as the Hmong, Hre, Koho, Jeh, Jerai and other tribes, have been rapidly converting to Protestant Evangelism in recent years and suffer greatly for their faith. Arrests, beatings and the fining of these Christians in the remote villages were reported during the past year.

And what happens to Evangelicals who try to regularize independent organizations through registration with the government? In mid-1994, the country's largest independent house church movement based in Saigon with 38,000 members applied for registration after being pressed to do so by government authorities. In March 1995, the government rejected their application on the basis that the group violates the law by holding religious assemblies in private premises. Catch 22. Since then, the groups' meeting places have come under heavy police surveillance and the church leaders are being called in for regular harassment through interrogation.

While Buddhism claims up to 80 percent of the population of Vietnam, the government has not been reluctant to attempt to control it. The government banned the independent Buddhist Church and tried to force all its adherents into the government-controlled Vietnamese Buddhist Church in 1981. Nevertheless, many independent Buddhists remain, and they are currently perceived by the authorities as the regime's main religious challenge. Buddhist defiance of the government's religious policies set off a spiraling cycle of repression. In 1992 the Venerable Thich Huyen Quang was appointed as Patriarch of the banned independent Unified Buddhist Church of Vietnam. He had been under house arrest in his native village since 1982 for dissident views on religious independence. He promptly made known the Buddhists' demands, presenting a speech at his predecessor's funeral that called for official recognition of the independent Church and urging strong opposition to any government attempt to force Buddhists into the state-controlled one. This set off a series of arrests by police and self-immolations and street protests by the Buddhists, in the most public display of protest since the Communist take-over. In a courageous Declaration issued in late 1993, Patriarch Quang called for elections, a new Constitution, a multi-party system and the dissolution of the Vietnamese Communist Party, along with guarantees for religious freedom.

The Patriarch and the Secretary General of the Buddhist Church were both arrested around the beginning of 1995 after they criticized a government crackdown on a Buddhist-organized relief mission in the flooded Mekong Delta. In August 1995, Secretary General Thich Quang Do and five other Buddhists were convicted by a kangaroo-court. The Patriarch awaits trial. Virtually the entire independent Buddhist leadership, remain under house arrest or in prison at this time, according to the Paris-based International Buddhist Information Bureau.

Since 1986, Vietnam has been instituting Western-style economic reforms, including privatization and free markets, under the program of *doi moi*, or renovation. But no sustained fundamental political reform has accompanied these economic transformations. Hanoi clings to the Chinese model of economic liberalization coupled with political intransigence.

Mr. Chairman, there is sufficient evidence to conclude that pressure from the United States government registers in Hanoi, eager as it is to placate a potentially important trading partner. There is a clear pattern of prison releases, particularly of Evangelicals and high profile Catholics, when American concern has been consistently and systematically expressed. Freedom House recommends that the U.S. keep the pressure on for the releases of the long-term Catholic and Buddhist prisoners and also for the free distribution and possession of Bibles, the free appointment of Catholic bishops by the Vatican and ordination of priests, the end to harassment of pastors through short-term detentions and fines and the recognition of religious freedom, in general. Respect for religious freedom -- the right to a free conscience and to believe in transcendent truths -- is the starting point for all human rights.

Human Rights in Vietnam :
Repression against the Unified Buddhist Church of Vietnam

Statement submitted to the House Committee on International Relations
 Subcommittee on International Relations and Human Rights & Subcommittee on Asia and the Pacific

Washington D.C. Wednesday 8th November 1995

Vo Van Ai

President Vietnam Committee on Human Rights Paris

Vice-President International Federation of Human Rights (IFHR)

Director International Buddhist Information Bureau

30,000 Buddhists demonstrate for religious freedom in Hue, May 24 1995



Monks surround the Police car carrying Thich Tri Tuu

Demonstrators flock the streets



Non violent resistance Monks stage a sit-down hunger strike



Police use water canons to push back crowds



A student brings water to Thich Hai Thinh



Thich Hai Tang immobilises the Police car by lying under the wheels



Demonstrators overturn Police car



Thich Tri Tuu is carried by pedicab back to Linh Mu Pagoda



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CONTENTS

Human Rights in Vietnam : Repression against the Unified Buddhist Church of Vietnam.....	1
A high ranking Communist official denounces the CPV's policy to neutralise the Unified Buddhist Church of Viet Nam.....	6
Written Statement on Religious Intolerance in Vietnam for the United Nations SubCommission on Human Rights (Geneva 1995).....	10
Letter from Venerable Thich Quang Do to Communist Vietnamese Party Secretary-General Do Muoi.....	13
Buddhist proposal for Human Rights and Democracy in Vietnam : Declaration by the Ven. Thich Quang Do.....	17
File on the UBCV Relief Mission : Arbitrary arrests of UBCV dignitaries and followers in Vietnam.....	24
European Parliament Resolution on the situation of Human Rights in Vietnam.....	28
International Support.....	31
<i>Annexe : File on the Demonstration of 40.000 Buddhists in Hue, May 24 1993 :</i>	
Comments on the Government Video.....	45
Transcript of the Government Video.....	50
Venerable Thich Tri Tuu reports from Hue.....	58
List of UBCV Clergy and Followers in prison in Vietnam.....	60

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Human Rights in Vietnam : Repression against the Unified Buddhist Church of Vietnam

Statement submitted to the House Committee on International Relations

Subcommittee on International Operations and Human Rights & Subcommittee on Asia and the Pacific

Vo Van Ai

President, Vietnam Committee on Human Rights, Paris

Vice-President, International Federation of Human Rights (FIDH)

Director, International Buddhist Information Bureau (*Information Office of the Unified Buddhist Church of Vietnam*)

Washington DC, Wednesday 8th November 1995

I am honoured to testify before the distinguished members of the Subcommittees today, not only on behalf of the Vietnam Committee on Human Rights, a non-governmental human rights monitoring group, but as Overseas spokesman of the Unified Buddhist Church of Vietnam. I only regret that a dignitary from the Church in Vietnam could not stand here to testify himself. But the truth is that virtually the entire leadership of the Unified Buddhist Church is under detention in Vietnam today, simply because they refuse to give in to repression, and continue to voice their aspirations for religious freedom and human rights.

Indeed, following a systematic campaign of repression against the Unified Buddhist Church of Vietnam, the Government has finally arrested the two highest dignitaries of the Unified Buddhist Church, 77-year-old Patriarch **Thich Huyen Quang** and his Deputy, 68-year-old **Thich Quang Do**. Their detention, respectively on December 29th 1994 and January 5th 1995, follows that of hundreds of other Buddhist clergy and followers imprisoned for their support of the UBCV.

The Hanoi authorities made these arrests as they were in the process of renewing diplomatic links with the United States and pledging their responsibility to respect human rights. Indeed, only a few days after diplomatic relations were finally renewed, on August 15th 1995, the Hanoi authorities put Thich Quang Do and five other Buddhist leaders on trial. In a closed-door hearing which breached all international standards, the six Buddhists were convicted to sentences of up to five years imprisonment. Demonstrating their total disregard of international obligations, Hanoi even turned down requests from the State Department and members of the European Union to send diplomatic observers to the trial. We have now learned that Venerable Quang Do has been secretly transferred to a prison in Northern Vietnam, without the slightest notification to his family or disciples.

These recent arrests of Buddhist dignitaries are the latest step in the Government's campaign to suppress the Unified Buddhist Church of Vietnam, a Church which has a 20-century-long tradition, and represents 80% of the population in Vietnam. By suppressing the UBCV, Vietnam not only aims to suppress a majority religious movement, but it is seeking to silence the voice of Vietnam's most active and influential movement for democracy and human rights - the only force capable of playing a significant role in the peaceful transition towards democracy in Vietnam.

Why is the Vietnamese Government repressing the Unified Buddhist Church of Vietnam ?

There are a number of basic differences which oppose the Unified Buddhist Church of Vietnam and the State. The first is ideological. Communist ideology is based on the class struggle, conflict and, ultimately, on hatred. Buddhist philosophy is based on compassion, tolerance and love. Secondly, the communist one-party system commands uniformity of ideas and action, as well as total obedience (Article 4 of the Vietnamese Constitution enshrines the principle that "*the Vietnamese Communist party (...) is the leading force of society and State*"). Buddhism, on the contrary, encourages the

development of individual capacities, and the harmonious cooperation of these capacities into a vibrant and diversified whole.

Another difference lies the concept of religious freedom, and this underscores the flagrant contradictions in Vietnam's policy on religion today. For reasons of political expediency, and to attract a flourishing tourist trade, the Party increasingly tolerates, and even encourages, wider freedom of worship - the freedom to bow one's head and pray, to meditate in silence, to keep religion enclosed between the four walls of Pagodas and Churches. But true freedom of religion continues to be ruthlessly suppressed.

This is the crux of the conflict between the Unified Buddhist Church and the Hanoi authorities today. The leaders of the Unified Buddhist Church are demanding not only the right to exist independent of political control, but they are pressing for the fundamental freedoms of expression, association and thought, without which religious freedom has no meaning.

How has the Government gone about suppressing the Unified Buddhist Church ?

Repression against the UBCV began in 1955 in North Vietnam under the Government of Ho Chi Minh. Founded in 1951, the UBCV was the first Buddhist organisation to unify Buddhists all over North, Central and Southern Vietnam, and it was cruelly repressed during the Land Reforms and religious purges. Although religious sentiment is still strong in the North, recent official statistics indicate the extent to which Communism has taken its toll. A survey conducted by the State-sponsored Buddhist Church in 31 out of 40 provinces reveals that in North Vietnam, the cradle of Vietnamese Buddhism, 39 years of Communism have left the country with only 3,172 monks and nuns for a total of 4,531 Pagodas - an average of just half a monk per pagoda! In the South, which boasted 40,000 Buddhist monks and nuns before 1975, there are now only 13,538 clergy for 4,433 pagodas.

Religious persecution was pursued in the South after the country was united under communist control. Again the Buddhists became the principal target of repression, even though the monks of the traditional UBCV, better known as "An Quang Pagoda" by the name of its headquarters in Saigon, had taken an active stand for peace during the Vietnam war.

The authorities dismantled the vast network of Buddhist Pagodas, schools, medical centres and orphanages, and arrested thousands of Buddhist monks and nuns. Among them was Venerable Thich Thien Minh, who was tortured to death in a reeducation camp in 1978, and well-known scholars such as Thich Tue Sy and Le Manh That, a brilliant historian and graduate of Wisconsin University, were sentenced to twenty years hard labour in reeducation camps.

Finally the UBCV was formally banned, and a State-sponsored body, the "Vietnam Buddhist Church" was set up in its place. This organisation, directly under the control of the Communist Party's Board of Religious Affairs and the Fatherland Front, became the only Buddhist organisation officially recognised by the State. Buddhists refusing to join it were subjected to harassment, intimidation and arrest. Venerable Thich Huyen Quang, the current Patriarch of the UBCV, was placed under house arrest for his protests against this in 1982, and has remained under detention ever since.

Simultaneously, the authorities restricted Buddhism and other religions by means of the law. Although religious freedom is enshrined in the Vietnamese Constitution, regulations such as Decree 69, adopted in 1991, provide heavy punishments for any religious activities deemed to "sabotage national independence and go against the interests of the State". This loose definition makes it legal for the State to imprison anyone for the simplest expression of their religious beliefs.

A new wave of arrests was launched against the UBCV in 1992, after the death of the Patriarch, Thich Don Hau. He appointed Thich Huyen Quang - the pioneer of the UBCV struggle against State control - to take up succession as head of the Church. Thich Huyen Quang, still under house arrest, issued a series of Open Letters calling on the Government to recognise the UBCV, release imprisoned

Buddhists, and take steps to initiate political reform. The Government responded by increased repression. Conflict came to a head in May 1993, when 40,000 Buddhists took to the streets of Hue to protest against Government persecution. Never, since the Communist party took control, had there been such a massive demonstration of public protest in Vietnam.

In the aftermath, **Thich Tri Tuu**, Superior monk of the famous Thien Mu Pagoda in Hue, **Thich Hai Tang** and six other Buddhist monks and followers were arrested, sentenced to up to four years imprisonment and deported to Ba Sao, a notoriously harsh reeducation camp in northern Vietnam. They conducted an eight-week hunger strike in 1994 to demand the right of appeal, but the prison authorities had them forcibly fed with saline injections and refused their right to appeal. I submit for the Subcommittee's information a video of this demonstration filmed by Security Police in Hue.

What are the latest steps in the Government's campaign to suppress the UBCV ?

The demonstration in Hue marked a turning point in the conflict between the UBCV and the Hanoi authorities, with the emergence of Buddhism as a strong democratic force capable of mobilising mass popular support. Perceiving the UBCV as a challenge to its authority, the Government intensified its campaign of repression, culminating in a widespread Police sweep in November 1994.

The new wave of arrests began after Thich Huyen Quang launched a humanitarian operation to bring relief aid to victims of severe flooding in the Mekong Delta where over 500 people died and 500,000 were made homeless. On November 5th and 6th, as 60 UBCV monks and nuns and 300 Buddhist followers gathered in Saigon with a convoy of ten vehicles carrying medicine, blankets and food for the victims, a crack-down was launched by the Police. Security agents arrested all the Mission's organisers including Thich Khong Tanh, Thich Nhat Ban, Thich Tri Luc, Nhat Thuong and Mrs Dong Ngoc, and confiscated all the relief aid. The Buddhists were placed under detention on charges of "sabotaging religious solidarity" and the Government announced that all further aid must be distributed through the Fatherland Front.

The repression of this humanitarian mission illustrates the contradiction in Hanoi's policies once again. On the one hand, the authorities appealed for - and obtained - substantial aid from the European Union, the World Bank and other financial institutions to help the flood victims. On the other, they stifled self-help initiatives and squandered the nation's most precious resource - its people.

Patriarch Thich Huyen Quang and his Deputy, Secretary General Thich Quang Do, protested energetically against this clamp-down, but their protests culminated in the arrest of these two leaders in turn. Thich Quang Do and five other organisers of the Rescue Mission received prison sentences of up to five years on charges of "sabotaging religious solidarity" and "taking advantage of democratic rights and freedoms to violate the interests of the State". Before the trial began, the Hanoi authorities announced they were trying Thich Quang Do *"as a delinquent, not as a Buddhist"*. Three of the Buddhists appealed against their sentences on October 28th, but the appeal trial was again a mockery of justice, and the Court upheld their prison sentences. Thich Quang Do refused to take part in this appeal. He said, *"No civilised nation respectful of human dignity and democracy can consider the exercise of religious activities as a crime, nor imprison people for trying to rescue their fellow beings. I will not submit to an arbitrary judgement handed down by a so-called "People's Court"*.

For a country with over 56 million Buddhist followers, the arrest and detention of Patriarch Thich Huyen Quang, the highest moral and spiritual authority in the Church, and his Deputy, Thich Quang Do, is a unprecedented act which measures the disregard of the Vietnamese Government towards its citizens, and towards the international community as a whole.

What reaction is there in Vietnam to repression against the Buddhist Church ?

The Party's policies to suppress dissent have been widely denounced in Vietnam, not only by Church leaders and followers but by high ranking cadres within the Vietnamese Communist Party itself. **Nguyen Ho**, one of Vietnam's best know dissidents, a member of the Communist Party for 56 years, recently stated that the communist Party "*brought shame on the Vietnamese people*" because it not only failed to fill the people's stomachs, but it brought them nothing but suffering. In May 1994, another communist veteran, **Do Trung Hieu**, principal architect of Hanoi's policy on Buddhism, circulated a document accusing the Party of deliberately suppressing the UBCV and seeking to "*transform Buddhism into a puppet of the Communist Party*". The Party was swift to react to his criticisms. Do Trung Hieu was arrested on June 14th, and is now awaiting trial in Hanoi.

Indeed, as I speak to you this very day, another Communist veteran, **Huong Minh Chinh**, former Dean of Hanoi's Institute of Marxist-Leninist Philosophy, is standing stand trial in Hanoi. Arrested along with Do Trung Hieu on June 14th, his only "crime" was to circulate documents calling on the Party to abolish the Marxist-Leninist monopoly of power and set up a democracy in Vietnam.

Even stronger protests have come from Buddhists within the State-sponsored Vietnam Church. Following the arrest of Patriarch Huyen Quang in December, 49 high dignitaries of the State-sponsored Church in Binh Dinh Province sent a Petition to the Vietnamese Government calling for the Patriarch's immediate release. In September 1995, 280 monks nuns and Buddhist followers in the Ho Chi Minh City area wrote to Vietnamese Prime Minister Vo Van Kiet protesting against the unfair trial of Thich Quang Do and the five leaders of the UBCV Rescue Mission. And as I left Paris to testify at this Hearing, I received another Petition sent clandestinely from Vietnam. Signed by 233 monks and peasants from the Mekong Delta, the Petition describes the grave hardships endured by the poor peasants in the serious flooding that has hit again this year, and denounces the Government's clamp-down on the UBCV Rescue Mission. Calling on the Government to release of Thich Quang Do and the other Mission leaders, the signatories, state : "*They were only trying to rescue us. They did nothing to oppose the Government*".

In Vietnam, where censorship is the rule, the signatories of these Petitions are taking immense personal risks to express their opinions. In December 1994, several young novices from the State-Church in Hue who signed a Petition against political interference in a School of Buddhists Studies at Bao Quoc Pagoda were arrested and subjected to intense interrogation sessions after their protest. They have not been heard of since.

Recommendations

I strongly believe that the United States has a vital role to play in encouraging human rights improvements in Vietnam. Private diplomacy is important, but it is also necessary to make public interventions on serious human rights concerns. Vietnam must be made aware that its relationship with the United States is a partnership based on a common commitment to democratic values and principles.

Specifically, regarding the UBCV, I urge the United States to press Vietnam to:

- a) reestablish the legitimate and independent status of the UBCV ;
- b) release Buddhist leaders and all other citizens imprisoned for the peaceful expression of their opinions or beliefs.

More generally, I urge the United States to encourage Vietnam take concrete steps towards real democratic reform. To begin, I suggest two basic measures :

a) Hanoi should allow the publication of a private, independently-run newspaper in Ho Chi Minh City. By providing a free flow of ideas and information, this newspaper would play a vital part in stimulating a real debate of ideas in Vietnam ;

b) Clause 4 of the Constitution, which enshrines the mastery of the Communist Party in all affairs of society and State should be abolished. This would open the way to equal participation of all social, religious and political families in the process of national reconciliation for the reconstruction of Vietnam.

Patriarch Thich Huyen Quang summed up these aspirations for social justice and democratic reform in his "Declaration" to the authorities which I annex to this testimony. Indeed, as the Patriarch says, the UBCV is not seeking conflict, but simply advocating the right to contribute its formidable energies and resources to the rebuilding the country. If the United States can help achieve this, she will help Vietnam to truly make its first steps on the road towards political liberalisation and democratic reform. It is a unique, historic chance. I pray we will not let it slip by.

A high ranking Communist official denounces the CPV's policy to neutralise the Unified Buddhist Church of Viet Nam

The Vietnam Committee on Human Rights has just received an important document written by a veteran communist official in charge of religious affairs which sheds new light on the Communist Party of Viet Nam (CPV)'s policy towards the Buddhist Church. The document, written one year ago, was sent to the Vietnam Committee with the plain inscription : "*In offering for the 1995 Vesak Anniversary (the 2539th Anniversary of the Birth of Buddha)*. There was no indication as to whether it was sent by the author himself, Mr **Do Trung Hieu**, or by another source. The author's address - 7D Phung Khac Khoan Street, 1st Ward, Ho Chi Minh City - is mentioned in the text.

Do Trung Hieu, code-name Muoi Anh, was born in Khanh Hoa, Central Viet Nam. Before 1975, he was head of the Tri Tre Department (Mobilisation of Intellectuals, Students and Youth) for the Saigon-Gia Dinh area, under the direct orders of Tran Bach Dang. After 1975, he was appointed by Xuan Thuy¹ to head the "Mission to Unify Buddhism". Maintained at this post by Xuan Thuy's successors Nguyen Van Linh, then Tran Quoc Hoan, Do Trung Hieu became the principal architect of the Party's policy to neutralise Vietnamese Buddhism, a policy which culminated in the creation of the State-sponsored Viet Nam Buddhist Church in Hanoi on November 4th 1981.

The document, entitled "**The Unification of Vietnamese Buddhism**", comprises 50 type-written pages of comments and analysis on the CPV's strategy to neutralise - and finally to suppress - the Unified Buddhist Church of Viet Nam (UBCV), and reveals valuable inside information such as the names, functions and influence of all those involved with this affair on both the Buddhist and Communist sides.

● **Mr Hieu reveals that the CPV's main objective in forcing Buddhists to unify into one State-Church was to neutralise the UBCV, perceived as a major threat to Party authority.**

The document describes the CVP's long-standing hostility towards Buddhism, and the consequences of this policy in North Viet Nam. Xuan Thuy told the author that, as a result of Directive No 20 drawn up by Tran Xuan Bach and signed by Party Secretary Le Duan in 1960: "*in the north, Buddhist followers have all joined mass organisations, only old people (...) go to Pagodas to worship nowadays*" and "*bona-fide monks are few and far between*". In short, said Xuan Thuy, even the most prominent communist figures of Buddhism such as the "*inevitable*" Venerable Pham The Long, or Venerables Thien Hao and Minh Nguyet (all members of the CPV, according to Mr Hieu), have an "*extremely limited*" understanding of Buddhism and "*are unable to respond to followers' needs*".

In contrast, Mr Hieu quotes Xuan Thuy's appraisal of the Unified Buddhist Church head-quartered at An Quang Pagoda : "*[the UBCV] is not only a religious organisation of national proportions, but it is also a socio-political organisation with a wide-based popular following, significant international renown and a leadership of remarkably talented monks*". Xuan Thuy warned that "*if the unification process follows the proposal of Venerable Thich Don Hau, i.e. that the Buddhist Patriots' Liaison Committee (BPLC) is disbanded, and the Unified Buddhist Association (UBA)² is incorporated into the*

¹ Head of the North Vietnamese delegation to the Paris Peace talks in the late 60s. Secretary of the CPV Central Committee, Head of the Mass Mobilisation Department and of the Fatherland Front, Party Secretary and Secretary of Mass Organisations in the Fatherland Front's Central Committee.

² The UBA was the Buddhist organisation for North Viet Nam, the BPLC for the South.

Unified Buddhist Church of Viet Nam and comes under UBCV leadership, the UBCV's influence will spread all over the country, and not just be contained in South Viet Nam as before 1975".

Xuan Thuy feared that if the UBCV was allowed to develop along these lines, *"the Party would never be able to control the UBCV. On the contrary, the UBCV would become an enormous, popular, religious organisation which, with its mass following of Buddhists, would constitute a permanent challenge for the Party and the government".*

In fact, as Do Trung Hieu explains, the real objective behind the policy of Buddhist *"unification"* advanced by the CPV and its Mass Mobilisation Department was to *"transform Vietnamese Buddhism into a people's association. Its structure should be inferior to that of an ordinary association, restricted exclusively to monks and nuns without any participation of lay-followers - a top-level structure without any popular structural base. We shall call it the "Vietnamese Buddhist Association [VBA]"*.

By restricting it within the limits of this association, the CPV's intent was to prohibit Buddhism - and thence the UBCV - from playing any social role : *"Its [the VBA's] activities should be confined exclusively to the celebration of religious ceremonies and worship in Pagodas. It must on no account be allowed any activities related to society or to the people (...) Only Pagodas will be allowed to serve as the Association's bases or headquarters. Thus, the mass following of Buddhist laity will never be allowed to structure its forces into organic units of the Church".*

● **Mr Hieu denounces the consequences of the Party's religious policy after 1975:**

Following Xuan Thuy's admission - implicitly that of communist authorities - that *"the only thing the monks of the [communist] Unified Buddhist Association and the Buddhist Patriots' Liaison Committee will be able to do will be to "carry the briefcases" of the UBCV"*, and that *"Venerable Thich Tri Quang will scoop them all up in a sweep of his sleeve"*, the CPV's only way of maintaining control was to set up a State-sponsored body, the Viet Nam Buddhist Church on November 4th 1981. Ostensibly an umbrella for the *"unification"* of Vietnamese Buddhism, the VBC was conceived to supplant the UBCV.

Do Trung Hieu affirms that the establishment of the VBC was the work of the CVP alone : *"Out of the nine organisations and Buddhist schools attending the Congress³, one belonged to the UBCV, whereas the eight others were all under the direct control of the Party (...). To preserve appearances, the task of unification was handled by Buddhist monks, but Party's control and its determination to transform Vietnamese Buddhism into a puppet of the CPV was obvious throughout the whole reunification process".*

Thanks to Mr Hieu's revelations, the motivations behind the systematic campaign of repression launched by the communist authorities against the UBCV after 1975 become clear. This repression reached such a height that on November 2nd 1975, twelve monks and nuns burned themselves alive in protest at Duoc Su Pagoda in Can Tho. Repression and protests continue today, with a sharp escalation of tensions over the past three years (continued arrests of nuns, monks and Buddhist lay-followers ; repression against the demonstration of 40,000 Buddhists in Hue on May 24 1993 ; clamp-down on the UBCV rescue mission for flood victims in the Mekong Delta in November 1994 ; arrests of Patriarch Thich Huyen Quang in December 1994 and Secretary General Thich Quang Do in January 1995).

● **Venerable Thich Tri Quang's four point proposal for Buddhist unification and the position of the late Patriarch Thich Don Hau.**

The UBCV's former Patriarch Thich Don Hau was taken into the maquis by the communists after the 1968 Tet Offensive, then transferred to Hanoi, where he was made Adviser to the Provisional

³ The Congress in Hanoi in 1981 at which the Viet Nam Buddhist Church was founded

Revolutionary Government of South Viet Nam. In 1976 he became a Member of the National Assembly and Member of the Executive in the Central Committee of the Fatherland Front. However, he resigned from all these functions in protest against the Government's repression of the UBCV. According to Mr Hieu, the Patriarch *"maintained this position until the day of his death"* on 23 April 1992.

His "position" was, in Mr Hieu's words, an open and energetic opposition to the Government's policy of transforming Buddhism into a tool of the CPV. Mr Hieu recalls that *"immediately after the liberation [of South Viet Nam]"* in 1975 Thich Don Hau sent a Petition along these lines to Le Duan, Ton Duc Thang, Truong Chinh and Pham Van Dong. In response, *"the Party [turned down] Thich Don Hau's proposals for Buddhist reunification and [accused] the Patriarch of harbouring evil intentions against the Party and the Vietnamese Government"*.

Mr Hieu's document also sheds light on the position of one of the UBCV's most enigmatic figures, the Very Venerable Thich Tri Quang. Giving an insight into Thich Tri Quang's 20-year long silence, during which he has refused all cooperation with the communist authorities and taken no part in the Party's *"Buddhist Unification"* operation, Mr Hieu reveals the four basic conditions set down by Thich Tri Quang for the unification of Buddhism in Viet Nam :

1. *"On the religious level, unifying Buddhism means developing the fundamental essence of Buddhism, i.e. Knowledge, Liberation of Being, and the respect for the monastic practices of the different schools"* such as Hinayana (Small Vehicle) and Mahayana (Great Vehicle) Buddhism, both of which are practiced in Viet Nam ;

2. *"On the organisational level, unifying Buddhism means establishing one religious body which has moral and legal authority both inside and outside the country"*. Local structures and *"different schools should retain their own monastic practices"* whilst respecting the directives of the central religious institution ;

3. *"On the social level, unifying Buddhism means conducting all Buddhist social activities under the directives of one central Church. This Church must be independent, and its doctrines must faithfully adhere to teachings and precepts of Buddha ;*

4. *"On the executive level, unifying Buddhism means giving the Church freedom to appoint its leadership in a just and equitable manner, without compliancy, free from any political pressure (...). Leaders of the Sangha [community of monks and nuns] must be selected on the basis of their spiritual and moral authority alone, and their appointment should be approved by the entire Buddhist Sangha as well as by followers all over the country"*.

These proposals were flatly rejected by the Party's leaders, who remained hostile to the UBCV and wary of Thich Tri Quang's considerable influence. Indeed, the CPV perceived Thich Tri Quang as a formidable adversary, as Mr Hieu reveals in a comment made by Muoi Ut (Nguyen Van Linh's code-name) to Tu Anh (Tran Bach Dang's code-name) : *"The National Liberation Front (NLF) has never been defeated by anyone, but Thich Tri Quang outwitted them three times running. Each time, in the subtlest possible way, Thich Tri Quang rescued the Americans and their puppets (sic)"*.

Nguyen Van Linh was referring to three campaigns launched by Thich Tri Quang in 1964 and 1965, which the communists believed were deliberately directed against them. He recounts :

"In 1964, there was severe flooding in Central Viet Nam. NLF fighters were about to take over the puppet army's outposts, when Thich Tri Quang launched the slogan "Unified Buddhist Church of Viet Nam Rescue Mission". With the five-coloured [Buddhist] flag floating on the dinghies, boats and helicopters, [the NLF soldiers could not attack] and the soldiers of the puppet army were saved."

Later, *"in the same year, 1964, popular protests broke out against the puppet regime. The NLF sought to step up this movement in the cities by launching anti-government slogans. Thich Tri Quang*

chose that very moment to create the "People's Council for National Salvation" in Central [Viet Nam] and demand a civilian government. This attracted the whole population's attention to him, and our slogans were totally eclipsed".

Finally, "in 1965, [after] the American army had cynically invaded South Viet Nam, the NLF stepped up revolutionary warfare against the American imperialist aggressors. Thereupon, Thich Tri Quang launched the "Prayer for Peace" operation, which totally compromised [the NLF's] anti-american war efforts."

• **Mr Hieu reveals widespread discontent within Communist ranks, and calls on the Party Secretariat to take the interests of the Nation into account.**

Do Trung Hieu gives his own view on the CPV : *"The Politburo is a collectivity which operates as "every-man-for-himself" under the directives of the Secretary General. The Party Secretariat is another collectivity which operates as "every-man-is-king-of-his-own-castle" under the orders of the Secretary General. As for the Secretary General, he incarnates democratic centralism. This makes for the worst possible kind of dictatorial, feudal regime"*. He also gives the views of other Party members, such as Mr Nguyen Huy Quang, a cadre in charge of mass mobilisation and religious affairs in the North, who bitterly commented : *"This is not our Party, it's theirs, and theirs alone, even though we are members of it. For all that we are [Party] members, we are nothing but pawns in their game"*.

Do Trung Hieu concludes with the analysis that the CPV's failure in economic management, which has lead the nation to bankruptcy, is nothing in comparison with the irreparable damage it is wreaking in the religious domain. He calls on the CVP to cease all interference in religious affairs : *"When a company manager loses millions of dongs through mismanagement, he causes worry and hardship, but he can always find a way to earn back the loss. But in the [religious] domain, the slightest mistake can cause irreparable suffering for millions of people, especially all those who are in jail, who die in prison or in deportation. Nothing can replace such losses or repair such mistakes. I urge you to give this question serious thought and elaborate a project that fits the people's aspirations, working on the principle that one must "render unto Caesar the things which are Caesar's". (...) You cannot continue with policies that bring such harm the Nation and engender so much suffering to the mass of [religious] followers. For if you do, you will bear full responsibility and must take whatever consequences are to come"*.

Arbitrary Detention and Violations of the Rights of Freedom of Opinion, Expression and Religion in the Socialist Republic of Vietnam

Written Statement submitted by the International Federation of Leagues of Human Rights
and the Vietnam Committee on Human Rights

at the 47th Session (31 July 25 August 1995) of the United Nations Sub-Commission on Human Rights

The International Federation of Leagues of Human Rights (FIDH) and its affiliate, the Vietnam Committee on Human Rights (Vietnam Committee) are concerned about the administration of justice and protection of the human rights of detained persons in the Socialist Republic of Vietnam (SRV), where arbitrary detention and unfair trials remain widespread and common practice.

The FIDH and the Vietnam Committee are particularly disturbed by the recent conviction of six prominent members of the Unified Buddhist Church of Vietnam (UBCV) for legitimate acts related to the non-violent expression of their religious beliefs, and by the recent nationwide clampdown on prominent dissidents associated with the Vietnamese Communist Party (VCP) for their non-violent advocacy of pluralism and political reform.

On August 15th 1995, Venerable **Thich Quang Do** (secular name Dang Puc Tue), Secretary General and second highest dignitary of the UBCV was sentenced to five years imprisonment by the Ho Chi Minh City People's Court in a one-day trial. Three other UBCV monks and two lay-persons were also convicted for organising a UBCV humanitarian Mission for flood victims in the Mekong Delta. **Thich Khong Tanh** (Pham Ngoc An) was sentenced to five years; **Thich Nhat Ban** (Ho Buu Hoa) to four years, **Thich Tri Luc** (Pham Van Tuong) to two and a half years, **Nhat Thuong** (Pham Van Xua) to three years and Mrs **Dong Ngoc** (Nguyen Thi Em) to two years' suspended sentence with three years probation.

The proceedings of this trial were inconsistent with the basic standards of fairness and impartiality guaranteed in Article 14 of the International Covenant on Civil and Political Rights, of which Vietnam is a state party. From the outset, the possibility of a fair trial was compromised by a banner strung over the Courtroom announcing the "*Trial of Dang Phuc Tue and his Clique*". Not only were the defendants represented as criminals, but they were deprived of the right to be judged in their religious capacity. Indeed, the four monks were not allowed to wear their monks robes, and the Court addressed them by their secular names throughout. Moreover, the trial was closed to the public. Only people with accreditations were allowed inside, essentially members of the State-sponsored Buddhist Church, Party officials and correspondents from the official press. No foreign observers were admitted, nor any members of the defendants' families, who were not notified of the trial. The Vietnamese authorities refused permission to diplomatic representatives from the United States and other Western Embassies in Hanoi who asked to monitor the trial. One UBCV monk who tried to enter the courtroom was expelled and taken to the Police Station for questioning, and thirty other UBCV monks were arrested in the early hours and detained in custody until the end of the trial.

None of the defendants were allowed defend themselves, nor have access to defence counsel of their own choice. They were only allowed to answer questions by "yes" or "no". Three French lawyers from the FIDH mandated by the UBCV to defend the monks could not obtain visas from the Vietnamese authorities. A Foreign Ministry spokesperson explained to the international press in a statement on August 15th that Vietnamese law does not permit foreign lawyers to defend Vietnamese citizens. However, the definition of a "defender" outlined in Article 35 of the Vietnamese Criminal Procedures

Code does not proscribe foreigner lawyers from representing clients in Vietnam, and Article 12 gives accused people the right to choose their defence counsel.

Specifically, Thich Quang Do was accused of three "crimes" : 1) writing and circulating copies of a 44-page document entitled "Observations on the grave offenses committed by the Vietnamese Communist Party against the Vietnamese people in general and against Buddhism in particular"; 2) hanging a "UBCV" sign over his residence at the Thanh Minh Pagoda in Ho Chi Minh City; 3) sending two faxes to UBCV Buddhists overseas informing them of the Government clamp-down on the UBCV Rescue Mission.

Thich Khong Tanh and his associates were accused of : 1) circulating Declarations criticising the State's religious policies and a blue-print for reform entitled "Plan for the year 2000" ; 2) founding a movement called "Buddhist Sangha for the protection of the Faith" ; 3) setting up a "Culture and Charity Committee" in order to help the poor and needy. The FIDH and the Vietnam Committee consider that these are not criminal offenses, but legitimate expressions of the fundamental right to freedom of expression, religion and association.

Furthermore, the FIDH and Vietnam Committee are deeply disturbed by the Vietnamese News Agency's announcement on August 16 that the Very Venerable **Thich Huyen Quang**, Patriarch of the UBCV, will stand trial shortly in Quang Ngai and **Thich Long Tri**, the third highest UBCV official, member of the Central Executive and former Head of the UBCV Rescue Mission for flood victims will also be tried in Quang Nam-Da Nang.

The announcement of these forthcoming trials is particularly alarming since it follows systematic denials by the Vietnamese Government that the Patriarch has ever been placed under arrest. Hanoi Foreign Ministry spokesmen rejected the Vietnam Committee's report of Thich Huyen Quang's arrest on December 29th 1994 as a "fabrication", saying that he had been "moved to another pagoda at the request of other monks".

The FIDH and the Vietnam Committee are also disturbed by the recent arrests of two prominent Vietnamese dissidents and former Communist Party members, **Do Trung Hieu** and **Hoang Minh Chinh** arrested respectively in Ho Chi Minh City and Hanoi on June 14 1995. A third well-known dissident, **Nguyen Ho**, was visited by Security Police and threatened with imminent arrest. He later received threats against his life. Although formal charges have not yet been announced, the men are believed to be accused of "*circulating anti-socialist propaganda*" on account of recent articles and open letters they wrote calling for reforms within the Communist Party. All three were long-standing members of the VCP, and have all been previously imprisoned for their dissenting views. **Do Trung Hieu** (code-name Muoi Anh), aged 57, was a senior VCP official in charge of religious affairs in Ho Chi Minh City. In May 1994 he wrote a critique of the Party's religious policy entitled "*The Unification of Vietnamese Buddhism*" in which he accused the Party of deliberately suppressing the UBCV and seeking to "*transform Vietnamese Buddhism into a puppet of the Communist Party*", calling on the Party to restore the legitimate status of the UBCV. Recently, he wrote and circulated two more documents, a 68-page analysis entitled "*Former Resistance Fighters : All for National Reconciliation*" (15.3.1995), and a "*Proposal for National Reconciliation*" (9.5.1995) calling on the Party to shed its political monopoly and guarantee equal participation of Communist and non-Communist Vietnamese in rebuilding the nation.

Another senior Party official sanctioned in this recent clampdown is **Nguyen Trung Thanh**, long-standing Security official, former Head of the Board for the Protection of the Party (*Vu Bao ve Dang*) and member of the VCP Central Committee's Organisation Department for 37 years. On 3.2.1995, Nguyen Trung Thanh wrote to VCP's Secretary General calling for the rehabilitation of 32 Party members who he claimed were unfairly convicted in the "revisionist" trials of the 1960. He is since alleged to have been expelled from the Communist Party.

The FIDH and the Vietnam Committee believe that all these citizens were simply exercising their legitimate rights to freedom of expression and belief which are guaranteed in Articles 69 and 70 of the Vietnamese Constitution and Articles 18 and 19 of the ICCPR.

The FIDH and the Vietnam Committee call for the immediate and unconditional release of UBCV Venerables Thich Huyen Quang, Thich Quang Do, Thich Long Tri, Thich Khong Tanh, Thich Nhat Ban, Thich Tri Luc, Thich Tue Sy, Thich Tri Tuu, Thich Hai Tang, Thich Hai Thinh, Thich Tri Sieu, Thich Hanh Duc, lay-Buddhist Nhat Thuong, Thich Giac Nguyen, Thich Hue Dang (Nguyen Ngoc Dat), Thich Nguyen Giac and all other citizens imprisoned solely on account of the peaceful expression of their religious beliefs.

The organisations also strongly urge the Vietnamese authorities to ensure that all trials conform with the provisions of Article 14 of the ICCPR, and that citizens convicted by a court of first instance have the right to a fair and impartial hearing in a Court of Appeal.

The FIDH and the Vietnam Committee call on the Sub-Commission to examine the situation of arbitrary detention, unfair trials and the human rights of detainees in Vietnam as a matter of high priority in its 47th session.

Letter from Venerable Thich Quang Dô to CVP Secretary-General Do Muoi

The document published below is a letter written by Venerable Thich Quang Do, Secretary General of the Institute for the Propagation of the Dharma of the Unified Buddhist Church of Vietnam (UBCV) to Mr Do Muoi, Secretary General of the Communist Party of Viet Nam.

Ven. Thich Quang Do (secular name Dang Phuc Tue), is a well-known writer and scholar, and one of the UBCV's highest dignitaries. He is also one of the foremost advocates of UBCV's movement for religious freedom, Ven. Thich Quang Do was first imprisoned with Ven. Thich Huyen Quang in 1977, tortured and detained in solitary confinement for 20 months, then released in December, 1978 as a result of international pressure.

In 1982, Ven. Quang Do was sent into forced exile in Thai Binh, North Vietnam and detained under house arrest because of his strong opposition to the creation of the State-sponsored Vietnam Buddhist Church set up in 1981 on March 22 1992.

Although he had not been formally released from house arrest, on March 22 1992 he left North Vietnam and returned to his former residence in Thanh Minh Pagoda, Ho Chi Minh City

On August 19 1994, he sent this letter to CVP Secretary General Do Muoi, along with a 40-page document entitled «Observations on the grave offenses committed by the Communist Party of Viet Nam against the Vietnamese people in general and against Buddhism in particular». A copy of the document was sent clandestinely to the Vietnam Committee on Human Rights with the request that it be published after a period of three months if Mr Do Muoi made no reply.

In November 1994, he again made a public protest against the police clamp-down on the UBCV Rescue Mission for flood victims in the Mekong Delta in which 5 monks and followers were arrested and tons of relief aid were confiscated manu militari by the Police.

As a result of these protests, Ven. Quang Do was arrested on January 4 1995 at Thanh Minh Pagoda in Ho Chi Minh City. According to an SRV Foreign Ministry spokesman, he will soon be brought to trial, «as a Vietnamese delinquent, but not as a Buddhist» on charges of disturbing public order. According to all available evidence, Ven. Quang Do is «guilty» of nothing more than expressing views at odds with the CPV, and exercising his legitimate right to freedom of expression, conscience and belief.

Mr Do Muoi
Secretary General
Communist Party of Viet Nam
Hanoi

Saigon. 19 August 1994

Mr Secretary General,

My name is Thich Quang Dô. I am a Buddhist monk and would like to present to you the following points :

Exactly 49 years ago today, my master, the most Venerable Thich Duc Hai, resident monk of Linh Quang pagoda, Thanh Sam village, Ung Hoa district, Ha Dong province, was killed by the Communists at 10 o'clock. On that day, 19 August 1945 (the twelfth day of the Seventh Month of the Year of the Rooster), the Revolution was pronounced successful but on the green just outside the *dinh* (communal house, *trans. note*) of Bat village, Hung Hoa district, province of Ha Dong, and a mere two kilometers away from his own pagoda, my master was murdered after being labelled a "traitor".

My master's religious elder brother, the most Venerable Thich Dai Hai, resident monk of Phap Van pagoda (also called Dau pagoda), Bac Ninh province, was also arrested in 1945. He was to die soon afterward, after being accused of having ties with the VNQDD (Vietnamese Nationalist Party).

My master's religious father (i.e. my religious grandfather, so to speak), whose religious name was Thich Thanh Quyet, resident monk of Tra Lu Trung pagoda, was to get a similar treatment. In 1954, communist cadres came to his pagoda and after accusing him of using the "opiate" of religion to hoodwink the people, they threatened to classify him as an "enemy of the people" and subject him to a "denunciation and struggle" campaign. My master's religious father was so afraid of being denounced and struggled against that he hanged himself.

Then it was my turn to be imprisoned. After being incarcerated at Phan Dang Lau prison in Ba Chieu, Gia Dinh province, from 6 April 1977 to 10 December 1978, I was sent into exile on 25 February 1982 at Vu Doai village, Vu Thu district, Thai Binh province allegedly because, the authorities said, "*doing religious work is tantamount to being politically active*". On 10 February 1982, my mother, for reasons I am still unaware of, was also exiled to Vu Doai village. On the fourteenth day of the 12th Month of the Year of the Buffalo (*circa* January 1985), my mother died a most terrible death: she died of cold and hunger. Living in complete isolation, I told myself one day that I had done nothing to deserve the morally indefensible oppressive measures I was unceasingly subjected to. That is why on 22 March 1992 -i.e. 10 years and 27 days after being sent into exile- I simply informed the Security Department of Hanoi that I would return to Saigon and I arrived there on the 25th. On 20 April 1992, I again received an "order" of the local security service, extraditing me back to the North, but I refused to comply with it: I did what I did not so much because I liked to live in the South and dislike living in the North. As a monk, I can live anywhere and in any conditions, however difficult they might be. But things must be done according to the law. I was an innocent citizen, in full possession of my civil rights. I could not accept that anyone had the right to act so capriciously as the Communists had done in 1982. If the authorities considered I had committed any crime, they should use the due process of law to try me in an open court. In that case, I would obey the court's order. Being a citizen conscious of his rights and duties, I only wanted to live according to the law. I did not want anything more.

Mr Secretary General,

In relating to you the story of the tragic deaths of some of the people I have always held very close to my heart and that of the persecution and detention I myself have been subjected to over a decade, I have only one thing in mind: I want to demonstrate to you that as a victim of Communism, I am fully qualified to send you the document called "**Observations**" which you will find attached hereto and in which I have proven my master's innocence of the charges brought against him and called your attention to the many serious mistakes the Communist Party of Viet Nam (CPV) has made over the years and in so doing, has caused countless tragedies for the people in general and the Buddhist Church in particular. Of course, I will accept full responsibility for what I wrote and I am ready to accept all the consequences, including dying the tragic death of my religious grandfather, uncle, and father, the kind of death of my own mother had to suffer, and that which Quan Ki Tu received at the hand of Prince Trinh.

But even if I should be killed, I would still want to share with you my conviction that Communism will not last much longer. I did not come to that conclusion recently. I had that conviction at exactly 10 o'clock in the morning at 19 August 1945 (I was then 19 years of age), when I saw my master standing in the middle of the courtyard of the *dinh* of Bat Village -with both arms tied with barbed wire behind his back and his neck carrying two placards, one covering his chest and the other his back, proclaiming him a "country-selling traitor". My master was then squeezed between two groups of men armed with trudgeons and sticks, spears and lances, rakes and sickles. Another group of men, the so-called People's Court judges, were standing on the *dinh* platform to conduct the case. They ordered my master to kneel down and hang down his head while listening to the charges. But my master refused to do so. One of the judges stepped down from the platform and planting himself in front of my master, declared: "You are a traitor and, therefore, you can't afford to be recalcitrant". Upon saying so, the

judge hit my master a number of times on the chin, bloodying his mouth. The blood kept dripping on the placard covering his chest that proclaimed him to be a "country-selling traitor". Right then and there, they sentenced my master to death and took him to the village green in front of the *dinh*, where his blood continued to drip on his robe and the place where he was standing. Then they forced my master to lie down and one of them shot point-blank three shots at his temple. Another spurt of blood gushed out and my master died on the spot.

The spurt of blood and the spectacle of my master lying motionless on the grass with both hands tied behind his back, dying in a pool of blood remains vivid in my mind. Indeed, not only my master's face, but his robe, his legs, the spot where he was standing were all covered in blood. The two placards denouncing him as a traitor were also red with blood. Forty-nine years after the fact, I still remember the scene as if I had witnessed it only yesterday. What a nightmare it was!

At that moment, I felt utterly miserable : sitting on the grass looking at the corpse of my master, tears streaming down my cheeks, I already knew that Communism could not last long. The reason is simple enough : since the communists were proponents of hatred and class struggle, they were prepared to kill people in the most wicked manner. But as demonstrated by History, wickedness had never been a successful basis for political longevity. Indeed, psychologically speaking, it can be said that most people prefer good as apposed to evil. If that is so, what is abhorred by the people is not likely to last. Historically, the 74 years of Soviet Communism is not a long time, especially if one compares it with the 215 years of the Ly dynasty, which constitutes, according to Professor Hoang Xuan Han, the most peaceful and tolerant period in Vietnamese history.

In 1975, I came to another conclusion : In the natural process of elimination, whatever serves mankind is likely to be maintained, even if it has been buried, man will dig it up. On the contrary, whatever fails to serve mankind is bound to destroy itself. After living for some time under Communism, I came to notice that it does not serve mankind at all. Indeed, people living under a Communist regime are not only spiritually oppressed but also materially deprived of everything. That is so true that in Viet Nam today, the government is now forced to follow the Capitalist road and adopt the market economy. As things are now, "Communist" is only a label completely devoid of meaning. It can thus be said that the communist regimes in Eastern Europe and the former Soviet Union collapsed as a result of self-destruction, simply because they were incapable of meeting the needs of their people, not because they were attacked by any outside force. In the case of Viet Nam, no-one can be accused of attacking the regime, least of all the Buddhists, who have never attacked anybody but have been forced to defend themselves against the many-pronged attacks the Communists have mounted with the intention of annihilating the Buddhist Church.

But in the natural process of elimination I have just mentioned above, it can be said that from a certain perspective, Buddhism is still capable of meeting the needs of man. That is why it is very hard to destroy Buddhism. One can see this just by looking at North Viet Nam, where except for those pagodas that have been completely destroyed and their lands turned into paddy-fields, local people have pooled their efforts to rebuild most places of Buddhist worship. In poverty-stricken villages, of course, they have only been able to erect thatched huts, but better off communities have built brick houses. Unfortunately, these structures are covered with "french" rather than "traditional" tiles, for all those things that we had inherited from our ancestors have been destroyed. The same can be said of the people's quest for Buddhist texts. Most sutras, especially those that had been translated into Vietnamese, were labelled "decadent" and set afire by the authorities. However, people in the Northern provinces have gone South and bought some of these books and, upon returning home, have made hand-written copies and used them at prayer sessions. This goes to show how much the common people of Viet Nam still need Buddhism - something which cannot be said in the case of communism. I remember how, after 1954, everyone was made to hang portraits of the "great" international communist leaders, including Karl Marx, Lenin, Stalin, Malenkov, Mao Zedong, and Kim Il Sung in their homes. But in 1982, when I was exiled to Vu Doai village, I did not see one single such portrait, even in Communist party members' homes.

The case of the recently departed Mr Kim Il Sung of North Korea is even more to the point. On the day he died, the CPV ordered a day of "national mourning" (17 July 1994). In my humble opinion, if Mr Kim Il Sung had been of assistance to the CPV or if members of the International Communist movement still think of one another "as close as lips and teeth", only the CPV and its 1.8 million members should mourn him. Indeed, what has Kim Il Sung done for Viet Nam and its 70 million people? Since the great majority of the people of Viet Nam are not communists, why should they be made to mourn Mr Kim, albeit for one day? Instead, why didn't the CPV build a big temple in downtown Hanoi and dedicate it to the first Hung kings, the founders of our nation, then proclaim the Tenth day of the third month of the lunar year as National Day so that the people of Viet Nam might have a holiday and use that opportunity to commemorate our the achievements of our ancestors, thanks to whom the nation was born and grew strong, and without whom the CPV would surely not be here today? Why doesn't the CPV mourn the nation's founding fathers? Although Mr Kim Il Sung was a foreigner, the CPV treated him with the greatest respect, but in their dealings with their own fellow-countrymen, the communists have absolutely no hesitation to use bullets and guns. That is why, every time I relive the nightmare of my master being beaten and murdered on the village green in Bat, I cannot help feeling heartbroken. I grieve over these crimes which bring shame on my people, descendants of the birds Lac and Hong, and disgrace our 4,000 years historical heritage.

But that is not all! Hundreds of thousands of persons were killed during the class struggle, denunciation campaign, and land reforms in North Viet Nam in 1956. Although the CPV did launch a rectification campaign -thereby acknowledging they had committed countless murders- the question might be asked whether they had organized any national day of mourning for their victims! The question should also be asked whether the CPV has done anything for the countless boat people who died at sea since 30 April 1975. Who is mourning for them? If the nation should mourn for any one, it should mourn for them - and not for North Korea's Kim Il Sung.

My respectful salutations.

Sincerely

Thich Quang Dô
Secretary General
Institute for the Propagation of the Dharma
Unified Buddhist Church of Viet Nam

Copies to :

- The Most Venerable Thich Huyền Quang
Acting President of the Institute for the Propagation of the Dharma
- All branches and organisations of the Unified Buddhist Church in Viet Nam and overseas
- Leaders of friendly churches "for information".

Unified Buddhist Church of Viet Nam
Institute for the Propagation of the Faith

No II-56/VPLV-VHD

Buddhist era 2537 - Quang Ngai, November 20th 1993

DECLARATION

by

the Head of the Institute for the Propagation of the Faith
Unified Buddhist Church of Vietnam

The following observations should be bourn in mind .

- Communism was imported into Vietnam by Ho Chi Minh on his return from the Soviet Union in 1930. Since then, from the moment the proletarian dictatorship was established until today, the Vietnamese Communist Party has relentlessly pursued dogmatic, hard-line policies, bent on the destruction of Marxist-Leninism's two arch enemies : religion and capitalism. After an experience of seventy years, the demise of Communism in its mother-country, the Soviet Union, has proved the manifest failure of this system to guarantee the fundamental well-being, prosperity, freedom and moral welfare of the people. Sadly, the Vietnamese Communist Party (VCP) has drawn no lessons from this failure, and made no attempt to change its policies. As a result, obscurantism, poverty and repression - so typical of all Communist regimes - continue to predominate in Vietnam today.
- The VCP and the State advocate economic liberalisation and the transition towards a market economy. Yet they persist in maintaining a power-hungry, political structure nourished on prerogatives and privileges which in itself stifles all possibility of economic growth. Today, graft and corruption among top-level cadres have become veritable State institutions. The press is authorised to criticise corruption in general, but is strictly forbidden to attack the root cause of corruption, i.e. the political system that breeds it, which is common to all communist societies. The regime in Vietnam today combines the very worst of Soviet and East European communism with the very worst of wild-cat capitalism. As for the National Assembly, which ostensibly represents the people, it is little more than a stage, where monologues in the form of Party directives and decrees are acted out. The people's voice is stifled, for there are no independent representatives to speak out for them.
- The VCP has swallowed its past hatreds and is now courting its old arch enemies, the "capitalist imperialists" overseas. Yet at home, the Party and State continue to implement a policy of repression, particularly against the religious communities, regardless of the fact that by doing so they are destroying the very foundations of morality, and crushing the conceptions of truth, beauty, fraternity and solidarity inherent in Vietnamese culture. The result of this policy is today's decadent society in which the spiritual values that elevate mankind and orient him towards righteousness are totally submerged.
- The VCP and the State have now realized that their anti-religious policy launched on April 30th 1975 was an overall failure, and that, regarding Buddhism in particular, they have not succeeded in suppressing the Unified Buddhist Church of Vietnam (UBCV). This explains why they changed tactics

and set up a Buddhist Church under State control with the aim of "dividing to rule" by pitting Buddhists against each other.

- However, Buddhists cannot accept that a people's government worthy of its name should be allowed to defy the people's will by suppressing the UBCV, especially in the light of the sacred Testament left by the late Patriarch Thich Don Hau, which entrusts our Buddhist community with three important missions :

- 1) that church elders and dignitaries must take up the Patriarch's succession at the Head of the UBCV Supreme Council of Two Institutes ;
- 2) that they must organise the 8th UBCV Conference - this Conference should have been held in 1977, but was postponed because of Government persecution against Buddhists ;
- 3) that they must guide Buddhist affairs through this new, decisive phase, and mobilise the Buddhist community not only at home but also throughout the world, wherever there are sections of the UBCV.

- Responding unanimously to the appeal for Unity, Solidarity and Reconciliation launched by the late Patriarch in his Message on 31.10.91, Vietnamese Buddhists at home and abroad, and particularly Buddhists from the UBCV have unified the different congregations of the Sangha in preparation for the new challenges to Buddhism announced by the Patriarch. Following the terms of the Patriarch's Testament, on 25.6.1992 the UBCV Office in Exile addressed a 9-point letter of claims to six Government departments. Basically, the letter called on the authorities to :

- 1) recognise the right to existence of the UBCV, and allow it to function freely as it did before 1975 ;
- 2) restore all Church property, including pagodas, institutes, cultural and academic centres, hospitals and schools, which were illegally confiscated by the authorities after 1975 ;
- 3) release all monks, nuns and Buddhist followers who are detained arbitrarily without trial, or as a result of unfair trials, simply for the "crime" of advocating the respect of religious freedom and human rights ;
- 4) account for the death of Venerable Thich Thien Minh in reeducation camp in 1978.

However, apart from sending high-level Government cadres to discuss these concerns with the UBCV Office in Exile in Quang Ngai, up till now the SRV authorities have taken no steps to remedy any of the grievances expressed in this letter.

- Not only did the authorities refuse to reply to the UBCV's grievances, but they stepped up repression against the UBCV, arresting monks, nuns and lay-persons, banning the organisation of a Memorial Ceremony for the late Patriarch Thich Don Hau, and launching a concerted vilification campaign against the Patriarch's Testament in the official press, television and radio. Furthermore, they issued two top-level documents, one classified "**Top Secret**" No 125/TUDV, issued by the VCP Propaganda Department on 17.8.93 and signed by its Director Phan Minh Tanh, and the other classified "**Absolutely Secret**" No 106/PA 15-16, issued by the Ministry of the Interior and the Quang Ngai Security Police, signed on 18.8.93 by the Director of the Quang Tri Security Police, Colonel Truong Huu Quoc, giving specific directives for repression against the UBCV. Both these documents were submitted to the UN Commission on Human Rights in Geneva in February 1993 by the International Federation on Human Rights and the Vietnam Committee on Human Rights as tangible proof of the deliberate policy of repression waged against the UBCV by the Vietnamese authorities. Until today, the Vietnamese delegation at the UN has never refuted the authenticity of these documents.

- Historically speaking, the UBCV is heir to a 20-century long tradition of Vietnamese Buddhism, and represents 80% of the population. Legally, it dates back to the assembly of six monastic and lay congregations from North, Central and South Vietnam which gathered in a National Congress at Tu Dam Pagoda, Hue on 6.5.1951 to form the "General Association of Vietnamese Buddhists", fore-runner

of the present-day UBCV. It was called an "association" because under Decree No. 10 of French colonial law, Buddhism was forbidden the status of a Church, and only allowed to exist as a simple association. However, after an intensive struggle for the safeguard of Buddhism and religious freedom which began in May 1963, Buddhists successfully obtained the abrogation of Article 10. At a National Buddhist Congress held in early 1964, the rightful status of "Church" was regained, and the traditional Buddhist Church, i.e. the Unified Buddhist Church of Vietnam was allowed to pursue its religious functions. It is clear, therefore, that Colonial Decree No. 10 and all other decrees and resolutions on religions posterior to 6.5.1951 have no legal value in regards to the historic or statutory existence of the UBCV.

- The UBVC's non-violent and legitimate struggle in favour of a just cause has won the support of Buddhist at home and abroad. It has also gained recognition from international public opinion and from many world Governments. A recent example was the demonstration of 40,000 Buddhists in Hue on 24.5.1993 which drew strong reactions of support from Governments and parliamentary representatives in Europe, Asia, the United States, Africa, Australia, the European Parliament, the United Nations. It was also supported by international bodies such the International Federation of Human Rights, the US Confederation of Labour AFL-CIO, by Amnesty International and other international human rights organisations, and also by numerous religious and political organisations within the Vietnamese community overseas. This resounding support for the Buddhist struggle cannot be ignored - as SRV Prime Minister Vo Van Kiet realised himself during his official visit to Australia and Europe this year. In every country visited by the Prime Minister, Governments called for the release of Buddhist monks and for the recognition of the right to existence of the UBCV.

- Instead of ceasing their policy of repression against the Buddhists and putting into practice the appeals launched by Prime Minister Vo Van Kiet and VCP General Secretary Do Muoi during the New Year festival to *"abolish all complexes, efface hatred and look towards the future"* so that *"all Vietnamese, regardless of their social and ethnic origins or religious beliefs, whatever their past affiliations or functions in the former [South Vietnamese] regime, whether they live inside or outside Vietnam, may rally together to form one great body of national union"* - the SRV authorities persist in undermining national unity, interfering in internal Buddhist affairs, intimidating and arresting monks, nuns and followers of the UBCV.

- Although the Buddhists are the principal victims of religious persecution, other religious orders in Vietnam such as the Catholics, the Cao Dai, Hoa Hao, Protestants etc... have also suffered repression and discrimination. A recent example is the State's veto on the appointment of Bishop Huynh Van Nghi as Apostolic Administrator of Ho Chi Minh City.

- The task of reconstructing Vietnam, rehabilitating traditional moral values in a society plunged in a spiritual and cultural crisis, and releasing our people from the grips of poverty and bondage requires the combined efforts of a participation of every social class, religious family and political formation. The policies of political dictatorship and one-Party control are dangerous obstacles which are blocking our people's road to development - a road forged and frayed by our ancestors at the cost of so much suffering and bloodshed.

In the light of these general observations on the repression of Buddhism, and because of the unwarranted exclusion of the Vietnamese population as a whole from the process of national reconstruction, I solemnly address the following Declaration to the Vietnamese people and to international opinion :

1. Vietnamese Buddhism is an integral part of our national heritage. From the dawn of Vietnamese civilisation, Buddhism has played a momentous role in the foundation of our nation and the development of its culture. The UBCV is the legitimate successor to a millennium tradition which dates from the first Buddhist Masters to the Bodhisattva martyrs. It is the unique representative of

the Buddhist community in Vietnam. On the international level, the UBCV is one of the founder members of the World Federation of Buddhists, created in Colombo, Ceylan, in 1950. No other Buddhist organisation, be it the creation of individuals or of any political power, whose objectives differ from those stipulated within the UBCV Charter, can take control of the UBCV or replace it as the spiritual leader of Vietnamese Buddhists at home and abroad, and as the legitimate representative of Vietnamese Buddhism in the world ;

2. The recent action taken by the VCP and the Vietnamese authorities against the Office in Exile of the UBCV and the Head of its Institute for the Propagation of the Faith, through the intermediary of the Government Board of Religious Affairs and the Quang Ngai People's Committee violates the SRV Constitution, the provisions of domestic law and the United Nations International Covenant on Civil and Political Rights, to which Vietnam is a State party and has a binding obligation to respect ;

3. The Vietnamese Communist Party and the State must immediately initiate a process of democratic reform, and promote the development of a civil society by guaranteeing civil and political rights such as freedom of expression, freedom of the press, freedom of conscience and religion, freedom of association... One of the specific characteristics of Vietnamese civilisation is the notion of virtue. The past 20 centuries of Vietnamese history demonstrate to what extent the Vietnamese people is essentially an assembly of communities with different religious faiths. The religious forces of Vietnam, amongst which is Buddhism, englobe the majority of the population. They possess an unparalleled capacity to temper the people's accumulated hatreds, and they have a unique role to play in rebuilding the nation, devastated by 50 years of wars waged in the name of conflicting imported ideologies. By seeking to suppress religions in general, and Buddhism in particular, the authorities are perpetuating obsolete Cold War politics and draining the potential for national reconstruction. Repression against the UBCV must cease at once.

4. The Communist Party and State should not merely pay lip-service to their call for *"abolishing complexes, effacing hatreds and looking together towards the future"*, or use this as a ploy to delude world opinion into believing in their "economic renovation" and capacities for "political stability". "A State cannot effectively respect human rights or promote a sustainable democracy unless it has an opposition. An opposition is a constructive element, because it checks the power of extremist tendencies and promotes an equal and fair participation of the whole population in the process of national reconstruction. By repressing the religious communities and suppressing all political opposition movements, the Communist Party and the State are imposing neo-colonialist rule which, although it may achieve short term stability of the power-machine, can only succeed in crushing the nation's capacities for development in the long term. The Party and State should set about *"abolishing complexes and effacing hatreds"* not only in words, but in deeds by implementing an effective human rights policy, and guaranteeing fundamental rights within the framework of law. Regarding Buddhists, the Party and State should immediately release all monks, nuns and lay-persons who have been arbitrarily detained in prisons, reeducation camps and under house arrest since 1975. If the State deems they have committed any criminal offence, they should be given the right to a fair trial. Trials should be held in the presence of the public and the international press, and defendants must be assisted by Vietnamese or international defence lawyers of their own choice".

5. The UBCV Executive formally calls upon the authorities to review the recent trial in Hue in conformity with international standards and with the provisions of United National Charter and other UN International Conventions. At the trial of Venerables Thich Tri Tuu, Thich Hai Tang, Thich Hai Thinh, Thich Hai Chanh and the five Buddhist lay-persons on 15th November 1993, the Law was absent from the seat of judgement, and Security Police took the place of defence lawyers chosen by the UBCV. Four days before the trial began, several Western Embassies who asked to send diplomatic observers were told by a Foreign Ministry official in Hanoi that the trial had been postponed, and that no new date had been fixed. Foreign press correspondents were banned - Agence France Press, for

example, was denied permission to attend - and the three French lawyers from the Paris-based International Federation of Human Rights (FIDH) mandated by the UBCV were not granted travel visas, so they could not come to defend the monks in Hue. The international community has vigorously protested against this arbitrary and unfair trial, denouncing in strong and objective terms the State's total disregard for the law. Particularly noteworthy are the interventions of the Paris-based FIDH, US Senators Bill Bradley and Robert Kerrey, the Chairman of the UK Parliamentary Human Rights Group, Lord Avebury, representing 130 members of the Houses of Lords and Commons, the AFL-CIO Labour Confederation, the US Congressional Human Rights Caucus representing 200 Members of Congress, Asia Watch, the Chairman of the Human Rights Sub-Commission of the European Parliament etc...

6. A State which respects the rule of Law must separate the powers of the executive, the legislative, and judiciary organs, and prevent any single political party from usurping the reins of power. The one-party dictatorship empowers the State to systematically repress non-violent democratic movements with impunity, because the judiciary is helpless to address or sanction any such acts. The UBCV asks the SRV authorities to lay the foundations of democratic law by the following three concrete measures : **a) abolish Clause 4 of the Constitution** [regarding the supremacy of the Communist Party in all affairs of society and State, *trans. note*] so that each and all can participate in the reconstruction of the nation ; **b) organise free and fair general elections** with the participation of independent candidates from political and religious currents outside the Communist Party to elect a new National Assembly truly representative of the people, not simply of the Party ; **c) draft a new Constitution** which reflects the people's aspirations for human rights and democracy, as formulated by its new, independent representatives, and which also reflects the general world tendency towards conciliation, harmony and peace. We must sweep away the relics of the past, put feudalism, colonialism and the Cold War behind us, and turn over a new page in the history of our people and our nation. We emphasize that abolishing Clause 4 does not imply the exclusion or dissolution of the Communist Party as such. It simply means the abolition of the Party's monopoly of power in order to avoid the abuses this creates - abuses which have caused so much suffering and devastation to our country. A truly democratic regime should stimulate the participation of all sectors of the population, regardless of their political affiliations or religious beliefs. It should foster competition as a mutually reinforcing relationship, not as a race to oust one's opponents. After all, whether our compatriots be Communists or members of any other political party, they are first and foremost Vietnamese. Our common heritage of five-thousand years civilisation will serve as the basis for future dialogue and cooperation, and we will be bound together in one common aim - to forge a place within the community of nations for a stable, flourishing and prosperous Vietnam.

7. The collapse of Communism in the Soviet Union and other East-European countries resulted from a process of natural selection, it did not need to be triggered off from outside. The internal conflicts within the VCP suggest that communism in Vietnam is doomed to self-destruction in the same manner. For we Buddhists, this cycle of life and death is a natural, inexorable process. Nevertheless, if the Party and State are clairvoyant, and act before it is too late, they can avoid terrible reprisals and prevent an explosion of the people's pent-up hatred. The Party and State have inflicted too much suffering and misfortune on the people over the past 40 years - now they must try to redeem themselves by sowing the seeds of good. As of today, Buddhism and other great religions must be granted freedom to practice their religious activities normally, so they can work to dispel hatred and repair the moral decadence which has penetrated all levels of our society today. No force is capable of quelling the people's hatred [of the Party] apart from the religious forces. The greatest fear of the Party and the State today is something they call "the peaceful evolution", (*dien bien hoa binh*, implying the evolution towards democracy, *trans. note*) and they are deploying massive efforts to prevent this process taking root in Vietnam. But for all their efforts, Peace is already on the march, in an inexorable evolution that will bring spiritual fulfilment and physical well-being to the people of our

land. For after all, is not a "peaceful evolution" far preferable to a 'war-ful' evolution ? The Party and State should not fear this process, nor try to impede its development. Over the past three centuries, from the conflict of the Trinh- Nguyen dynasties to the colonial period, through the Vietnam war and its aftermath, our land has been torn apart by perpetual internecine wars. Why can't we welcome peaceful evolution as the harbinger of a new era of cooperation and national reconciliation for our people ?

8. During the Vietnam war, the Party and State looked on US POW's and servicemen missing in action as sworn enemies. Nowadays, they have suddenly turned into friends, and the Government is bending over backwards to trace their remains and report piously on their findings to the American Government. Such actions are praiseworthy, for they concretize the policy of "effacing hatreds" by showing compassion to our former enemies, which is an essential Vietnamese virtue. But have the Party and the Vietnamese authorities done as much for their own sons ? The bodies of millions of soldiers from both North and South Vietnam were abandoned on the battlefields, jettisoned in the depths of our jungles, in our rivers and seas, left rotting at the frontiers like departed spirits. Has anyone ever looked for their remains ? Have their families ever been notified, comforted, or granted compensation ? Apart from those who died, what about the millions of war veterans on both sides who were wounded and disabled ? Have the authorities taken charge of their welfare or helped out their families ? According to a millennium tradition dating back to the Hung Kings, founders of the nation, we Vietnamese are bound by a debt of loyalty towards the dead. This belief is perpetuated by the popular custom of ancestor- worship and the cult the dead. It is therefore by conviction and duty that we must honour our debt towards the dead, and engrave their right to remembrance in our bones and in our hearts. Let us think of all those who died in the 1968 Tet Mau Tan Offensive. The memoirs of top-ranking military and political cadres in charge of operations in Hue now reveal the horrendous massacres of innocent victims perpetrated by the revolutionary forces. The Communist Party and the SRV authorities must publicly repent for the crimes committed by the soldiers of the People's Army and the local revolutionary forces. They must also make a public act of penance towards the families of all the peasants murdered in the Land Reforms, and rehabilitate them in the name of their own dignity and that of their descendants. A National Day of Contrition should be organised to ask for the people's forgiveness and pray for all those who were unjustly put to death or forced to commit suicide by the regime. This act of contrition towards the dead must also be a pledge to the living, a firm promise to promote and protect the rights and dignity of all beings.

9. The truth is not always pleasant to hear. If this Declaration angers the Party and the SRV authorities, the Unified Buddhist Church of Vietnam and I accept full responsibility. Although I have been detained under house arrest in Quang Ngai without judgement or charge since 1982, I consider that by making this Declaration I am simply exercising my own right to freedom of expression, as guaranteed by the SRV Constitution. If the VCP and the Vietnamese authorities wish to punish me for this, they must give me a public trial, with full guarantees of fairness and impartiality, and access to legal counsel of my own choice. If, for any reason, the State decides to put me on trial, I hereby mandate the International Federation of Human Rights in Paris to provide a lawyer for my defence.

Furthermore, from the moment this Declaration is made public, the VCP and the Vietnamese authorities will be answerable for my physical safety and for anything that may happen to my Pagoda at Hoi Phuoc, which is the Office in Exile of the UBCV. As I write this, Security Police have my Pagoda under constant surveillance. I am forbidden from all contacts with the outside. All comings and going are controlled, all visitors are harassed, interrogated, arrested, searched and followed by Security Police. I have been subjected to particularly harsh surveillance since the demonstration in Hue on May 24th 1993.

As this Declaration is published, I would like to take this opportunity to extend my warmest thanks to all the Governments and Parliaments of Europe, Asia, America, Africa and Australia, to the

European Parliament, the US Congressional Human Rights Caucus, the UK Parliamentary Human Rights Group, to the different Commissions and Working Groups of the United Nations, to the International Federation of Human Rights, to the American Labour Confederation AFL-CIO, to Amnesty International and all other human rights organisations, and to all the press, radio and television agencies who demonstrated their solidarity by raising their voices in support of the UBCV's struggle for religious freedom and human rights in Vietnam over the past year. Moreover, the UBCV at home and abroad will never forget the noble efforts of the Vietnamese community overseas, who spontaneously and wholeheartedly mobilized their religious movements, political organisations, associations and magazines published all over the world to highlight the movement for the Safeguard of Buddhism launched by the UBCV and the Buddhist population in Vietnam.

We hope that you will all continue to support us until the day Vietnamese people have achieved true freedom of religion, human rights and lasting democracy.

Thich Huyen Quang
President of the
Institute for the Propagation of the Faith
Unified Buddhist Church of Vietnam
(Signature and seal)

Copies to :

- Prime Minister Vo Van Kiet, Socialist Republic of Vietnam, Hanoi *"for attention"* : as the UBCV Office in Exile in Quang Ngai is blockaded by Security Police, this copy is to be forwarded by the UBCV Overseas Office of the Institute for the Propagation of the Faith in the United States ;
- HE Boutros Boutros-Ghali, Secretary General of the United Nations *"requesting a more effective intervention"* : to be forwarded by the Overseas Office of the Institute for the Propagation of the Faith, USA
- to Governments, Parliaments, Churches, international human rights organisations, to Amnesty International, to Trade Unions, to international television and radio networks, press agencies and the international press
- "urging continued support"* : to be forwarded by the UBCV's International Buddhist Information Bureau, Paris
- to all dignitaries and members of the UBCV, at home and abroad, *"for study, communication and execution"*;
- on file at the UBCV Office in Exile, Quang Ngai.

Arbitrary arrests of Buddhist Clergy and followers in Vietnam
**File on the UBCV Relief Mission for Flood Victims in the
 Mekong Delta**

Submitted to the European Parliament in Brussels in December 1994

This file describes the arrest of the organisers of the UBCV Mission for Flood Victims in the Mekong Delta who are currently in custody at the Security Police Detention Centre, 3C Ton Duc Thang Street in the 1st Ward of Ho Chi Minh City. They are :

Venerable THICH KHONG TANH (secular name Phan Ngoc An)

Born in Binh Dinh (Central Viet Nam) in 1943P

Profession : Buddhist monk, member of the Unified Buddhist Church of Vietnam (UBCV) Head of the Relief Mission

Address : Lien Tri Pagoda, 153 Luong Dinh Cua Street, An Khanh-Thu Duc, Ho Chi Minh City

Arrested : 6 November 1994

Venerable THICH TRI LUC (secular name Pham Van Tuong)

Profession : Buddhist monk, member of the UBCV

Address : Phap Van Pagoda, Phuong 18 Tan Binh, Ho Chi Minh City

Arrested : 5 November 1994 at 3.00 am in Ho Chi Minh City

Venerable THICH NHAT BAN (secular name Ho Buu Hoa)

Profession : Buddhist monk, member of UBCV

Address : Linh Phuong Pagoda, Tam Phuoc Village, Province of Dong Nai

Arrested : 6 November 1994 in Ho Chi Minh City

Mr PHAM VAN XUA (Buddhist name Nhat Thuong)

Born in Binh Dinh (Central Vietnam) in 1943

Profession : Secretary of the UBCV Relief Mission

Address : 444 D Cach Mang Thang 8 Street, 11th district, 3rd Ward, Ho Chi Minh City

Mrs NGUYEN THI EM (Dong Ngoc)

Arrested on 5 November 1994 at 9.00 am in Ho Chi Minh City

and the UBCV dignitary detained under house arrest :

Venerable THICH LONG TRI

Profession : Buddhist monk, member of the UBCV, first Head of the Relief Mission

Address : Vien Giac Pagoda, Hoi An, near Danang (Central Viet Nam)

Arrested : 29th October 1994 at 7.00 am in Ho Chi Minh City and detained under house arrest at his Pagoda since October 30th 1994.

Circumstances of the arrests :

In October 1994, serious flooding swept the Mekong Delta (South Viet Nam) causing the deaths of over 300 people and leaving more than 500,000 homeless.

On the initiative of Venerable Thich Huyen Quang, Patriarch of the UBCV, the Church set up a Rescue Mission to collect and distribute relief aid to the victims. On **20.10.1994**, Ven. Huyen Quang wrote to SRV Prime Minister Vo Van Kiet asking for government authorization to proceed with this humanitarian operation.

The Government made no reply to this request. Nevertheless, because of the urgency of the situation, the UBCV went ahead with its operation, sending a first relief team to the disaster area on **24.10.1994**. Alarmed by the extent of the damages, the Mission decided to send a second team. Ven. Huyen Quang appointed Ven. Long Tri to head the Rescue Mission. He set off from his Pagoda in Hoi An (Central Viet Nam) for Ho Chi Minh City to coordinate the operation.

On **29.10.1994 at 7.00 am**, Ven. **Thich Long Tri** was arrested by the Security Police and interrogated throughout the whole day. On 30.10.1994 he was expelled from Ho Chi Minh City and taken back to his pagoda in Hoi An. He has been detained under house arrest ever since.

Ven. **Thich Khong Tanh**, Superior monk of Lien Tri Pagoda in Thu Duc (near Ho Chi Minh City) was appointed to take Ven. Thich Long Tri's place as Head of the Rescue Mission.

The second relief operation was scheduled to be ready on November 5th 1994, and a meeting place was fixed at the Nga Bay crossroads at dawn the following morning.

However, on **4.11.1994**, Venerables Thich Lang Quynh, Thich Nguyen Nhu, Thich Nguyen Ly, Thich Quang Ton, Thich Tâm Vân, Thich Tam Van, Thich Nguyen Thinh and several other UBCV monks belonging to the Rescue Mission were summoned to the Ho Chi Minh City Security Police headquarters for interrogation. There, the Security Police warned the monks that action would be taken against them if they participated in the Rescue Mission.

In the early hours of **5.11.1994**, the Ho Chi Minh City Police launched wide-spread security sweep, rounding up and arresting the Mission's principal organisers :

- at **1.00 am**, Mr **Pham Van Xua** (Nhat Thuong), the Mission's Secretary, was arrested at his home;

- at **3.00 am**, Ven. **Thich Tri Luc** was arrested at Phap Van Pagoda in Ho Chi Minh City ;

- at **9.00 am**, Mrs **Nguyen Thi Em** (Dong Ngoc) was arrested at her home in Ho Chi Minh City.

In the evening of Saturday 5.11.1994, a group of doctors who had met in Tap Thanh Pagoda to prepare medical aid for the Mission were arrested by the Security Police and temporarily detained at the Police station so that they could not join the UBCV team.

At **2.00 am on 6.11.1994**, armed Security Police raided the Thien Truc Pagoda in Ho Chi Minh City. They prohibited the Superior monk and his followers from joining the Mission and seized a number of vehicles carrying relief aid collected by the Pagoda. The same happened at Lien Tri Pagoda in Thu Duc, where the armed Security Police surrounded the Pagoda, prohibiting everyone from leaving the premises.

At the meeting place at the Nga Bay crossroads, Security Police intercepted a convoy of ten UBCV vehicles carrying food, blankets and medicine. The convoy was dispersed and a number of its 360 passengers (300 Buddhists and 60 monks and nuns) were violently harassed and taken into custody.

In the afternoon of Sunday 6.11.1994, Security Police arrested Venerables **Thich Khong Tanh** and **Thich Nhat Ban** outside Lien Tri Pagoda. They then raided the pagoda, confiscating personal papers and documents belonging to Thich Khong Thanh.

Between November 7th - 12th, the treasurer of the Relief Mission, Venerable **Thich Nguyen Ly**, Superior monk of Tu Hieu Pagoda in the 8th Ward of Ho Chi Minh City was convoked repeatedly for questioning by different offices of the Security Police, the Board of Religious Affairs and the

Fatherland Front. His pagoda was placed under day-and-night Police surveillance, and so were the pagodas of many other UBCV monks known to be involved in the mission.

At **8.00 am on 10.11.1994**, "Police-monks" (security agents turned monks in order to infiltrate Buddhist ranks) from the State-sponsored Viet Nam Buddhist Church accompanied by armed Security agents, soldiers from the People's Army and local militia (200 in all, according to witnesses) broke in Tu Hieu Pagoda and confiscated *manu militari* all the food, medicines, blankets and other relief aid belonging to the Relief Mission which had been stored there after Security Police dispersed the convoy.

On 30.10.1994, UBCV Patriarch Thich Huyen Quang and Secretary General Thich Quang Do wrote to the Government of the Socialist Republic of Vietnam to protest against these arbitrary arrests.

Reasons for which these arrests are deemed arbitrary :

The arrest of these monks and Buddhist lay-persons violates Article 9 of the International Covenant on Civil and Political Rights in two aspects :

a) The authorities deny having made the arrests :

The Vietnamese Government has formally denied that these arrests ever took place. On November 9 1994, a Foreign Ministry spokesperson in Hanoi told international press correspondents that no Buddhists had been taken into custody and that the Relief Mission had not been stopped. However, the fact that Venerables Thich Khong Tanh, Thich Nhat Ban, Thich Tri Luc Mr Pham Van Xua and Mrs Nguyen Thi Em are detained in the Security Detention Centre at 3C Ton Duc Thang Street can be proved by the fact that their families have received Police authorisations to bring them food parcels to that address (see Annexe No 1).

The provisions of article 71, paragraph 2 of the Vietnamese Constitution which stipulate that *"No-one can be arrested in the absence of a ruling by the People's Court, or a ruling or sanction of the People's Office of Supervision and Control"* were plainly disregarded. The detention of these persons are therefore arbitrary.

b) the arrest are inconsistent with the rights of freedom of religion, conscience and expression :

Since the Vietnamese authorities deny that these five people are under arrest, it is clear that no formal charges can have been laid against them. It may be feared, therefore, that they were not arrested because they had committed any criminal offense but because of their participation in the UBCV Rescue Mission.

Indeed, the first UBCV Mission to the Mekong Delta, which was organised without any display of banners or Buddhist flags, was allowed to distribute humanitarian aid without any Government interference. It was only when the second convoy was prepared, with vehicles carrying *"UBCV Rescue Mission"* signs that the authorities intervened. Moreover, although the Government denies confiscating Buddhist banners or flags, the FIDH and the Vietnam Committee are in possession of a *"Report on Incriminating Evidence"* drawn up by the Ho Chi Minh City Security Police which records the confiscation of *"banners measuring 1 metre by 2.2 metres bearing the inscription "Unified Buddhist Church Rescue Mission" in green letters on a yellow background"*.

In this case, the arrest of citizens solely on account of their participation in the UBCV humanitarian operation is inconsistent with the provisions of Article 18 of the ICCPR and Article 70 of the Vietnamese Constitution which guarantee freedom of religion, and with Article 6 (b) of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief which guarantees the right *"to establish and maintain appropriate charitable or humanitarian institutions"*.

Furthermore, in accordance with the rights to freedom of expression guaranteed in Article 19 of the ICCPR and Article 69 of the Vietnamese Constitution, the UBCV should be entitled to organise humanitarian missions in its own name.

The arrest and detention of these monks and lay-persons follows a consistent pattern of discrimination displayed by the Government against the UBCV. This is apparent in the official "Announcement" on the Relief Mission issued by the Ho Chi Minh City Municipal Office of the Fatherland Front (Ref. 311/UBMT, November 10 1994) which accuses UBCV members of being "*bad individuals*" who belong to an "*organization unpermitted by our Government*" which "*lied that they were going to help the flood victims but mainly aimed at creating divisions within the Buddhist Church, dividing the great unity of the people, and harming the interests of monks, nuns and Buddhist laymen*". The "Announcement" clearly indicates that the five monks and lay-persons were not arrested because of any alleged criminal behaviour, but because they belong to a Church which is not under State control.

The detention of Venerables **Thich Long Tri, Thich Khong Tanh, Thich Tri Luc, Thich Nhat Ban, Mr Pham Van Xua** and **Mrs Nguyen Thi Em** in Police custody and the house arrest of Venerable Thich Long Tri are therefore arbitrary and inconsistent with universally recognised human rights standards.

Annexe :

- 1) Authorization to bring food parcels to a prisoner (delivered to the families of Thich Khong Tanh and Thich Nhat Ban) ;
- 2) Announcement 311/UBMT, Ho Chi Minh City Office of the Fatherland Front, 10 November 1994.

Annexe 1

Authorization to bring food parcels to a prisoner - delivered to the families of Thich Khong Tanh and Thich Nhat Ban by the Ho Chi Minh Security Police

CHUNG AN TP. HO CHI MINH CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
 Số: / TH Địa lý: - Tự do - Hạnh phúc

THÔNG BÁO
 VỀ VIỆC CHO THĂM NUÔI GẤP MẶT

NHÌN GỬI Trương Công Thành
 Công an TP Hồ Chí Minh

Đang ở chi đội là Thích
 Cư ngụ tại 37/5 Ấp Cầu Ông - An Khánh - Thủ Đức
 Được Cho qua rùm
 Tiền nhận là Phan Ngọc An + Phan Văn Đăng đang giam giữ tại trại 3^c TĐT
 Yêu cầu Đi tìm ngay hơn

SÉCURITÉ DE HOCHIMINH-VILLE RÉPUBLIQUE SOCIALISTE DU VIET NAM
 No / TB Indépendance - Liberté - Bienheur

AVIS
 "CONCERNANT LES COLIS ET VISITES" (1)

Destiné à Trương Công Thành
PA. 24 la Sécurité de Hochiminh-Ville

donne son accord à monsieur madame Thích
 demeurant au 37/5 Ấp Cầu Ông An Khánh - Thủ Đức
 pour donner les colis
 au membre de sa famille Phan Ngọc An + Phan
 actuellement détenu au camp 3^c TĐT (3)
 L'intéressé est prié d'arriver au jour précis

Le 15 mois 11, année 1984
 Directeur-Adjoint du Service de Renseignements
 Signature et cachet

Vũ Đoàn Viên
 Lieutenant-Colonel

(1) Le mot «visites» est barré dans le texte (noir du traducteur)
 (2) Phan Ngọc An = nom surnom de Thich Khong Tanh
 (3) 3^c me TÔN ĐỨC THẮNG - le Arrondissement HOCHIMINH VILLE .

Ngày 15 tháng 11 năm 1984
 PHÓ THỦ TRƯỞNG CƠ QUAN ĐIỀU TRỊ



Trưng Tô Trương Công Thành

Annexe 2

"Announcement" No. 311/UBMT, issued by the Ho Chi Minh City Office of the Fatherland Front, 10 November 1994

Socialist Republic of Vietnam
Independence -- Liberty -- Happiness

Committee of the Fatherland's Front
Ho Chi Minh City
No. 311/UBMT

November 10, 1994

Announcement

In support of the will to help the flood victims in the Mekong Delta by the City's Committee of the Fatherland's Front, many people's associations, social organizations, religious organizations, many philanthropists in and outside the country and a number of overseas Vietnamese have actively participated and organized many delegations to visit many places, in order to share a part of the hardship of our people in that locality. The Committee of the Fatherland's Front enthusiastically applauded such noble acts.

However, recently a number of individuals under the name "Unified Buddhist Church of Vietnam" - "Giao Hoi Phat giao Viet Nam - Thong Nhat", "Clergical Union to Protect the Faith" - "Tang Doan Bao Ve Chanh Phap", and "Committee on Culture, Social Affairs, and Charity" - "Ban Ven Hoa Xa Hoc Tu Thien", which are the agitating organizations unpermitted by our government, lead that they were going to help the flood victims but mainly aimed at creating divisions within the Buddhist church, dividing the great unity of the entire people, harming the interests of the monks, nuns, and Buddhist laymen who want tranquility to study, meditate and practice the faith, to realize "good faith, beautiful life," to serve the fatherland and the people. The monks, nuns, and Buddhist laymen along with the authorities have smashed this plan, in order to ensure that the flood-victims' assistance of the monks, nuns and laymen could be realized normally.

So that all the people, monks, nuns and laymen can avoid being exploited by bad individuals, the Committee of the Fatherland's Front of the City reports:

After the date the country obtained independence, unification, to satisfy the deep, legitimate wish of monks, nuns and laymen in the country, in November 1981, the Conference of Vietnam Buddhist Church with 165 representatives from 9 church organizations and denominations in the entire country, including the representatives of the Unified Buddhist Church of Vietnam, met, voted and passed the Charter of the Vietnam Buddhist Church with a content that unified and consolidated the church, realizing the spirit of selflessness, benevolence and peace-loving of the Buddhist church. The Conference also agreed to the name of Vietnam Buddhist Church and was approved by our government; it is the member of the Fatherland's Front and is the only organization legally representing the Vietnamese Buddhist church in all relations in and outside the country.

Individuals who, after the unification of the Vietnam Buddhist Church, still raise the name of Unified Buddhist Church of Vietnam, regardless of what the form is, are only agitating individuals who violate the laws of the Government of the Socialist Republic of Vietnam and are against the Charter of Vietnam Buddhist Church.

We need to strengthen and fortify more the unity of the entire people, realizing the serious and uniform religious policy of our government, assisting and creating the favorable conditions for the Vietnam Buddhist Church to unify the Buddhist church in the entire country, placing the importance in the great cause of the people, using the common goal of "enriched people, strong nation, socialist and civilized society" as the common point, all for the liberty and happiness of the people, at the same time we need to determine to fight against bad individuals who divide the people and the religion, who destroy the great unity of the people, and who ruin the peaceful life of the people, the monks, nuns and laymen.

On behalf of the Committee of
The Fatherland's Front
Ho Chi Minh City
Chairman
Le Khanh Binh
(Signed and sealed)

THÔNG BÁO

(Số 311/UBMT ngày 10-11-1994
của UEMTTQ TP.Hồ Chí Minh)

Người dân miền sông nước Cửu Long do Ủy ban Mặt trận Tổ quốc thành phố kêu gọi nhiều đoàn thể nhân dân, tổ chức xã hội, tổ chức tôn giáo, nhiều vị hảo tâm trong và ngoài nước, mỗi số bà con quen và lạ hàng nước ngoài đã tích cực hưởng ứng, tổ chức nhiều đoàn đi cứu trợ nạn nhân, cứu chữa một phần khó khăn của đồng bào ở những địa phương này. Ủy ban Mặt trận Tổ quốc thành phố nhiệt liệt hoan nghênh những cử chỉ cao đẹp đó.

Tuy nhiên, gần đây có một số người mang danh nghĩa "Giáo hội Phật giáo Việt Nam Thống nhất", "Tăng đoàn bảo vệ chính pháp" và "Tang Doan Bao ve Chanh Phap", là những tổ chức gây rối, không được Nhà nước ta cho phép, họ cố nã đi câu rước lừa bịp nhằm chia rẽ và phá hoại, chia rẽ Phật giáo của các tỉnh, đoàn kết toàn dân, làm phương hại đến lợi ích của Tăng Ni, Phật tử miền nước được yên ổn học tập và hành đạo. Những "tăng đoàn" do "Phật tử" lừa bịp này đang cố phá hoại đoàn kết, chia rẽ Phật giáo, để âm mưu việc xấu cho các Tăng Ni, Phật tử được thực hiện bình thường.

Để đồng bào các giới Tăng Ni, Phật tử tránh bị lừa và sâu lam dụng, Ủy ban Mặt trận Tổ quốc thành phố xin thông báo:

Sau khi đất nước được hòa bình, đổi mới, thông nhất, đặc biệt ngay trong thời kỳ và chính đảng của Tăng Ni, Phật tử trong cả nước, tháng 11 năm 1981, Giáo hội Phật giáo Việt Nam với 165 đại biểu, đại diện của 9 tôn giáo đã họp và các bậc cha mẹ Phật giáo cả nước, trong đó có 25 ủy của Giáo hội Phật giáo Việt Nam Thống nhất đã học, biểu quyết và thông qua Hiến chương Phật giáo Việt Nam với nội dung đoàn kết và thống nhất Giáo hội, thể hiện lòng nhân ái và lòng từ bi của Phật giáo. Đã hội đồng đã thông nhất lấy tên gọi là GIÁO HỘI PHẬT GIÁO VIỆT NAM và được Nhà nước phê chuẩn công nhận, là thành viên của MẬT TRẦN TỔ QUỐC VIỆT NAM và là tổ chức tôn giáo duy nhất hợp pháp đại diện cho Phật giáo Việt Nam về mọi mặt quan hệ trong nước và nước ngoài.

Sau khi đã họp nhất thống Giáo hội Phật giáo Việt Nam mà còn nhận danh "Giáo hội Phật giáo Việt Nam Thống nhất" dù được hình thức nào thì chỉ là những kẻ nhân gây rối, vi phạm pháp luật Nhà nước Cộng hòa Xã hội Chủ nghĩa Việt Nam và trái với Hiến chương Giáo hội Phật giáo Việt Nam.

Chúng ta cần ra sức tăng cường và củng cố hơn nữa khối đoàn kết toàn dân, thực hiện chính sách tôn giáo đúng đắn và nhất quán của Nhà nước ta, giúp đỡ, tạo điều kiện cho Giáo hội Phật giáo Việt Nam đoàn kết Phật giáo trong cả nước, lấy đại đoàn kết toàn dân, làm trọng, lấy mục tiêu chung "Dân giàu nước mạnh, xã hội công bằng, văn minh" làm điểm tương đồng, tất cả vì độc lập của Tổ quốc, vì tự do và hạnh phúc của nhân dân, đồng thời kiên quyết đấu tranh với những phần tử xấu gây chia rẽ dân tộc, tôn giáo, phá hoại khối đại đoàn kết toàn dân, phá hoại cuộc sống yên bình của nhân dân, của Tăng Ni, Phật tử.

TH: ỦY BAN MẶT TRẦN TỔ QUỐC VIỆT NAM
THÀNH PHỐ HỒ CHÍ MINH
Chủ tịch
LÊ KHẮC BÌNH

"Enlightenment" Review (Cấp Ngã)
No 95, 11/2, 1994
(The official organ of the
Vietnam Buddhist Church (State church))

EUROPEAN PARLIAMENT

Resolution on the human rights situation in Viet Nam

Ref. 11 (b) B4-0048, 0069, 0092, 0101 and 0108/95, adopted January 19 1995

Motion tabled by : Mr Sakellariou, on behalf of the group of the Party of European Socialists
 Mr Stasi, on behalf of the group of the European People's Party
 Mr. Gol, Mr Bertens and Ms André-Léonard, on behalf of the group of the European Liberal Democratic and Reformist Party
 Mr Ligabue et Mr Caccavale, on behalf of the Forza Europa group
 Mr Pasty, on behalf of the group of the European Democratic Alliance
 Mr Telkämper, on behalf of the Green group in the European Parliament
 Mr Pradier, Ms Fouque et Mr Vandemeulebroucke, on behalf of the group of the European Radical Alliance

The European Parliament

- A. noting that, while freedom of belief and religion is extended to all citizens of Vietnam in the Constitution of 1992, the policy of the Government of Vietnam since 1982 has been to give support and recognition to the Vietnam Buddhist Church (set up in 1981), largely to the exclusion of other Buddhist sects,
- B. aware that the Unified Buddhist Church (UBCV, set up in 1951 and which, during the 1960s, had been involved in protests against the regime in South Vietnam) has publicly campaigned against this policy of having a single Buddhist church,
- C. concerned that, as a result, a number of monks of the Unified Buddhist Church (Thich Tri Tuu, Thich Hai Tang, Thich Hai Chanh, Thich Hai Thinh, Thich Hanh Duc anh Thich Thien Tho) were punished, in 1993, for public order offences following legal proceedings which, in certain cases according to Amnesty International, were questionable,
- D. concerned, moreover, that a number of monks and other leading figures of the Unified Buddhist Church (Thich Long Tri, Pham Van Xua (Nhat Thuong), Thich Tri Luc and Nguyen Thi Em (Dông Ngoc), Thich Khong Tanh, and Thich Nhat Ban) were arrested, in November 1994, while organizing relief efforts (financed by a Convention of the Unified Buddhist Church in Houston, Texas), without the permission of the authorities, following the serious flooding in the Mekong Delta in October, having made an earlier relief mission, financed locally, without interference from the authorities,
- E. concerned that the Head of the Unified Buddhist Church, Thich Huyen Quang (who had been detained in the Hoi Phuoc Pagoda in Quang Ngai since 1992) and his Deputy, Thich Quang Do, were also arrested on 29 December and 4 January respectively, after protesting against these arrests in November,
- F. concerned at reports by Amnesty International that more than 60 political prisoners are still imprisoned in Vietnam, among whom 38 are prisoners of conscience held solely because of their beliefs,
- G. whereas respect for human rights constitutes an integral part of the development and economic cooperation policy of the European Union,

1. Considers that the policy of the Government of Vietnam towards the Unified Buddhist Church contradicts its general policy of political reform ;
2. Notes that the Vietnamese authorities have also dealt harshly with certain representatives of other religious groups, as well as a number of writers, artists and intellectuals, when these are perceived as threatening the national integrity or public order of Vietnam ; in this connection, draws attention to the case of Mrs Duong Thu Huong ;
3. Hopes that the Vietnamese authorities will quickly move to a more liberal and tolerant approach in matters of internal security ;
4. Welcomes the decision of the Government of Vietnam to accept a standard human rights clause in the Cooperation Agreement which is currently being negotiated with the European Community ;
5. Calls on the Council and the Commission to raise human rights concerns with the Vietnamese authorities ;
6. Calls on the Vietnamese Government to release all the officials and members of the UBCV who have been imprisoned without trial for the non-violent expression and exercise of their religious beliefs ;
7. Instructs its President to forward this resolution to the Council, the Commission and the Government of Vietnam.

International Support

BILL BRALEY
NEW JERSEY

United States Senate
WASHINGTON, DC 20510-3001

COMMITTEES
FINANCE
ENERGY AND
NATURAL RESOURCES
SPECIAL COMMITTEE ON
AGING

January 10, 1995

The Honorable Warren Christopher
Secretary of State
Department of State
Washington, DC 20520

Dear Secretary Christopher:

I have written you in the past concerning the Vietnamese government's repression of Buddhist monks. Regrettably, my interventions, and yours, seem to have had little effect on Hanoi. I hope that we can be more effective in resolving the problem that is the subject of my letter to you today.

I have received disturbing news that the Very Venerable Thich Huyen Quang, Patriarch of the Unified Buddhist Church of Vietnam (UBCV) and Venerable Thich Quang Do, UBCV Secretary General, have been arrested in Vietnam. Huyen Quang was picked up on December 29, 1994, at Hoi Phuoc Pagoda in Quang Ngai province and incarcerated in Nghia Hanh village. Quang Do was arrested in Ho Chi Minh City on January 4, 1995. His whereabouts are unknown.

In the absence of other evidence, I can only assume that these two men, like other Buddhist monks before them, were arrested because of their appeals for religious freedom and human rights in Vietnam.

As you move forward with the process of normalizing U.S.-Vietnam relations, I urge you to raise these concerns with the Vietnamese authorities and emphasize the impediments such human rights abuses raise in the new U.S.-Vietnam relationship. Specifically, I urge you to press for the release of the Venerables Thich Huyen Quang and Thich Quang Do, and for the restoration of their fundamental freedoms.

I look forward to learning of the success of your efforts.

Sincerely,



Bill Bradley

BB/mf

ORRIN G. HATCH
UTAH

WENDY J. HIGGINBOTHAM
ADMINISTRATIVE ASSISTANT

135 RUSSELL SENATE OFFICE BUILDING
TELEPHONE (202) 524-5531
TDD (202) 524-2848

COMMITTEES
JUDICIARY
LABOR AND HUMAN
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ACQUISITION

United States Senate

WASHINGTON, DC 20510-4402

January 23, 1995

His Excellency Vo Van Kiet
Prime Minister of the Socialist Republic of Vietnam
Hanoi, Socialist Republic of Vietnam

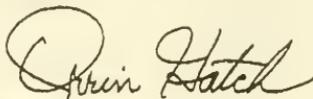
Dear Mr. Prime Minister:

I am writing to protest the arrests of two senior members of the Unified Buddhist Church of Vietnam, the Highly Venerable Thich Huyen Quang and the Venerable Thich Quang Do. According to the reports from the U.S. State Department and international human rights organizations, your government has refused to acknowledge the incarceration of the Highly Venerable Thich Huyen Quang and only last week acknowledged the arrest of the Venerable Thich Quang Do.

Due to the absence of information from your government, I must regretfully conclude that these Buddhist monks have been arrested, again, based on their desire to practice their basic human rights, including their right to freedom of religion and association. These are rights that your government claims it respects as a signatory of the International Covenant of Civil and Political Rights.

I am concerned that the government of Vietnam continues to suppress the Unified Buddhist Church of Vietnam. I sincerely request that your government provide accurate details about the whereabouts, including the health, of these elderly religious figures; that it provide information about the charges placed against these representatives of the Unified Buddhist Church of Vietnam if it continues to hold them against their will. Most importantly, I ask that your government rededicate itself to basic principles of internationally recognized human rights and release these gentlemen immediately.

Sincerely,



Orrin G. Hatch
United States Senator

OGH: gmm

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-5000

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January 10, 1995

Mr. Vo Van Kiet
Prime Minister
Hanoi, Socialist Republic of Vietnam

Dear Mr. Kiet:

This is to protest the recent arrests of two high dignitaries of the United Buddhist Church of Vietnam because of their tireless advocacy of the rights of all Vietnamese to freedom of belief, freedom of expression and freedom of association. The Venerable Thich Huyen Quang, aged 77, patriarch of the church, was arrested in Quang Ngai on December 29, and kept in custody in Nghai Hanh, ten kilometers away from his pagoda. The Venerable Thich Quang Do, aged 68, the church's secretary general, was arrested on January 4. His present whereabouts are unknown.

According to the information we have received, Venerable Thich Huyen Quang and Venerable Thich Quang Do were arrested solely on account of their religious beliefs in violation of their right to religious freedom guaranteed in your own constitution and the United Nations Declaration on Human Rights.

The AFL-CIO calls for the immediate and unconditional release of Venerable Thich Huyen Quang and Venerable Thich Quang Do as well as all Buddhist monks and lay persons currently in prison or under house arrest for their religious beliefs. The failure to do so will once again expose to the international community that your government systematically violates the most basic human rights of its citizens.

Sincerely,

President

J. ROBERT KERREY
NEBRASKA

United States Senate

WASHINGTON, DC 20510-2704

January 23, 1995

The Honorable Vo Van Kiet
Prime Minister of the
Socialist Republic of Vietnam
Hanoi, Vietnam

Your Excellency:

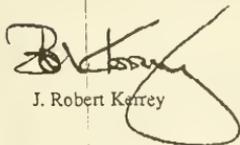
We are writing to express our strong concern at the detentions of Supreme Patriarch Thich Huyen Quang and Venerable Thich Quang Do. In light of similar arrests of United Buddhist Church members since November 1994, we believe that continued repression of religious freedoms may affect the developing United States-Vietnam relationship.

We have found the recent progress in establishing diplomatic liaison offices between our nations quite encouraging. It has been our hope that the U.S. and Vietnamese governments could continue to move towards a normal relationship that would prove beneficial to both our nations. However, the recent detentions of Thich Huyen Quang and Thich Quang Do have caused us to reconsider the prospects for improvement in our bilateral relations.

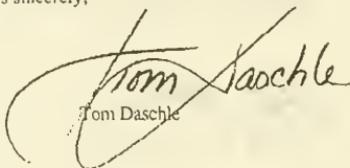
We would like to know the reasons for the detention of Thich Huyen Quang and Thich Quang Do, their location, and their physical condition. We also request assurances that they have received proper medical attention.

Our nations have made significant progress in POW/MIA issues and in establishing economic ties. Nevertheless, we view the Socialist Republic of Vietnam's actions against members of the United Buddhist Church with grave concern. We hope that this matter can be resolved before these detentions have a detrimental effect on our bilateral relations. We appeal for their immediate release.

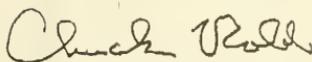
Yours sincerely,



J. Robert Kerrey



Tom Daschle



Charles S. Robb

United States Senate

WASHINGTON, DC 20510

January 10, 1995

Mr. Do Muoi
General Secretary of the
Communist Party of Vietnam
Hanoi, Vietnam

Dear Mr. General Secretary:

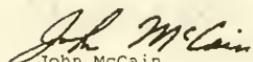
Recent reports regarding the arrests of Supreme Patriarch Thich Huyen Quang and Venerable Thich Quang Do deeply concern us. In light of several similar arrests since November 1994, we fear the impact that the repression of religious freedoms may have on developing United States-Vietnam relations.

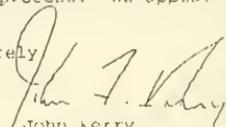
We are pleased to note the recent substantial progress in our negotiations over the opening of diplomatic liaison offices. It is a hopeful indication that our two nations can continue to work through the differences that stand in the way of a more normal relationship. The arrests of Thich Huyen Quang and Thich Quang Do, however, suggest that distance remains between us.

We would like to know the reasons for the detention of Thich Huyen Quang and Thich Quang Do, their location and their present medical condition. We are particularly concerned about the physical health of Thich Quang Do.

We have been encouraged by the progress that has been made to date on POW/MIA and other issues. We believe the United States and Vietnam are moving into a new era of bilateral relations. However, we fear the arrest of Thich Huyen Quang and Thich Quang Do could damage that process. We appeal for their immediate release.

Sincerely,


John McCain
United States Senator


John Kerry
United States Senator

Vietnam Said to Arrest 2 Protesting Buddhist Monks

By PHILIP SHENON

Special to THE NEW YORK TIMES

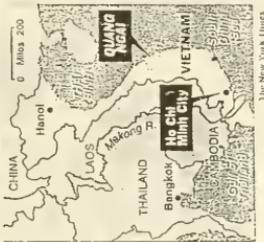
BANGKOK, Thailand, Jan. 8 — The two most prominent dissident monks in Vietnam have been arrested after one went on a hunger strike last month to protest Government persecution of Buddhists, say human rights groups and other Vietnamese dissidents.

The arrests mark a sharpening of the Vietnamese Government's campaign to crush the Unified Buddhist Church, the dissident Buddhist faction that was once the predominant religious organization in southern Vietnam.

Human Rights Watch, a New York-based group, said in a statement Saturday that the 77-year-old supreme patriarch of the church, Thich Huyen Quang, was taken into custody at his pagoda in the central province of Quang Ngai on Dec. 24. He had been protesting a strike to protest the execution of several monks arrested in November.

His chief deputy, Thich Quang Do, the 65-year-old secretary general of the church, was arrested on Wednesday at his pagoda in Ho Chi Minh City, formerly Saigon, the human rights group said in the statement.

Both temples have now been sur-



The New York Times

Hanoi steps up its effort to suppress a dissident Buddhist church.

ment banned the Unified Church and other independent Buddhist groups in the early 1960's and created a single, state-supervised umbrella organization called the Vietnam Buddhist Church to oversee all Buddhist worship in the predominantly Buddhist country. The church refused to dissolve because, and it is has since been the target of what human rights groups call a relentless campaign of intimidation by the Vietnamese security police.

Thich Huyen Quang has been confined by the authorities to Quang Ngai province since 1962. Thich Quang Do, a prominent writer and Buddhist scholar, has been confined to his pagoda in Ho Chi Minh City since he returned there in 1952 after a decade of government-imposed exile in his native province, Thai Binh.

Vietnamese leaders clearly fear

that the monks of the Unified Church, who have a long history of public protest, could be a threat to the stability of the Hanoi Government, as they were to the American-backed government of South Vietnam in the 1960's and 1970's.

In 1963, the Unified Church brought international attention to the South Vietnam's grim human rights record when a monk of the Unified Church set himself on fire in a street in central Saigon to protest the Government's treatment of Buddhists, an image seen around the world. The Vietnamese Government did not confirm the arrest of Thich Huyen Quang and Thich Quang Do. One week later, however, reports of the arrest of Thich Huyen Quang, the Foreign Ministry said it had no information to give reporters.

The Government did, however, attack the Vietnam Committee on Human Rights, the Paris-based independent group that first reported the detention of the two monks in its statement released last week. The Foreign Ministry described the committee as "a Vietnamese police disguise" that "seeks out people after pieces of fabrication to deceive public opinion."

The Committee on Human Rights said in a statement that the arrest of the two monks was a "unanimous" in the long-running conflict between the Unified Buddhist Church of Vietnam and the Communist authorities.

The committee released a copy of a letter that it said had been written in November by Thich Quang Do, which he promised "grave offenses" committed by the Vietnamese Communist Party against the Vietnamese people in general and against Buddhists in particular.

COMPLETE WITH OTHER PARTS IN A SEPARATE
 BOX. BARNES & NOBLE
 200 FIFTH AVENUE
 02230 GERMANTOWN, PENNSYLVANIA (PHILADELPHIA)

THE WALL STREET JOURNAL FRIDAY, JANUARY 20, 1995

REVIEW & OUTLOOK

Faith in Hanoi

The liberalization of the Vietnamese economy has meant a quantum improvement in religious freedom in Vietnam. Tens of thousands of monks have been allowed out of the re-education camps and back to their pagodas. According to the State Department, people are freer to practice their faith than at any time since Hanoi took over. That is, unless they question why the Communist Party still holds all the cards.

So, while five million Filipinos were turning out to cheer the Pope, Hanoi made news this week by jailing two elderly Buddhist monks. This is the same government that has a list a mile long of aid projects its wants Western governments to finance.

There can be little doubt that Thich Huyen Quang, the 77-year-old patriarch of the Unified Buddhist Church of Vietnam, went out of his way to annoy the authorities. While effectively under a form of pagoda arrest in Quang Nai province, he penned a letter suggesting that the party hold free elections. His 68-year-old deputy, Thich Quang Do, who was apprehended at his pagoda in Ho Chi Minh City, had also militated for democratic reforms. Self-determination is still heresy.

Hanoi's propaganda machine connects these gentlemen to what it calls the "peaceful evolution" conspiracy, dark plottings carried out by overseas Vietnamese groups, human rights campaigners and the U.S. government. But you don't have to imagine

foreign paymasters to see why Buddhists might yearn for a more accountable political system.

Hanoi maintains there are only six million Buddhists in the country. By the estimate of every other observer, some 80% of Vietnam's 72 million people are believers. Assuming they had something to say about it, Hanoi would have to legalize the UBCV, Vietnam's dominant Buddhist congregation, outlawed since 1951.

The party's fiat, even when backed up by the horrors of re-education, wasn't likely to make much of a dent in a 2,000-year-old tradition. The UBCV never really went away and lately has been attracting throngs of young and upwardly mobile Vietnamese. The same is true of the Vietnamese Catholic Church (the biggest in Asia outside the Philippines), and several other sects. While the Communists don't exactly smile on any of these expressions of independent thought, it's Buddhists who bear the brunt of the regime's political insecurities.

Like its counterparts in Beijing, the Hanoi regime is said to be captivated by the "Singapore model," or at least Hanoi's interpretation of it. Our own view is that freedom is ultimately indivisible, and economics won't count for much if religious freedoms are trampled on. But the Vietnamese Communist Party, weighed down by historical bugaboos, falls more out of step by the day. Its bylaws still require party members to disavow any god but Marx.



HUONG TRUC: He says his brother, Thich Hue Thau (photo), immolated himself on May 28. *Brother Hue Thau did not agree with the ideology of the government-run Buddhist temples, he was jailed "not a legal Buddhist" and barred from attending temples in the nearby area.*



Monks such as Thich Hue Thau have been barred from practicing Buddhism at official temples because of their political beliefs. Human rights groups say monks loyal to the UBCV are in prison, under house arrest, or in internal exile after challenging Hanoi's authority.

test the levees.

The group set out on May 25 but got no farther than the building of the village People's Committee, as a town hall is called in Vietnam, before they were stopped and ordered home. A day or so later, Truc says, the People's Committee ordered Hue Thau to demolish his temple, citing laws that prohibit Vietnamese from engaging in "superstitious" practices.

"All superstitions are prohibited," reads Article 8 of the government's 1991 Decree on Religion. The Decree guarantees "Freedom of religion and nonreligion," but goes on to require religious organizations to seek government approval for all manner of functions, including the holding of unscheduled services, the promotion of clergy, and the repair of religious buildings.

His family and the UBCV say the monks had previously come into conflict with the local committee, but the demolition order was apparently too much for Hue Thau.

At midday on May 28, the family says, he walked a short distance along the levee behind his temple, sat down facing the waters

of the Mekong River, and set himself on fire. When the family found the body, recalls Hue Thau's father, Le Huu Phuoc, it was in the lotus position, the cross-legged posture that Buddhists often assume in meditation. At the site, Truc draws a visitor's attention to a tree where his brother sat down nearly six months ago. Some of the branches are still charred.

Calling for greater freedom

Hue Thau's immolation is part of a series of actions, collective and individual, that Buddhists have taken during the past two years.

In June 1982, UBCV leader Thich Huyen Quang, who has lived under what human rights groups describe as house arrest since 1982, issued a petition calling for the UBCV's reinstatement, the release of "arbitrarily or unjustly imprisoned" monks, nuns, and other activists, and the restoration of church property seized by the government.

The government later condemned the petition and scorched pagodas and monasteries for copies of it, interrogating and arrest-

ing monks in the process, according to the Washington-based organization Human Rights Watch/Asia.

A year later, on May 21, 1993, a man immolated himself at the Linh Mu pagoda in Hue. The government has said that the man was driven to suicide by marital and physical problems, not religious repression. Official accounts have said he was not a Buddhist follower.

But as human rights groups point out, the government does not explain why the man traveled some 600 miles to commit suicide at one of the most revered places in Vietnamese Buddhism. The Vietnam Committee on Human Rights insists the man died in an act of sacrifice.

In either case, the event sparked perhaps what was arguably the largest anti-government demonstration in Vietnam since the Communists took control in 1975.

Police seized the body and several days later detained the pagoda's chief monk, Thich Tri Tun, for questioning.

Assuming that Tri Tun had been arrested, monks initiated a demonstration in down-

town Hue, which quickly swelled to an half thousands of people.

The crowd overturned and burned a government vehicle during the protest, leading to the arrest of Tri Tun and three other monks. They were later tried in a six-day closed hearing and sentenced to terms of three and four years in prison for disturbing public order.

Ironically, both the Vietnamese government and Buddhist groups have turned out of the Hue demonstration into pagodas to serve their causes.

The government says the incident shows that the Buddhists are agitators rather than pious monks, and the Buddhist groups show the tape to demonstrate the popular support for the monks.

Vietnam's vice foreign minister, Le Mai, told a radio interviewer last year: "The monks and others you see, did a very bad thing. You see, the monk jumped [out] on the top of the Jeep, you know, shouting, and that's not a Vietnamese monk in the eyes of the Vietnamese people. You see, the Buddhists struggling for power is not Buddhism."

Buddhists and police clashed in July 1991 at Son Linh pagoda, near the coastal city of Vung Tau south of Saigon, according to the London-based human rights group Amnesty International. Local officials of the government-sponsored VBC had ordered a monk named Thich Han Due expelled from the pagoda. Amnesty says, and a confirmation ensued when the order was carried out. The UBCV considers him the abbot of the pagoda.

The government said he had organized "extremists" to oppose the police, and sentenced him to three years in jail this January. Amnesty says it is investigating whether the trial was fair.

This year, aside from Hue Thau's immolation, there have been reports of a Buddhist protest in August in Ho Chi Minh City led by a monk called Thich Giac Nguyen. A government spokeswoman, according to the news service Agence France Presse, said the monk was arrested on Aug. 7 for committing "dissident acts," and that the case has nothing to do with religion.

The right time

Because of the government's economic liberalization, says Dinah Pukempner, a lawyer at Human Rights Watch/Asia, "The Buddhists feel the time has come."

But the opportunity the Buddhists are seizing is a sensitive time in Vietnam. "The government has lost its moral center," says Stephen Denney, a researcher at the University of California's Indochina Archive. "No longer," he adds, is there "the Marxist-Leninist vision of an egalitarian future that served as a basis for justifying not just the war but the aftermath of the war — the whole totalitarian approach to building a society."

The vacuum of ideology, he argues, makes the government particularly averse to allowing the Buddhists a greater voice.

As Mr. Denney and other experts point out, Vietnam's Buddhists have acted as "the conscience of the society," particularly during the years of civil war. Under the present circumstances, with the Communist regime determined to keep power as it abandons its ideology, "That is something the Buddhist church cannot be."

THE CHRISTIAN SCIENCE MONITOR

COVER STORY

In Vietnam, Monks Lead Protest to Repression

By Cameron W. Barry
Staff writer of The Christian Science Monitor

On June 14, 1984, a Buddhist monk, who claims to be a Saigon native, was arrested in Hanoi. He was taken to a prison, where he was held for 10 days. The monk's name is not known, but the incident became the defining symbol of Buddhist repression in Vietnam, a country with a vast Buddhist population.

Three months later, with no compensation or apology, the monk was arrested once more. This time, he was held in a prison in Hanoi, where he was held for 10 days. The monk's name is not known, but the incident became the defining symbol of Buddhist repression in Vietnam, a country with a vast Buddhist population.

The government claims that the two men committed suicide for political reasons. Only enough, the monks came during a time of increasing freedom and market reforms. They have expressed and inspired the economy and have restricted restrictions on religious organizations. However, it is unclear how far the monks will go for political change, inside repression and imprisonment.



MONKS AT A MEETING. (AP/WIDE WORLD)

Buddhist Monks Chafe Under Communist Rule in Vietnam

Continued from page 1

COVER STORY

The Communist regime of Vietnam is facing a predicament caused in part by its economic policies.

At the same time it is encouraging choice and competition in the marketplace, it has vowed to maintain one-party rule in the name of political stability and the "peaceful evolution" to a market economy. Advocacy of multiparty politics is forbidden.

The government has long cracked down on religious groups it sees as having a political agenda, especially the Unified Buddhist Church of Vietnam (UBCV), which played a central role in the Vietnamese antiwar movement of the 1960s and 1970s. The government effectively banned the UBCV in 1981.

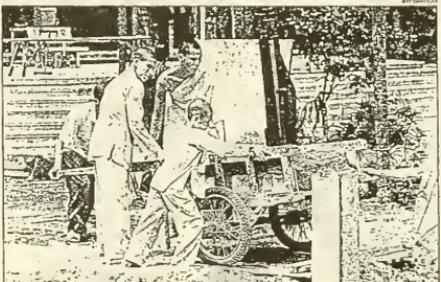
Now this organization, working with supporters overseas, is campaigning for its reinstatement. Since mid-1992, monks loyal to the UBCV have issued underground petitions and statements calling on the government to release imprisoned activists and return church property.

Perhaps most troubling to the government, UBCV leaders have also demanded political change.

"The Vietnamese Communist Party and the state must immediately initiate a process of democratic reform and promote the development of a civil society by guaranteeing civil and political rights such as freedom of expression, freedom of the press, freedom of conscience and religion, [and] freedom of association," the leader of the UBCV, Thích Huyền Quang, wrote in a declaration sent to Prime Minister Vo Van Kiet in November 1993.

He also called for an end to the Communist Party's monopoly on power.

How the regime responds to the UBCV



HOANG LONG, VIETNAM. Monks and novices make their way to build a new government-approved temple. Monks like the one pictured below, are widely respected among people in many Buddhist countries for their strict asceticism.



Monks affiliated with the official Vietnamese Buddhist Church are often rewarded with new temples because they are loyal to the Communist Party.

and other Vietnamese urging political reform, is becoming increasingly important. As the country seeks more economic aid and investment from the outside world, it is being called upon to show that it respects human rights and civil liberties. The US government, which lifted a 19-year trade embargo in February, has held two rounds of

talks on human rights with Vietnamese officials. Nonetheless, human rights groups estimate that a dozen or more monks loyal to the UBCV are now in prison, under house arrest, or in government-imposed internal exile because of their beliefs.

The Paris-based Vietnam Committee on Human Rights, an advocacy group allied with the UBCV, said Nov. 8 that authorities arrested five more monks and lay people in early November. The government has denied the arrests.

Monks say they are not allowed to write letters and that their international phone lines have been cut. At certain temples, monks say they are under constant surveillance, as was evidenced during the reporting of this story.

At two pagodas in the city of Hue, where Buddhists led a large antigovernment demonstration last summer, monks said they could not be seen talking to foreign journalists, who had arrived unannounced, and asked that the visitors leave immediately.

Immigration police also warned a Vietnamese interpreter working for the Monitor that he was not to take journalists to meet a monk who is a UBCV official. If the interpreter did so, the police said, the consequences would be his "responsibility."

The role of monks in society. Monks play an important role in the largely Buddhist societies of Southeast Asia. They are widely respected for their ascetic lives based on a theology that strongly covets

humility and service. Self-immolation is itself seen as equal-like sacrifice often designed as a political statement. Monks in the past have led the way to the ousting of regimes in the region and their lives are feared or coveted by rulers.

It is impossible to know how many Vietnamese Buddhists are loyal to the UBCV, but an expert on the group at the University of California at Berkeley says it remains influential because it is seen as a genuine religious organization that has consistently stood for Vietnamese nationalism. More than 70 per cent of Vietnamese follow at least some Buddhist traditions.

The government asserts that the UBCV is innocent in restoring the former South Vietnamese government. The Vietnamese Buddhist Church (VBC), founded by the government in 1981, is the only legitimate Buddhist institution in the country, officials say.

"It is a reactionary sect," says Dang Nghiem Van, a professor at the state-run Institute for Religious Studies in Hanoi, of the UBCV. "Most Buddhists in Vietnam love the country like patriots," he adds, employing a term that Vietnamese Communists use to imply loyalty to the party.

Personal problems or repression? A visit to the village of Its Cang in Vietnam's Mekong River Delta, where a monk named Thích Huế Thau committed suicide in May, suggests that the official explanation for his self-immolation — personal troubles — is inadequate at best. "He couldn't live because he couldn't have independence," said the late monk's brother, Le Trung Truc, in an interview. "So he decided to die."

Standing inside his brother's temple, a wood-frame structure with a roof of bamboo thatch and a brick floor, Mr. Truc recounts the circumstances of Huế Thau's death. (Thích, pronounced "tick," is an honorific used by Buddhist monks. Huế Thau is pronounced "way tau.")

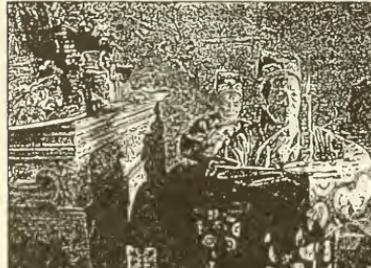
Hue Thau had been barred from practicing Buddhism at any of the half-dozen temples in the nearby city of Vinh Long because of his membership in the UBCV, Truc explains. The temples and pagodas in the city are administered by the government-sponsored Vietnamese Buddhist Church.

A senior monk at Vinh Lung's Giac Thien pagoda said that Huế Thau was "not a legal Buddhist."

"The organization of Buddhists in Vinh Long is stable," said Thích Phai Thu, who also serves as a VIC official. Huế Thau, he continues, was an exception.

He was so much of an exception, Huế Thau's brother says, that he turned his on a group of Buddhists loyal to the UBCV and built the small temple in Its Cang.

The structure was, and perhaps still is, a small, one-story building. It was built on a plot of land that Huế Thau had inherited from his father. The structure was, and perhaps still is, a small, one-story building. It was built on a plot of land that Huế Thau had inherited from his father.



BUDDHIST CELEBRATE MONK'S DEATH. A MONK WHO WAS ARRESTED UNDER THE ALLEGEDLY OF REPRESSION BY THE VIETNAMESE GOVERNMENT IN 1981. (AP/WIDE WORLD)



Samedi 19 novembre 1994

VIETNAM

L'Eglise bouddhique unifiée dénonce des violations des droits de l'homme

La Banque mondiale s'est engagée mercredi 16 novembre à octroyer au Vietnam 2 milliards de dollars sous forme de subventions ou de prêts à faible taux d'intérêt, afin de soutenir le projet de réforme économique du gouvernement.

Cette aide est la seconde que reçoit Hanoï, qui avait obtenu 1,8 milliard il y a un an. Pour des raisons techniques, pourtant, moins d'un quart de ce montant avait été versé. Les experts occidentaux se plaignent de la bureaucratie, de la corruption et de l'état des infrastructures, qui entravent la mise en œuvre des projets.

Cependant, saisissant l'occasion de cette réunion de la Banque mondiale, l'Eglise bouddhique unifiée du Vietnam (EBUV), qui assure compter pour fidèles 80 % de la population du pays, a lancé un appel pour attirer l'attention sur les discriminations dont elle est l'objet. « Si la dernière guerre au Vietnam a pris fin en 1975, notre peuple s'est trouvé replongé dans un autre malheur, celui de devoir vivre sous un régime totalitaire implacable où les droits de l'homme sont bafoués, les libertés fondamentales violées, les convictions religieuses écrasées », déclare l'EBUV.

L'Eglise bouddhique unifiée plaide pour que les puissances occidentales demandent aux autorités vietnamiennes de solides contreparties à leur aide économique en matière de libertés individuelles : « Ne seriez-vous pas, en voulant aider le peuple vietnamien par le seul canal des autorités de la République socialiste du Vietnam, en train de fortifier un régime qui, en dépit de son « ouverture », reste largement totalitaire ? ». L'EBUV demande aussi la libération de ses membres emprisonnés ou assignés à résidence, ainsi que l'élargissement immédiat de tous les prisonniers de conscience.



MERCREDI 4 JANVIER 1995

Arrestation au Vietnam du patriarche de l'église bouddhiste unifiée

Au Vietnam, où la dissidence bouddhiste conteste ouvertement le régime communiste, la police aurait arrêté le vénérable Thich Huyen Quang, patriarche de l'Eglise bouddhiste unifiée, selon les affirmations de la dissidence en exil.

Le vénérable Quang, 77 ans, aurait été interpellé samedi dernier à la pa-

gode de Hoi Phuoc, dans la province de Quang Ngai (centre), où il est en résidence surveillée depuis 1982. Selon le « Co-mité Vietnam », pour la défense des droits de l'homme, basé à Paris, le patriarche a été conduit vers un endroit jusqu'à présent inconnu.

Depuis 1992, le bonze s'opposait ouvertement au gouvernement. Dans

sa dernière « lettre ouverte », datée de novembre 1993, il avait dénoncé « le totalitarisme du parti unique » et demandé que toutes les religions et toutes les classes sociales participent « à la reconstruction du Vietnam ». Il y a une semaine, Thich Huyen Quang avait commencé sa première grève de la faim pour protester contre la « détention ar-

bitraire » de cinq moines et fidèles arrêtés, il y a deux mois à Ho Chi Minh Ville (sud). Début novembre, les autorités vietnamiennes avaient, en effet, interdit une campagne de solidarité organisée par la principale Eglise bouddhiste, dissidente du pays, en faveur des victimes des inondations dans le delta du Mé-

kong. Le 6 novembre, les provinces pauvres,

Après le retour en masse des Vietnamiens vers les pagodes, le militarisme d'une partie des responsables bouddhistes inquiète de plus en plus les dirigeants communistes d'Hanoï. Ceux-ci, interrogés hier, se sont abstenus de tout commentaire sur l'arrestation du vénérable Quang.

E.L., avec AFP

LE SOIR

À BOUT PORTANT

Sur les violations des droits de l'homme au Vietnam.

■ Vous effectuez actuellement, en compagnie de deux Vénérables de l'Église bouddhique unifiée du Vietnam, une tournée dans huit pays européens. Votre objectif est clair : faire du lobbying pour que l'établissement de relations économiques avec le Vietnam ne se fasse pas sur le dos de la population vietnamienne.

□ La Belgique, par exemple, a déjà amorcé une coopération avec le Vietnam. Et l'Union européenne s'apprête à conclure un traité avec Hanoi. Dans les deux cas est prévue une clause sur les droits de l'homme. Le problème, c'est qu'il ne suffit pas de prévoir ce genre de clause pour qu'elle soit respectée. C'est pourquoi nous voulons alerter l'opinion sur les violations des droits de l'homme au Vietnam, Hanoi a un besoin énorme d'aide économique, humanitaire, la communauté internationale dispose donc d'un moyen de pression, d'une possibilité d'action. Si elle ne l'utilise pas, tout ce que le peuple verra, c'est que l'on aide ses bourreaux, c'est-à-dire les 2 % de la population qui composent le parti communiste.

■ Quelles sont, selon vous, les principales atteintes aux droits de l'homme ?

□ Elles existent à tous les niveaux. En matière de presse, le Vietnam compte 198 quotidiens et hebdomadaires, tous aux mains du parti communiste. Créer un organe indépendant est interdit — et impossible puisqu'un décret prévoit que toute publication doit passer par les imprimeries d'État. Dans les journaux officiels, il existe bien depuis trois ou quatre ans une certaine critique, mais elle n'est tolérée que lorsqu'elle émane de membres du parti. Pour les autres, un simple appel au respect des droits de l'homme, à la démocratie, se traduit par 15 à 20 ans de prison.

Il n'existe pas non plus d'organisation syndicale, sinon celle de l'État. D'aucuns diront qu'il y a eu progrès, que le droit de grève existe maintenant reconnu. C'est vrai, mais uniquement dans les sociétés étrangères et à condition d'avoir préalablement déposé un préavis et d'avoir obtenu la permission du gouvernement — en clair, les autorités s'en servent comme d'un moyen de pression pour extorquer de l'argent aux sociétés étrangères.

■ On parle beaucoup des menaces et de la répression à l'encontre des bouddhistes.

□ De nombreux moines sont en prison ou en résidence surveillée. Après la manifestation spontanée de 40.000 personnes à Hanoi, en mai 1993, quatre bonzes notamment ont été arrêtés et condamnés à 3 à 4 ans de prison pour « atteinte à l'ordre public » et « incitation à la violence ». — Le code pénal vietnamien transforme systématiquement toute expression d'opposition en crime de droit commun.

Leur procès a été une parodie : les débats ont eu lieu non dans un tribunal mais dans une caserne militaire, les accusés n'ont pas eu accès à un avocat — Hanoi a refusé les

Vo Van Ai

Président du Comité vietnamien de défense des droits de l'homme, vice-président de la FIDH

visas aux trois avocats français que la Fédération internationale des droits de l'homme voulait envoyer sur place —, ils n'ont pas eu la possibilité de faire appel de leur jugement. Ils ont été envoyés au camp de travail de Ba Sao, dans le Nord, où ils ont entamé une grève de la faim de huit semaines en avril de cette année. Résultat : ils ont été transférés dans la section du camp réservée aux dangereux criminels de droit commun, aux assassins, aux violeurs, probablement pour qu'ils y subissent des violences — s'ils meurent dans ces circonstances, que pourra-t-on reprocher au pouvoir ?

Autre exemple, tout récent : le Vénérable Thich Long Tri, un responsable de l'Église bouddhique unifiée du Vietnam, a été arrêté le 29 octobre à son arrivée à Saigon — il a ensuite été assigné à résidence à Da-Nang —, simplement parce qu'il venait apporter de l'argent pour aider les victimes des inondations dans le delta du Mékong. Le gouvernement a certes besoin que l'on aide ces victimes — il a d'ailleurs lancé un appel pour obtenir un milliard de dollars de la communauté internationale. Mais il refuse de reconnaître notre Église, qui représente environ 80 % de la population, parce qu'elle est incontrôlable et qu'elle prône des valeurs comme la compassion, l'entraide, qui sont à l'opposé de celles du communisme. Mais pour donner l'impression qu'il respecte la liberté religieuse, le pouvoir a créé de toutes pièces une Église fantôme, l'Église bouddhiste du Vietnam, auxquels n'ont accès que ceux qui peuvent montrer patte blanche, c'est-à-dire témoigner d'un passé révolutionnaire actif.

■ La situation est-elle la même pour les autres religions ?

□ L'Église catholique a un peu moins de problèmes parce qu'elle est — quantitativement — moins dangereuse — les catholiques représentent environ 8 % de la population — et, surtout, parce qu'elle est bien organisée et soutenue par le Vatican. Mais elle subit la répression de la même façon dès qu'elle aborde les droits de l'homme. Pour nommer un évêque, elle doit obtenir la permission du conseil des ministres. Et, là aussi, l'État a créé une organisation parallèle, le Comité des catholiques patriotes.

De véritables camps de concentration

■ Vous avez évoqué les camps de travail, qu'Hanoi affirme avoir fermés. En reste-il beaucoup dans le pays ?

□ Dans les années 80, on en dénombrait environ 150. Leur nombre a aujourd'hui

diminué. Dans quelle mesure ? J'en connais une cinquantaine — mais il y a tous les autres... Ce sont de véritables camps de concentration. Nous avons reçu récemment le témoignage de Pham Van Thanh, prisonnier politique au camp de rééducation A 20 ; il y raconte que les 500 détenus ne reçoivent rien d'autre à manger qu'un peu de riz mélangé à de l'eau salée, qu'ils disposent d'un espace de 70 cm de large pour dormir, que les soins médicaux sont inexistantes — on ne fournit que de l'aspirine — fabriquée sur place et ce manque de soins aurait provoqué la mort de 2.000 détenus depuis 1978 dans ce camp A 20.

Pham Van Thanh décrit aussi les travaux pénibles imposés aux prisonniers, qui doivent par exemple fabriquer chaque jour 1.400 briques. Une fois celles-ci vendues, chaque détenu rapporte en moyenne 4 millions de dong (400 dollars) par mois, dont un million va au chef de camp et les trois autres aux fonctionnaires. Dans le même temps, le prisonnier reçoit 30.000 dong par mois, qu'il sera obligé de dépenser dans les magasins du camp — bien plus chers que « dans le civil » — pour satisfaire ses besoins de base (nourriture, savon...). Du 24 octobre au 2 novembre, une délégation du groupe de travail de l'ONU sur les détentions arbitraires s'est rendue dans cinq camps, dont l'A 20. Elle a demandé à rencontrer Pham Van Thanh. On lui a répondu qu'il n'était pas là, qu'il avait été envoyé à 800 km de là pour aider les victimes des inondations — un mensonge, bien sûr. En échange de quoi on a montré à cette délégation cinq ou six détenus « modèles », bien potelés ceux-là !

■ Est-ce qu'au moins les conditions de vie se sont améliorées depuis la politique de Doi Moi, de libéralisation économique ?

□ Certainement pas. Cette politique n'a fait qu'accentuer les disparités entre le nord et le sud du pays, plus prospère, entre les pauvres et les riches, les corrompus du régime, qui empochent des pots-de-venir avec lesquels ils envoient leur famille à l'étranger, ouvrent des comptes bancaires en Suisse... Pour les autres, le revenu est de... 200 dollars par an, dans le meilleur des cas — et à condition d'avoir plusieurs boulots. En fait, le Vietnam est devenu un marché d'esclaves, où l'on vient chercher la main-d'œuvre la moins chère de la région : sous la pression de Taïwan, le revenu mensuel dans l'industrie a diminué de 50 à 35 dollars par mois.

■ Les Vietnamiens croient-ils au changement ?

□ Ils y croient, mais ils ne savent pas comment faire. Leur priorité est de survivre, de manger. Et puis ils ont peur. A n'importe quel moment, le policier du quartier peut entrer chez eux, leur poser des questions et, s'il en a la lubie, leur retirer leur « ho khau », qui est à la fois une carte d'identité et un permis de résidence. Or, sans ce document, on n'existe plus au Vietnam, on va tout droit en prison, les enfants ne peuvent pas être inscrits à l'école... Alors, il vaut mieux être docile.

Propos recueillis par AGNÈS GÖRISSEN

Annexe :
File on the Demonstration of 40.000 Buddhists in Hue,
May 24 1993

Introduction

On May 24th 1993, an incident between Security Police and the monks of Linh Mu Pagoda triggered off a spontaneous demonstration of 40,000 people in Hue, the largest public protest ever to have taken place in Vietnam since the Vietnam war. The demonstration ended with the over-turning and burning of a Government car, and several Buddhist monks and lay-persons were arrested in the aftermath. On November 15th 1993, Venerables Thich Tri Tuu, Thich Hai Tang, Thich Hai Chanh and Thich Hai Thinh were convicted to three and four years imprisonment on charges of "disturbing public order" and "incitement". Five lay-persons also received sentences ranging from six months to four years imprisonment.

The Vietnamese authorities filmed the demonstration and edited the five-hour event into a 56-minute video-cassette which is being used to support the Government version of events, i.e. that the monks actively incited the crowds to violence. Mrs Ton Nu Thi Ninh, Director of the SRV's Department of International Affairs and other Foreign Ministry officials toured Governments and human rights organisations in Europe, Canada and the US., giving copies of the video along with the Government's comments.

So far, the monks of Linh Mu have never been able to tell their own story in public. Arrested on June 5th and July 19th, they were judged guilty in advance by the State-controlled press which launched a nation-wide campaign of vilification against them and called for heavy punishments. When their trial finally took place in November, it was not held in a Court of Law but in the barracks of the People's Army. The public, press, and even the defendants' families were barred from proceedings. The monks were not allowed to defend themselves, or have access to defence counsel, and they were also refused the right to appeal.

In April, Thich Tri Tuu, Hai Tang, Hai Thinh and Hai Chanh staged an eight-week hunger strike in B- Sao Labour Camp (North Vietnam) to protest against their arbitrary sentence and demand the right to appeal. All the political prisoners in the camp joined the hunger strike, Prison authorities reacted by transferring the monks to Section B of the Camp, a section reserved for dangerous common criminals and forcibly feeding them with saline injections. They also deprived the monks of their right to receive visits - monks from Linh Mu Pagoda who travelled six hundred kilometres from Hue were refused entry to the Camp. Moreover, despite their very poor health as a result of prolonged hunger strike, the monks are denied medical treatment.

To help viewers of this video make their own appraisal of events, the International Buddhist Information Bureau and the Vietnam Committee on Human Rights reviewed the film in detail and made a number of comments. Some of the comments are general, others refer to the sound-track, which is vital to understand the development of events. An English transcript of the sound-track is annexed to this commentary, along with Thich Tri Tuu's version of events, which he wrote just before his arrest in June. These documents are followed by the very important "Declaration" by the UBCV Patriarch, the Most Venerable Thich Huyen Quang, which gives a Buddhist analysis of the present crisis in Vietnam, and puts forward several concrete suggestions. The last two documents, issued by the Vietnamese Communist Party in 1992, illustrate that religious intolerance is a deliberate policy which comes from central Government order.

Buddhist Demonstration in Hue, 24 May 1993 Comments on the Government Video

Background :

The story begins on May 21st 1993, when a young man immolates himself in front of the grave of former UBCV Patriarch Thich Don Hau in Linh Mu Pagoda grounds. Security Police arrive on the scene very rapidly, and carry off the man's body, as well as his papers and belongings. The monks set up an altar to mark the spot, but it is torn down by the Police. That evening, Hue Radio reports the "suicide" of a *"desperate drug addict with aids"*. A conflict grows over this incident. The monks at Linh Mu Pagoda know from the man's family that he is Nguyen Ngoc Dung, a Buddhist from Hue, who burned himself to protest against anti-UBCV persecution. They decide to keep his identity secret in order to protect the family (Nguyen Ngoc Dung's family make the truth public themselves after the monks' trial in November). Thich Tri Tuu writes immediately to the authorities (May 22nd) asking permission to give the man a proper Buddhist burial at the Pagoda. The authorities refuse. Disputing that the man is a Buddhist, the Police give his identity as Dao Quang Ho, from An Giang in South Vietnam, and say that he committed suicide after a quarrel with his wife about a vase. No explanation is given as to why he travelled some 1,000 kms to commit this act, and why he chose to do it in a Pagoda if he was not a Buddhist. There is also some doubt as to whether or not Dao Quang Ho really exists. Although extensive interviews with his "wife" appeared in the official press, no pictures of him were ever published, allegedly because the man burned all photos of himself before taking his life. On 23 May Thich Tri Tuu received a summons from the Hue Municipal People's Committee to "work" (see *"comment on script"*, note 2 about this expression) with them about this affair at 7.30am the next day. He enters the People's Committee alone, but three monks from Linh Mu wait outside. According to Thich Tri Tuu, officials and Security agents try to force him to sign a statement corroborating the Government version of the immolation. He refuses, and goes outside the front door of the building to begin a hunger strike. The authorities lift him bodily back inside, but the monks have already seen this and send word back to Linh Mu that Thich Tri Tuu has been arrested. They begin a hunger strike in the street. The time is approx 9.00am. News spreads quickly around, and a full-scale spontaneous demonstration is soon under way. By the time Police finally disperse the crowds around 2.30pm, some 40,000 Buddhists, students and local people have joined the monks in their protest.

General Comments :

1. When looking at this video, one should constantly bear in mind that this film was made and edited by Government officials, and it is being used to support the Government version of events. There is no way of comparing these pictures. No foreign journalists were present - the major wire agencies and foreign newspapers do not have offices or correspondants in Hue - and all other films or photographs taken that day were systematically confiscated by the Security Police. What we see is therefore what the Government wants us to see, a part of the truth, but not the whole. As a popular Vietnamese expression says, *"half a loaf of bread is still bread, but half a truth is no truth at all"* ;
2. The video has obviously been edited, and certain scenes have been deliberately repeated to create a more dramatic effect. For example, the scene in which Thich Hai Thinh waves his arms on top of the car - which is the only scene in which any of the monks give the appearance of inciting the crowds, and is therefore the key-point of the video for the Government - has been

inserted several times. The demonstration is filmed by several cameras, and what we see is often a repeat of the same scene from a different angle (e.g. when Thich Tri Tuu is carried away, Thich Hai Thinh is seen twice jumping down from the car).

3. The sound is bad in general, because of the background noise, but at times speech has been deliberately rubbed off, especially the monks' speeches. Again, in the scene of Thich Hai Thinh on the car, much of the sound-track is virtually inaudible, even though he is filmed close up. The sound is crucial here, because his gestures - which are clearly emotional - could be interpreted in different ways. If his words were audible, there would be no uncertainty about whether or not he is inciting the crowds, and the question could be settled once and for all. We suspect that the sound has been obliterated deliberately, to create a doubt about Hai Thinh's intentions by focusing on the feigned nature of his gesticulations.
4. A close scrutiny of the video reveals a very important detail: the Toyota carrying Thich Tri Tuu out of the People's Committee building is not taking the direction of Phu Xuan Bridge, which is the way back to Linh Mu Pagoda, but faces the road to Thua Phu Prison (in a street not far from the People's Committee). This would indicate that the Police were really arresting him, not taking him back the Pagoda as they said.
5. The video tallies exactly, through both the script and chronology of events, with the version related by Thich Tri Tuu which is included in annexe. The script confirms that the monks are demonstrating because they believe their Master has been arrested and they want simply to be allowed to see him ("*What we want is simply to see Venerable Tri Tuu. Let us talk to him, and we promise to disperse at once. All we request is that you let Ven. Tri Tuu come out here...*"). They repeat this again and again, even when they realise that Thich Tri Tuu is no longer in the car. This is probably because the thickness of the crowds prevent them from seeing the pedicab taking Thich Tri Tuu back to the Pagoda, and they suspect he has been taken away by the Police (see script: "*Where is Ven. Tri Tuu ? Just answer my question !*"). Indeed, only when monks from Linh Mu Pagoda come to inform them (right at the end of the tape) that Thich Tri Tuu is safe and sound do they cease their hunger strike and go home.
6. The scene of Thich Hai Thinh on the car: As this scene forms the basis of the Vietnamese Government's accusations of "incitement" (even Thich Tri Tuu was convicted on charges of "incitement", despite the fact that he never left the People's Committee Headquarters or the Police car throughout the whole demonstration), we think this scene needs a more detailed commentary :

Thich Hai Thinh is one of Linh Mu Pagoda's younger monks. He is obviously extremely upset when he sees Thich Tri Tuu in the Government car going towards Thua Phu Prison. This explains why he and all the other monks use every non-violent method possible to immobilize the vehicle by lying beneath its wheels, forming a ring around it, or, in the case of Hai Thinh, standing on the bonnet to stop the driver from moving. The monks ask to take Thich Tri Tuu in their own car ("*Government vehicles are for Government officials. Please open the door and let us take him home in our own car... It's not difficult, is it ? Our car is ready*") but the Police refuse.

Because the sound-track of this scene has been tampered with, it is very difficult to hear much of what Hai Thinh says. Certainly, we can hear no anti-government slogans, nor anything that suggests he is inciting the crowds to violence. On the contrary, he seems to be simply calling repeatedly for his Master's release. We deciphered the phrases: "*They arrest people [i.e. Ven. Tri Tuu] and they have to let him out... he can't stay in the Government's car... Open the car door ! You cannot do this..*" As he looks into the car he sobs and exclaims: "*How can anyone bear to be treated this way?*". But the phrase he repeats almost obsessively throughout is: "*This is*

repression against Buddhism, repression against Buddhism...". He shouts this at the crowd as he waves his arms in the air, and sometimes they echo his cry. This is where the pictures without sound are misleading. This repetition ("*Dan ap Phat Giao, Dan ap Phat Giao*" in Vietnamese) gives him the appearance of shouting encouragements to the crowd. As for his determination to keep standing on top of the car, we believe that for Hai Thinh, the roof of the car represents a vantage point from which he can alert the crowds about the repression going on, and he sticks to this, even when Thich Tri Tuu is no longer inside the vehicle. In fact, he tries to stay on the roof of the car even when the crowds try to overturn it, which would indicate that, far from encouraging crowd violence, he appears to be trying to prevent it. Hai Thinh is so distressed that he forgets to protect himself from the sun like everyone else, and must have suffered the effects of dehydration. Several Buddhists try to make him drink, and eventually pour water over him.

Such emotion may seem excessive for a monk, but one should understand that this young monk was simply beside himself with grief for his Master, for at that point he did not even know if Thich Tri Tuu was alive or dead inside the car. After all, it is not unknown for UBCV monks to die under Police interrogation. Only recently, in September 1992, 29-year-old Thich Thien An was tortured to death by Security Police in Thu Duc, near Saigon. His family were told that he had "committed suicide" after interrogation. Moreover, Thich Tri Tuu recounts that he passed out in the car, which is quite plausible, considering he had been fasting since early that morning and had been under pressure without respite since the immolation of the Buddhist at Linh Mu Pagoda. The sight of Thich Tri Tuu slumped unconscious must surely have exacerbated Hai Thinh's distress. Other monks, nuns and laypersons can be heard sobbing and moaning as they look into the car, which confirms this impression.

To put things into context, we want to emphasise the continual pressure and intimidation to which all the monks at Linh Mu were subjected prior to this demonstration. The systematic harassment of UBCV Buddhist followers and clergy - which increased significantly after the death of Patriarch Thich Don Hau in April 1992 - has created a climate of extreme tension, especially in Hue. Thich Tri Tuu and Thich Hai Tang - both disciples of Thich Don Hau - were at the centre of this, and both monks had been arrested, interrogated and harassed on numerous occasions in the preceding months. Thich Tri Tuu himself had twice announced his intent to burn himself alive if Government persecution of the UBCV should continue. Our overall impression is that Hai Thinh, like many other monks and Buddhists, was overcome with anxiety and grief (a) at what the Police might do to his Master, and (b) what his Master might do to himself.

7. There is no evidence in this video that any of the monks incited or advocated violence at any time. As the script reveals, they simply ask Police to let them see their Master, promising to disperse once this had been satisfied (see script : "*Let us see him, this afternoon, this evening, anytime you like. When we have seen him, we will stop our strike*"). Also, there are no Buddhist monks or nuns present around the Government car when it is burned. They have either left with Thich Tri Tuu or returned to continue their hunger strike.
8. Buddhist monks command great respect and affection among the Vietnamese population, especially in Hue, which is a historic Buddhist centre. The crowd can be seen trying to protect the monks from the heat, fanning them and bringing them water. Even the Police are reluctant to use force against them. If the monks had really incited the crowds to use violence, a full-scale riot would have taken place that day. Considering there was a crowd of 40,000 demonstrators, this was a singularly peaceful event .

9. The Government could have avoided this demonstration right at the start by letting the monks speak to Thich Tri Tuu. Their systematic refusal to do this, and the subsequently evacuation of Thich Tri Tuu towards the prison would seem to confirm that the Government had in fact summoned Thich Tri Tuu with the intention of arresting him if he refused to sign their statement about the immolation. This was what Thich Tri Tuu suspected, and explains why he did not go to the People's Committee alone...
10. The scene of the burning Toyota is very dubious, because (a) the fire-brigade arrives on the scene before the burning occurs (b) demonstrators are pushed back from the over-turned car with water-hoses, so that the crowd is not near the vehicle when it sets fire. How does it suddenly catch fire? Why, when the fire-engine is so close at hand, is the car left to burn for so long before the fire is extinguished? Why was the setting-fire of the car not shown on this video?
11. We know that scenes were not omitted from the video due to lack of camera coverage, because there were eight cameras covering the event, which is exceptional for such a small town as Hue. This unusual coverage was reported in the Hanoi weekly "Lao Dong" (Worker, 29.6.1993) along with an exclamation by its author: "I couldn't help wondering how all those cameras could be prepared in advance and how they could all be on the spot with such perfect timing?". This appears to confirm eye-witness reports that the demonstration was filmed not only by a television crew, but by Security Police, who used this film to make subsequent arrests. Indeed, the probing eye of the camera can often be seen following demonstrators. At the beginning of the demonstration, there is an Asian tourist in a big straw hat taking photographs. His camera is immediately seized by Police, and the camera stays on him for a long time, watching his every movement. Also, when young people scuffle with Police around the Government car, Security Police can be heard giving orders to the cameramen "Film the bastards! Get a close-up of their faces!".
12. The crowd is riddled with underground Security agents in civilian clothing. This is most obvious in the scene of the scuffle around the vehicle, where several people are arrested. By looking carefully one can see that arrests are invariably made by men in civilian dress. The same men in tee-shirts and caps can also be seen pushing back demonstrators, trying to drag monks away from the car, and trying to pull Hai Thinh off the roof. Eye-witnesses believe that civilian-dressed Security agents deliberately provoked the overturning and burning of the vehicle in order to discredit the monks. This is difficult to prove either way, but would give a plausible explanation for the strange circumstances of the vehicle's burning, and for the fact that this video has been used so widely by the Vietnamese Government - on Vietnamese television and in international diplomatic and human rights circles - as visible "proof" of what they allege to be "Buddhist extremism".
13. The attitude of the Police: It is clear from the video and from eye-witness accounts that the Police were totally unprepared for such a massive demonstration, and we can see them turning in circles indecisively. We believe that they refrained from violence at first, because (a) many Policemen are very probably Buddhists themselves, and were reluctant to physically harass monks (b) they knew that if physical violence was used against monks, the crowd would go wild. In Hue, everyone remembers the events of 1963 which led to a chain reaction all over the country, and ultimately to the overthrow of the Ngo Dinh Diem regime.

According to eye-witnesses, however, once Thich Tri Tuu was removed from the scene, and there were no monks left around the Government vehicle, the Police were joined by frontier guards from the People's Army and mobile Police who turned on the crowds with electric truncheons, tear gas and water hoses. These scenes are not visible on the video, but there are some very telling clues. Three brown army lorries can be seen coming through the crowd from

three different directions, and soldiers with shields and bullet-proof jackets can be seen making arrests and moving people away at the end of the demonstration. Also, just after the vehicle is overturned, a cloud of smoke rises from the front which could well be tear-gas (the car is not burned until much later). The soldiers must have used very efficient means to disperse the crowds, because when Thich Hai Tang and the other monks finally walk back towards the Pagoda at the end of the film, the streets are totally empty...

Comments on the Script :

1. Thich Hai Tang (the monk in the yellow robe who bows down to the monks on hunger strike at the beginning of the tape) gives the monks clear instructions to stay calm and keep their protest non-violent. He is crying, sobbing quite loudly in fact, because he is very distressed about the arrest of Thich Tri Tuu, to whom he is very close. But he repeatedly urges the monks to "keep sitting here, the Government can't arrest us in an unjustified way, we are ready to accept every sacrifice, they cannot arrest us arbitrarily". He also says " "The United Nations knows about this, and they will speak out". We should explain that at this point some Buddhists have just called the Vietnam Committee on Human Rights in Paris to alert us of Thich Tri Tuu's alleged arrest. (This was the last phone call we received from Linh Mu Pagoda - the line was cut off that evening, and has been suspended ever since). We promised to immediately inform the UN if any arbitrary arrests were made. This explains Thich Hai Tang's phrase about the UN, and also his exasperation with Government officials who refuse to release Thich Tri Tuu. In the same scene, in a confrontation with an official in a white shirt, Thich Hai Tang bluntly states that "from now on I consider all your papers to be totally worthless" [he is referring to the summons sent by the People's Committee to Thich Tri Tuu which convoked him for questioning, but resulted in his arrest].
2. The Vietnamese word "*lam viec*" (to work) needs to be defined here. At the beginning of the demonstration, there is a scene in which a Party official in a white shirt talks to the monks in the middle of the road. He invites them to come to work at the People's Committee Headquarters. The monks refuse. The invitation is made again twice over the loudspeaker. Literally, it translates as "Please go to the Headquarters and work it out with us, together with us". Put this way, it sounds like a reasonable request, and one may wonder why the monks don't accept. In fact, "*lam viec*" does not mean "working out" in the sense of *solving*. It is a euphemistic expression currently used by Police and Security agents meaning "interrogation". In 1978, UBCV dignitary Thich Thien Minh was summoned to "*lam viec*" with the Police and died under interrogation. Thich Huyen Quang was summoned to "*lam viec*" in 1982 and was sent into internal exile for 12 years without any further explanation. Thich Tri Tuu was summoned to "*lam viec*" that very morning... This is why monks refuse all invitation to "*lam viec*" with the Hue Police, however reasonable their invitation may sound to the foreign ear.

These are some general comments on the video filmed by the Vietnamese authorities on May 24th. Thich Tri Tuu, Thich Hai Tang, Thich Hai Chanh and Thich Hai Thinh are known to be seriously ill as a result of their eight-week hunger strike in Ba Sao reeducation Camp (North Vietnam). Requests have been made for the International Committee of the Red Cross (ICRC) to visit the monks in prison, but the SRV Government refuses ICRC access to prisons and reeducation camps in Vietnam.

For all further information, please contact :

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Buddhist Demonstration in Hue, May 24 1993 Transcript of the Government Video

Scene : three monks sitting in the road behind metal barriers (time 9.00 am)

(0.01.52) **Loudspeaker** : We ask everyone to move away from this area immediately. We repeat, all vehicles should be moved away, pedestrians on the pavement should move out of the area at once.

Camera moves back to seven monks now sitting in the road. The barrier has gone.

Scene : Government official in a white shirt talking to the monks

(0.02.44) **Government official** : You can keep waiting if you like. But I would like to invite you come and work¹ at the Headquarters [of the People's Committee]. When you have finished working with us, we will let you go home... We will let you go by 11.30 am, we won't keep you long, there won't be any problem...

(0.03.15) **Monk in yellow robe** (shaking his head) : No, we will just sit here and wait.

Loudspeaker : Don't stop in the street. Everyone must evacuate the thoroughfare. All means of transport are strictly forbidden to stop in the street.

(0.03.33) **Voice of a second monk** (to the Government official) : Repression against the Buddhists ! These are the legitimate aspirations/wishes of the Unified Buddhist Church and of Buddhists all over the country, and they must be respected. If our will is not satisfied, then...

The Government official : The wish, ah, yes, your wishes...

Voice off (from official) : No wishes at all. Take your wishes elsewhere, please.

First Monk : If you don't accept our wishes, then so be it. If we are not permitted to explicit our wishes, and if you take no steps to fulfill them, we shall stay sitting here on hunger strike.

Loudspeaker : We repeat that no vehicles are allowed to stop in this area. All pedestrians must clear the pavements and move away. We repeat, please, you must not stay in this area.

Scene : The Government official in a jeep speaking over the loudspeaker

(0.03.59) **Loudspeaker** : The authorities are "working" with the monks in order to find a solution for their requests... Meanwhile, we request that you all leave this area now, don't keep standing around here. As for the monks, the Provincial People's Committee invites you all to come to "work" with us at the [Provincial] Headquarters and we will look into all the problems you raise. .. We call on all traffic police to keep the peace and maintain order... We request that all monks come and "work things out" with us at the Headquarters now. A jeep is ready for you... All pedestrians and bystanders, everyone, please move along. You must evacuate this area right away and go back to work, so that the security of this area can be maintained. You are not allowed to stay here...

Scene : monk in brown robe talks to Government officials in white shirts

(It is difficult to decipher the discussions taking place here. The Government official is obviously not

¹ In Security Police vocabulary, "work" (*lam viec* in Vietnamese) means "interrogation". In 1978, Ven. Thich Thien Minh was beaten to deathy during a working-session with Security Police in Ho Chi Minh City. In 1982, Ven. Huyen Quang was also invited to work with Security Police and has been detained under home arrest without charge in the Province of Quang Ngai ever since. Ven. Tri Tuu was invited to "work" at the People's Committee that morning, and detained forthwith. This is why the monks systematically decline the Police's repeated invitations to "work" with them at the People's Committee, knowing they will be arrested there in turn.

sure what is going on, nor what he should do next. The monk in the brown robe seems to be explaining what happened before he arrived) :

(0.04.52) **Monk in brown robe (with glasses)** : our Master was invited to go to the Headquarters to work on certain aspects of the problem... he should be brought back here so we can find a way of solving things together...

Government official in white shirt : What problem ? I've only just got here... (tape is cut off)

(0.05.47) **Loudspeaker** : Everyone must move away from here. You are obstructing the traffic at this crossroads. All police and traffic wardens must please move people away from this area. There are a great number of people standing in the street. All of you, do not stop in the street. You are violating traffic regulations, causing traffic jams and public insecurity .

Another loudspeaker : There are a lot of cyclists and pedestrians blocking up the street. Everyone is requested to follow traffic regulations. This is a main road, and people are obstructing the normal flow of traffic. Please, move away from this area at once...

There are several loudspeakers, one in the white Government car, others in different Police or Government vehicles. From now on, announcements continue more or less non-stop, and their content is basically the same - instructions to evacuate the area, respect public security etc... To avoid repetition, only announcements with a different content have been translated.

Scene : the white Government car

Two loudspeakers can be heard at the same time (one coming from the white car, with a low voice, giving instructions to the Police) :

- All Police on duty must do their job, every unit must be in position, be at the ready...

Scene : two monks in brown robes in discussion with white-shirt Government officials

(0.06.10) **First monk** (with glasses) : Now, please let our master Tri Tuu come out here. Let us talk to him, and then we promise to disperse at once. All we ask is to meet Venerable Tri Tuu. It is a matter of principle. You can easily see that our monks are sitting here solely because of Venerable Tri Tuu, not for any other reason.

(0.06.28) **Voice off** (from Government official standing) : That's right ! That's right ! We know about that.

(0.06.52) **First monk** : Listen, I want to make it quite clear - we don't know where our Master Tri Tuu is now. But all the monks sitting here are ready and waiting to see him. If you let them see Ven. Tri Tuu, and allow Ven. Tri Tuu speak to them, they will all go home. That is all we are asking... Its a very easy request to satisfy. We can see him any time : now, this afternoon or this evening, whenever it suits you... All we request is that you let Ven. Tri Tuu come out here...

Scene : Venerable Hai Tang arrives, wearing yellow-robe, conical hat and sun-glasses

(0.07.29) **Thich Hai Tang** (to the group of Government officials) : I asked to go inside [the People's Committee Headquarters] but they would not let me see him... I made it clear to the Security Police that I just wanted to meet Ven. Tri Tuu, to see my own dear Ven. Tri Tuu...

Ven. Hai Tang crosses the road and bows down before the monks, sobbing loudly.

Ven. Hai Tang : I humbly bow before you all... I want you to know that the United Nations and the whole world knows about this, they all know...

(At this point, Ven. Hai Tang has just called Vo Van Ai, President of the Vietnam Committee on

Human Rights in Paris. Vo Van Ai promised to inform the United Nations and issue a press statement about the sit-down. He also informed Ven. Hai Tang that the right to peaceful demonstration was guaranteed in the Vietnamese Constitution, and that the Police had no right to arrest monks simply for the non-violent expression of their beliefs. This conversation was tapped, and published in "Cong An" (Police Review, 16.6.1993) as "incriminating evidence" against Ven. Hai Tang. Indeed, following their arrest in June, over 110 accusatory articles were published against the monks in eight national newspapers, thus compromising their right to a fair and impartial trial.)

Voice off (the monk in brown talking to the Government officials) : Now, let me suggest the best possible way of solving this situation. You should reconcile yourselves to our point of view, and let us talk to Ven. Tri Tuu. This is only way to solve the problem, and it is our sole and unique objective. We ask for nothing more...

(0.07.56) **Ven. Hai Tang** (to the monks and the crowd behind): We will accept whatever sacrifices are necessary. If the Government arrests us, it will be an arbitrary arrest, arbitrary arrest (*he repeats the word "arbitrary" several times, waving his hand*). We will not refuse [any sacrifice]. Just keep sitting here, my brothers. The United Nations and the whole world know about this, and they have raised their voices. There can't be any unjustified arrests. We will not refuse any sacrifice...

Scene : Ven. Hai Tang and monks in brown robes talk to white-shirt Government officials

(0.08.02) **Monk in brown robe** (addressing Government official) : Look, our monks are asking to speak to Ven. Tri Tuu ... (the rest is unclear)

White-shirt official : But now Ven. Tri Tuu is ... (he says something else which is inaudible...).

Monk in brown robe : But you are in charge of this, what do you mean you don't know (...) We are only doing what we feel is within our rights... (an exchange follows which is inaudible)...

Voice off (monk) : We just want you to release Ven. Tri Tuu.

(0.08.53) **Ven. Hai Tang** : Is that what you call an invitation? What a strange way of inviting people to "work" ! Well, I promise you that from now on, I shall consider all your papers as waste-paper, completely worthless, no one will take any notice of them [*the "paper" he refers to is the People's Committee summons convoking Ven. Tri Tuu for interrogation that morning*].

A voice off (presumably an official) : Was the paper issued by the People's Committee or by the Front ? (i.e. the Fatherland Front, an organisation controlled by the Communist Party).

Ven. Hai Tang : It was from the Provincial People's Committee, with the signature of Mr Bui Huu Khuong and all the trappings. Really, you invite people and then you arrest them...

Another official, voice off : It was from the City [People's] Committee.

Ven. Hai Tang : Oh sorry, yes, from the City Committee.

Loudspeakers in the background continue to call for order and tell people to leave the area...

Scene : the monks talking to Government officials

(0.09.37) **Monk in brown robe** : Now, let me repeat once more what I have been telling you from the very start - the reason these monks are sitting here is because they want to see Ven. Tri Tuu !

(0.09.59) **White-shirt official** : (difficult to decipher this sentence)... I would like you to go up there [*to the People's Committee Headquarters?*]... Do you understand ? As you can speak out, we can take you there. After all, Ven. Tri Tuu was invited by the City authorities.

(0.10.06) **Ven. Hai Tang** : But I can tell that you don't know what's going on, that's why I am going

to work with...(rest cut off)...

The official : But it was the City Committee who invited Ven. [Tri Tuu], after that he can go home... They should know that.

(This part of the dialogue is unclear, but it appears that Ven. Hai Tang has no confidence in this official, and wants to meet Government representatives with more authority).

Ven. Hai Tang : Forgive me for saying this, but if I was a Government official, I would say : how can it be that you are in charge of religious affairs², yet you don't know a thing [about them] !

The official : Of course I know, what do you mean I don't know ?

Ven. Hai Tang : None of you know anything at all !

The official : The invitation was issued by officials from the [City?] Committee...

(0.10.35) **Monk in brown :** Just tell them we want to see Ven. Tri Tuu...

Scene : Tourist takes photographs, camera is confiscated by Police

(0.11.08) *An Asian tourist in a large straw hat is seen taking photographs of the demonstration. Civilian-clothed Security Police see him and immediately take him aside (0.11.19). He reappears without his camera. His movements are followed by the Police camera for several more minutes (0.12.38).*

Scene : Ven. Hai Tang talking to Government officials

Ven. Hai Tang : Let us take our Master home in our own vehicle...

(0.12.02) **Voice off** (from official) : Our car has arrived now. Let him go in that car.

(0.13.22) **Ven. Hai Tang :** Let Ven. Tri Tuu get out. We will take him back in our own car. We came here by our own means of transport, why should we have to use Government transport now... Government vehicles are for Government officials... Ordinary people use ordinary people's transport... Just let our Master out here and we will take him home. Is that such a difficult request ? Our car is ready...

Scene : the jeep carrying Ven. Tri Tuu appears

From the People's Committee Headquarters across the street from where the monks are sitting, a jeep comes through the crowd. When the monks see the jeep, they rush towards it, and the crowd follows. Venerable Tri Tuu is inside (although he cannot be seen yet).

(0.13.56) **Loudspeaker :** No vehicles are allowed to stop at this crossroads. We repeat, no vehicles or other means of transport are allowed to stop at this crossroads. All traffic and pedestrians must clear the area at once. The main National 1 Highway is now totally jammed. We request that everyone evacuate the area, quickly evacuate the area... *(This is repeated many times as the crowd grows thicker, filling the cross-roads and milling around the Jeep).*

Scene : the monks and crowd surround the Government jeep

A crowd of Buddhists and monks in yellow and brown robes swarm round the jeep and stop it moving forward by lying under its wheels, jumping on the roof, forming a ring around it. Many of them cry out Ven. Tri Tuu's name, sobbing loudly. Some plain-clothes Security officials push the

² In the Socialist Republic of Vietnam (SRV), all religious questions are regulated by the Government Board of Religious Affairs. The Board's Head is Vu Quang, and its central office is in Hanoi. It has regional and municipal offices all over the country, manned by "religious cadres", mostly Party members who have no knowledge or experience of religion. The person to whom Thich Hai Tang is speaking is obviously one of these cadres.

monks roughly and try to drag them away from the Jeep.

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(0.15.28) **Government official** (shoving at a monk) : Get back at once ! Get away from here!

(0.15.29) **Ven. Hai Thinh** (the monk in the yellow robe on the roof of the Jeep) points at the Security agents and cries : Look, they are using force ! They are repressing Buddhists, repressing Buddhists !

(0.15.55) **Nun in grey robe** (wringing her hands and weeping) ; Oh, my Master ! Venerable Tri Tuu !

Ven. Tri Tuu recounts that he had fainted at this point, and must have been slumped unconscious in the back of the car. The evident distress of the Buddhists, who can see him through the Jeep window, and a later remark made by Ven. Hai Thinh (0.16.40) about the way he is sitting in the Jeep would seem to confirm this.

Scene : Ven. Hai Thinh standing on the roof of the Jeep

Ven. Hai Thinh (waving his arms, cries repeatedly) : This is repression against Buddhists, repression against Buddhists ! It is unbearable ! It is unbearable !

Crowd : Repression against Buddhists, repression against Buddhists !

(0.16.40) **Ven. Hai Thinh** (pointing into the Jeep) : Let our Master sit up properly, how can he bear to sit like that ? ... They arrest people... they must let him go... he can't stay in the Government car... Open the car door ! You can't do this... you are repressing Buddhists...

(Ven. Hai Thinh says many other phrases, but we cannot decipher them. There is no doubt that the sound-track has been deliberately tampered with here. The video camera is very near Ven. Hai Thinh - on top of a red car just beside the Jeep - so his voice should be audible and clear.)

Scene : the scuffle around the jeep

Ven. Hai Thinh stays on the roof of the car, and the crowd continues to press around the Jeep. Many Buddhists are trying to pull the doors open and release Ven. Tri Tuu.

(0.19.05) As some young Buddhists in white shirts try to pull open the back door of the Jeep, a voice off is heard giving instructions to the cameraman :

- Film the bastards, get a close-up of their faces !

Loudspeakers : (continuously) : Do not stop in the street, leave this area at once, etc...

(0.24.00) An army lorry can be seen approaching through the crowd.

(0.24.24) A Security agent tugs at Ven. Hai Thinh, who nearly falls off the Jeep.

Scene : Ven. Tri Tuu is released from the Jeep

A cry goes up from the crowd, and people rush round to the side of the jeep. The front door of the jeep is open. Security agents are seen brutally beating a young Buddhist in a white shirt - perhaps the person who opened the door (the same young man is seen later, sitting with the monks in the road, his face puffed and swollen from the beating. He may be one of the five Buddhists lay-men convicted with

the four monks at the trial in November).

(0.27.50) Plain-clothes Security agents in white shirts or tee-shirts try to push back the crowd, and some violent scuffles take place. Several young men are arrested, and hustled off round the side of the Jeep by plain-clothes agents in white caps.

(0.32.22) The camera shows a flash of someone in an orange robe - apparently unconscious - being carried out of the Jeep and rushed away. It is Ven. Tri Tuu. When Ven. Hai Think hears about this, he jumps off the Jeep and runs after his Master through the crowd. We presume that he couldn't find him, because he later returns and climbs back on the Jeep roof.

(0.33.31) **Loudspeaker** : We repeat, everyone must evacuate the area immediately, immediately. All Hondas and bicycles must clear the area at once !

(0.36.40) : A cyclo carrying Ven. Tri Tuu and another monk in a yellow robe hurriedly pedals away towards the bridge. This is the same scene as before, filmed by a camera some distance away, which explains why Ven. Hai Think can be seen jumping down from the Jeep a second time.

Throughout these scenes, the camera pans from the cross-roads to the bridge, and back again, giving a good view of the exact position of the Jeep. These shots clearly show that the Jeep is not pointing towards Phu Xuan Bridge (the way back to Linh Mu Pagoda). It is taking the opposite direction, which is the road to Thua Phu Prison. The authorities cannot, therefore, be taking Ven. Tri Tuu back to the Pagoda as they said, hence the monks conviction that he has been arrested.

Four monks continue the sit-down in the middle of the cross-roads. Subsequent dialogue shows that they do not know that Ven. Tri Tuu has been taken back to Linh Mu Pagoda, which is understandable considering how thick the crowd has grown by this time - 40,000 according to eye-witnesses).

Scene : Buddhist pours water over Ven. Hai Think

Ven. Hai Think is back on the roof of the Jeep under the burning sun. A Buddhist pours water over him.

(0.36.40) Buddhist women in conical hats wipe the faces of the fasting monks and give them water.

(0.43.30) **Loudspeaker** : Your attention please. There are a number of people who are taking advantage of the situation to cause traffic and insecurity problems...

Loudspeaker (as the crowd push at the Jeep) : Don't do that, you mustn't do that. It is dangerous, and also means you are vandalising Government property.

During the following scenes, only the sound of loudspeakers can be heard.

Scene : the Jeep is turned on one side

Loudspeaker : (0.43.30) Calling all Police brigades on duty, your attention please. There are a number of extremist youths who are taking advantage of the situation to provoke hostilities. You must therefore carry out your duties with the utmost calm, utmost calm... Urge people to abide by the laws... You must avoid tension ... do not make mistakes which could give these extremists the opportunity of stirring up the public...

Loudspeaker : Please, everyone must follow traffic regulations. Do not stop in the street and take advantage of the crowd to vandalise Government property. Police on duty, you must take steps to prevent this.

Scene : the fire brigade turns water hoses on the crowd

(0.48.34) Smoke rises from near the overturned Jeep. It could be from a tear gas grenade.

(0.48.50) **Loudspeaker** (voice grows insistent and begins to scream) : There are a number of young

people who are publicly violating the laws and obstructing Police in the accomplishment of their duties ! There are a number of extremist youths who are opposing the Police...

A Security Policeman in uniform is pointing at a man who is pursued and arrested by several plain-clothes agents. Another Police agents grabs the shirt of a young man and takes him away.

(0.49.34) **Loudspeaker** (screaming) : There are a number of young extremists opposing the Police force. Comrades, you must arrest these people, we repeat, resolutely arrest all hostile elements !

The crowd runs towards (or away from?) something in the opposite direction from the jeep, but the camera does not follow. According to eye-witnesses, the military intervened at this point with electric truncheons and tear-gas grenades).

Loudspeaker continues to instruct people to evacuate the area, stop obstructing traffic etc...).

N.b. : There are no monks present during these scenes of crowd turbulence.

Scene : the Jeep is completely overturned and set on fire

(0.50.28) **Loudspeaker** : Attention, please. There are a number of young men who are taking advantage of the crowd to destroy Government property. Comrade Policemen and Security agents, you must arrest all these elements... (we cannot decipher the last words)....

Footage of the Jeep being set alight has been cut. The sequence jumps suddenly to a shot of the Jeep on fire (0.50.34).

Loudspeaker : Please, everybody must move away from the fire area immediately. Policemen, make a fence and guide people away from the fire zone (repeated several times).

N.b. Fire-men make no attempt to extinguish the fire for several minutes, although the fire-engine is right next to the jeep and the hoses are already connected. At one point, (0.51.21) a fire-man advances with a hose, then retreats back to the fire-engine, leaving the Jeep burning.

(0.52.16) **Loudspeaker:** (the fire is nearly under control) : Attention, there are a number of unauthorized people still in the fire zone. All forces on duty must fight against these elements...

(An official in a white shirt says something over the microphone, it sounds like "fight against them, fight against them", but it is not clear...)

(0.52.48) **Ven. Hai Thinh** (sitting down by himself in the middle of the road) : This is repression against the Buddhists, repression against the Buddhists.

A soldier in bullet-proof jacket carrying a truncheon and shield comes up to him. Several other similarly-dressed soldiers can be seen standing around. Too many scenes have been cut from this video to be able to estimate the numbers of military personnel on the scene. Eye-witnesses report that 200 armed frontier soldiers from the People's Army joined forces with the mobile police, local Security Police and plain-clothes Security agents at the height of the demonstration.

(0.53.08) *Beneath the trees, soldiers surround a women wearing flowered pyjamas and take her away. Eye-witnesses say that this woman was arrested because she gave water to the monks.*

Scene : Four monks sitting at the roadside with uniformed Police and Government officials

(0.53.09) **Loudspeaker** : Will all monks please get in our car and go back to the Pagoda...

Uniformed Policeman (gesticulating heatedly, to Ven. Hai Tang) : Everyone has gone. You can't keep sitting in the street any longer...

Voice off (Policeman or official) : Tell them all to stand up !

(0.53.26) **White-shirt official** (kneeling down to talk with Ven. Hai Tang) : Please, Venerable monks, I would like to talk to you. It's like this. We know that you are praying for the prosperity and peace of our nation and people... [the loudspeaker drowns out a few words here].. The Government, too, is working to make the people rich and the country strong...

(0.53.40) **Ven. Hai Tang** (cuts the official short) : Where is Ven. Tri Tuu ? Don't say anything else. Just answer me : where is Venerable Tri Tuu ? That's all I want to know.

(0.53.45) **The official** : Ven. Tri Tuu is over at Linh Mu Pagoda now...

Ven. Hai Tang : What proof do you have of that ?

The official : He is at Linh Mu Pagoda, but we can't go there (rest unclear) .

(0.54.10) **White-shirt official** : Ven. Hai Tang, you may ask the whereabouts of Ven. Tri Tuu. and (?...). But don't ever touch the Party)...(some inaudible words) Not you, nor any of the other monks here today...

(A dialogue ensues between the monks and officials about "not touching" the Party and something else, but there is too much background interference to make out what they are saying clearly).

Scene : Ven. Hai Tang and other monks talking to Government officials

(0.54.20) A monk in brown arrives and signals to the monks to get up and go home. According to Ven. Tri Tuu's account, this monk is Ven. Thai Hoa who was sent from Linh Mu Pagoda to assure Ven. Hai Tang and the others that Ven. Tri Tuu was safe and well).

(0.55.06) **Voice off, Government official** : Actually, he [Ven. Tri Tuu] was not arrested, never arrested at all !

(0.55.10) **Ven. Hai Tang** (to the other monks): Now our mission is fulfilled. The next thing we must do is to decide how to notify the families of all the young people [who were arrested]. We must get all their names, find out where they are detained...

Scene : A crowd surrounding the monks, a Police motorbike arrives

(0.55.37) **Voice off** (official) : The jeep is here, it has arrived... Take the car and drive the monks back to the Pagoda...

Monks and other Buddhists persuade the monks to stand up and go.

Voice (Buddhist) : Let's all go back to the Pagoda now. We shall decide what to do from there.

Scene : some monks walk across the bridge towards the pagoda

Loudspeaker : All unauthorized persons should return home. No one should remain in this area.

Last scene : Soldiers under the trees (time : approx 2.30 pm)

(0.56.10) The video closes with shots of military police in bullet-proof jackets, carrying shields and truncheons .

Venerable Thich Tri Tuu reports from Hue : 40,000 Buddhists demonstrate for Religious Freedom

On May 24th 1993 at 7.30 am, I went to the Provincial Headquarters of the Thua-Thien-Hue People's Committee, bringing with me the summons which "invited" me to explain the contents of the letter I had written to the People's Committee on May 22nd¹. I was to make my explications to representatives from the Provincial People's Committee, the Fatherland Front and the Security Police.

During the discussion, they would not answer any of the questions I had put forward in my letter. They just kept on pressing me to accept their version of events, i.e. that *"the deceased man was not a Buddhist and that he had not really immolated himself"*. They tried to force me to agree that *"the man was still alive"* (when Police took him away), so that they could avoid being accused of body-snatching - which in fact was what they had really done. I refuted all their arguments and justifications. Lastly, they told me to take down the plaque I had erected at the Pagoda with the inscription : *"Here, at 9.00am on May 24 1993, first day of the fourth month, Year of the Rooster, a Buddhist made the Great Vow of self-immolation in order to..."*. The plaque was placed over the charred traces left by the burnt body, alongside the Stupa which contains the remains of our late Patriarch (Thich Don Hau).

Whilst I was being interrogated, three heavily-armed Security agents burst into the room. They claimed to be members of the Investigation Bureau, and demanded to question me about *"the man who committed suicide by fire"*. I rose to my feet and hotly protested : *"I cannot accept being pressured or subjected to these false insinuations"*. Then I announced ; *"I will start a 48-hour hunger strike here and now, outside the door of the People's Committee Headquarters"*.

When the people of Hue saw me sitting in the lotus position in front of the People's Committee entrance, a crowd quickly gathered. Seven or eight Security agents, seeing this, lifted me bodily and hurriedly carried me away into the building. The people outside thought I had been arrested, and ran off to warn my fellow monks at Linh Mu Pagoda, who immediately called up the Vietnam Committee on Human Rights in Paris to ask them to intervene and circulate the news. Then they came down to the People's Committee Headquarters and asked to see me in person. The authorities refused, and sent Security forces to block the entrance of all streets leading to the People's Committee Headquarters. My fellow monks were therefore obliged to move down to the crossroads of Le Loi Street, where they staged a hunger strike, demanding : *"Let us see the Venerable Thich Tri Tuu, we demand his immediate release"*. The authorities made no attempt to satisfy their request.

Whilst the hunger strike was going on, Buddhists kept pouring in to join the demonstration, until Le Loi and Hanoi avenues were milling with an immense crowd of people. From 9.00am up till 14.30pm, there must have been at least 40,000 demonstrators.

Disturbed by the determined attitude of the crowd, the Security Police forced me to get into a car. Overcome, at that moment I passed out. When I eventually awoke, I was in my room at Linh Mu Pagoda, surrounded by my fellow monks and faithful Buddhist followers, who described what had happened in the meantime. Their account of events is as follows :

When the Security Police jeep carrying me arrived at the cross-roads of Le Loi and Hanoi avenues, it was blocked off by Buddhist monks and followers. Many people threw themselves under the jeep's wheels to immobilize the vehicle, demanding that I be released. The Security agents refused. As I had

¹ Thich Tri Tuu is referring to the letter he wrote to the authorities on May 22nd requesting that the immolated man's body be returned to Linh Mu for a proper Buddhist burial. He also asked that the man's personal papers, confiscated by the Police, should be handed back to the Pagoda

fallen unconscious inside the jeep, Buddhists looking in through the window could only glimpse my motionless body covered by a saffron-coloured robe. At that point, they went wild. About 1.00pm, Buddhist followers broke the windows of the jeep and carried me out, then transported me back to Linh Mu Pagoda in a pedicab. The monks on hunger strike did not see what had happened, therefore they continued to keep up their hunger strike and demand my release. They announced their intent to fast until death if necessary. They kept on until about 14.30 in the afternoon. The crowd, made up mostly of students, secondary-school pupils, pedicab or cycle-cart drivers, and other poor people, grew thicker and thicker. The Security Police, completely overwhelmed, called in the military for assistance. They came armed to the teeth, carrying firearms, truncheons, shields and gas-masks...

Using a megaphone, the Chief of Security Police ordered the soldiers to use tear-gas and water canons against the demonstrators. The crowd reacted to this aggression by overturning the jeep and setting fire to it. As the soldiers and Security agents could not disperse the growing crowd, they sent envoys to negotiate with monks who had stayed inside Linh Mu. Thich Thai Hoa was chosen to go into town and inform the monks and demonstrators that I was back at the Pagoda. Only then did the monks stop their hunger strike and the crowd dispersed.

This is the most important confrontation in eighteen years of Communist government. Informed sources estimate that 40,000 people took part in this spontaneous demonstration, and that more than 50 people were arrested, principally students, Buddhist lay-people, pedicab and cycle-cart drivers. Starting from yesterday, the Security Police are tracking down and arresting many more people before the Vesak (Anniversary of the Buddha) to prevent further riots.

At the moment we have no means of communication by telephone. The lines were cut off on 24 May 1993. We sincerely hope that you, as President of the Vietnam Committee on Human Rights², will circulate this information and intervene on behalf of those who were arrested during the demonstration.

These are just a few lines written in haste. I pray that Buddha will protect you³.

Thich Tri Tuu

Linh Mu Pagoda, Hue, 25 May 1993

² This report was addressed to Vo Van Ai, President of the Vietnam Committee on Human Rights.
³ Thich Tri Tuu was arrested on June 5th, shortly after he sent this letter

List of clergy and followers of the Unified Buddhist Church of Vietnam in prison or under house arrest

UBCV Dignitaries in prison or under house-arrest:

- **Thích Huyền Quang**, (secular name Le Dinh Nhan), Head of the UBCV, under house-arrest at Hoi Phuoc Pagoda, Nghia Chanh, a remote village in Quang Ngai, since 1982. Arrested on December 29 1995, now in custody in Quang Ngai.
- **Thích Quảng Đò** (secular name Dang Phuc Tue), under house-arrest since 1982 in Vu Doai village, North Vietnam. Arrested on January 4th 1995, sentenced to 5 years imprisonment on August 15 1995, now believe to be detained in Ninh Binh Province, northern Viet Nam.
- **Thích Nhật Liên**, under house-arrest at Long Tho Pagoda, B2 Hung Vuong St., Xuan Loc, Dong Nai Province.
- **Thích Tuệ Sỹ** (Phạm Văn Thương) aged 50, detained in Ba Sao Camp, Phu Ly, Nam Ha Prov. and
- **Thích Trí Siêu** (Lê Mạnh Thát), 50 years old, detained in Camp Z 30 A, Xuan Loc. These two monks were condemned to death in 1988. Their sentence was commuted to 20 years hard labour following an international protest campaign.
- **Thích Trí Tuu** (Le Quang Vinh), superior monk at Linh Mu Pagoda, sentenced on 15.11.93 to 4 years in prison. Now in Ba Sao Reeducation Camp, Nam Ha, Phu Ly (North Vietnam).
- **Thích Hải Tạng** (Nguyễn Đình Hoa), sentenced 15.11.93 to 4 years imprisonment, in Ba Sao Reeducation Camp, Nam Ha, Phu Ly (North Vietnam).
- **Thích Hải Thịnh** ((Lê Phu Thịnh), sentenced 15.11.93 to 3 years imprisonment, in Ba Sao Reeducation Camp, Nam Ha, Phu Ly (North Vietnam).
- **Thích Hạnh Đức**, superior monk of Son Linh Pagoda, Ba Ria, sentenced in January 1994 to 3 years in prison. Sentenced was confirmed at an appeal trial on July 31st 1994. First incarcerated in Phuoc Co Prison, Ba Ria. Transferred in July 1994 to unknown destination.
- **Thích Nguyễn Thế**, Camp Z 30 A, Xuan Loc (20 years imprisonment)
- **Thích Nguyễn Giác** (Ho Khắc Dung), Camp Z 30 A, Xuan Loc (15 years imprisonment)
- **Thích Minh Sử**, Camp Z 30 A, Xuan Loc (20 years imprisonment)
- **Thích Trí Giác**, Camp Z 30 A, Xuan Loc (20 years imprisonment)
- **Thích Phước Viên** (Lê Hiền), age 44, detained at Camp A.20, Xuan Phuoc, Phu Yen (20 years)
- **Thích Tâm Căn** (Nguyễn Hữu Tín), age 49, Camp A.20, Xuan Phuoc, Phu Yen (20 years)
- **Thích Thiện Minh** (Huỳnh Văn Ba), age 49, Camp A.20, Xuan Phuoc, Phu Yen (20 years)
- **Thích Thiện Tấn** (Thái Thanh Hùng), age 48, Camp A.20, Xuân Phước, Phú Yên (20 years).
- **Thích Huệ Đăng** (Nguyễn Ngọc Đạt), Camp A. 20, Xuân Phước, Phú Yên (20 years).
- **Thích Không Tấnh** (Phan Ngọc Ân), Arrested 6 November 1994, sentenced to 5 years imprisonment on 15 August 1995. Appeals Court on 28.10.1995 upheld sentence.
- **Thích Nhật Ban**, (Hồ Bửu Hoa), Arrested 6 November 1994, sentenced to 5 years imprisonment on 15 August 1995. Appeals Court on 28.10.1995 upheld sentence.
- **Thích Long Trí**, under house arrest since 31.10.1994, Vien Giac Pagoda, Hoi An, nr Danang.
- **Thích Trí Lực** (Phạm Văn Tường), Arrested 6 November 1994, sentenced to two and a half years' years imprisonment on 15 August 1995. Now in Ham Tan reeducation Camp.
- **Phạm Văn Xua** (Nhật Thường), Arrested 6 November, sentenced to 3 years imprisonment on 15 August 1995. Appeals Court on 28.10.1995 upheld sentence.

Lay-persons detained in Camp A 20, Xuan Phuoc, Phu Yen Province :

- **Hoàng Quốc Việt**, 38 years old (20 years imprisonment)
- **Trần Văn Anh**, 69 years old (life imprisonment)
- **Trương Quang Kim**, 39 years old (20 years imprisonment)
- **Lê Quý Hòa**, 40 years old (life imprisonment)
- **Nguyễn Văn Minh**, 41 years old (20 years imprisonment)
- **Lê Văn Nhứ**, 63 years old (20 years imprisonment)
- **Ngô Văn Liêm**, 63 years old (18 years imprisonment)
- **Ngô Việt Nhon**, 44 years old (18 years imprisonment)

- Châu Văn Tối, 45 years old (20 years imprisonment)
- Nguyễn Song Ngọc (20 years imprisonment)
- Phan Văn Tuy (18 years imprisonment)
- Tôn Thất Kỳ (16 years imprisonment)
- Lê Văn Minh (20 years imprisonment)
- Liên Bang (life imprisonment)
- Trương Tâm Lạc (10 years imprisonment)
- Trần Đình Mậu, 51 years old (life imprisonment)
- Võ Hòa, 53 years old (20 years imprisonment)
- Hồ Ngọc An, 36 years old (20 years imprisonment)
- Nguyễn Văn Đệ, 49 years old (life imprisonment)
- Trịnh Thanh Sơn, 43 years old (20 years imprisonment)
- Trần Thiện Căn, 54 years old (life imprisonment)
- Phạm Hồng Nhật, 56 years old (16 years imprisonment)
- Bùi Thanh Liêm, 35 years old (17 years imprisonment)
- Y Phin Nier, 30 years old (life imprisonment)
- Trần Dư, 37 years old (life imprisonment)
- Thái Phi Kích, 48 years old (life imprisonment)
- Phạm Văn Lợi, 63 years old (20 years imprisonment)
- Nguyễn Hữu Nghĩa, 39 years old (16 years imprisonment)
- Trần Nam Phương, 35 years old (life imprisonment)
- Nguyễn Văn Thủy, 41 years old (20 years imprisonment)
- Lê Văn Sơn, 65 years old (life imprisonment)
- Ngô Văn Sửu, 54 years old (16 years imprisonment)
- Võ Đăng Phương, 54 years old (10 years imprisonment)
- Nguyễn Trung Cà, 49 years old (20 years imprisonment)
- Lê Quang Quảng, 53 years old (20 years imprisonment)
- Nguyễn Văn Đoàn, 48 years old (20 years imprisonment)
- Huỳnh Văn Tâm, 54 years old (20 years imprisonment)
- Trần Hữu Ngân, 57 years old (life imprisonment)
- Lê Cẩm Sơn, 51 years old (life imprisonment)
- Lê Văn Chương, 55 years old (life imprisonment)
- Đỗ Bạch Thố, 43 years old (life imprisonment)
- Nguyễn Tấn Phát, 21 years old (life imprisonment)
- Nguyễn Văn Sinh, 55 years old (20 years imprisonment)
- Chu Văn Tấn, 67 years old (life imprisonment)
- Nguyễn Văn Tài, 45 years old (20 years imprisonment)
- Huỳnh Hữu, 43 years old (20 years imprisonment)
- Phan Bá Đức, 44 years old (17 years imprisonment)
- Hồ Duy Lộc, 53 years old (life imprisonment)
- Nguyễn Văn Nho, 57 years old (20 years imprisonment)
- Nguyễn Thành, 44 years old (20 years imprisonment)
- La Văn Bé (Hoàng), 45 years old (life imprisonment)
- Nguyễn Long, 46 years old (20 years imprisonment)

Buddhists detained in other camps :

- Hồ Ngọc Chuẩn, 48 years old (life imprisonment), is detained at Camp Z 30 D, Ham Tan
- Thiên Thọ, sentenced January 1994 to 18 months imprisonment. Now in Phước Cơ Prison, Ba Rịa.

List compiled by the Vietnam Committee on Human Rights, updated in November 1995. For more information, please contact : Vietnam Committee on Human Rights, 25 Rue Jaffeux, 92230 Gennevilliers, France.

Tel. Paris (1) 47.93.10.81 - Fax : Paris (1) 47.91.41.38.



Thich Hai Tang joins the monks on hunger strike



Government officials persuade monks to stop hunger strike. Monks refuse to disperse without seeing Thich Tri Tuu



Buddhist demand Thich Hai Thien. Security Police beat up students and young people around the Police car



The Military are called in

The Police car is set on fire



Mobile riot police push back demonstrators

A Buddhist woman is arrested

Mr. TRAN TU THANH
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Personal Data : Born on May 25,1945 in Hai Duong, North Vietnam.

Education : -B.A. from University of Saigon, Faculty of Law in 1970.
 -U.S. Department of Defense Officer Training Courses in Okinawa, 1969 and Texas, 1970.
 -Advanced Command and Staff Course, 1973.

Background : Son of Tran Van Tuyen, a well-known politician and human rights lawyer .Tuyen was a prominent figure in Vietnam politics, serving as Deputy Minister of Foreign Affairs under Ho Chi Minh, Minister of Information and Minister at the Presidency under Emperor Bao Dai, Vice Premier under the government of Dr. Phan Huy Quat and Leader of parliamentary opposition under President Nguyen Van Thieu.
 -Among various positions held in the Army of the Republic of Vietnam: Youngest officer ever named to be chief of Secretariat for the Director of National Police;Chief of Counter-Intelligence and Counter-Sabotage for Military Security in II Corps Army and in Military Security Department, responsible for preventing numerous attempted suicide attacks against American installations; Military Attache to the Embassy of the Republic of Vietnam in Cambodia from 1970 to 1973.
 - Decorated eleven times for valor by the Republic of Vietnam;once by the government of Cambodia, and was awarded the prestigious United States Meritorious Commendation Unit Medal.

Since 1975 to present :

Captured on April 30, 1975 in Saigon and held in fourteen different hard labor camps in North VN. until released in 1983, after pressure from the government of Sweden, France, the United States, the United Kingdom, and international human rights organizations.

-Founded an association to press for greater freedoms and civil liberties in VN, 1983.
 -Arrested in 1984 for forming this association and informing international human rights groups such as Amnesty International and the International League for Human Rights about the abuses in communist hard labor camps and the execution of political opponents of the new regime.
 -Was adopted as a prisoner of conscience by Amnesty International.
 -During the second arrest, was held in shackles in completely dark punishment cells for four years and six months.The communist interrogators practiced

-2-

every form of torture, among them beating, water suffocation and electric shocks to name just a few.

- On December 31, 1988, in a short and unfair trial, was given a sentence of 5 years imprisonment, five years under strict house-arrest after the release and total deprivation of all civil rights.

- Was released in 1990 after continuous pressure from the United States, foreign governments and international human rights organizations.

- Emigrated to the United States on June 23, 1992 as a political refugee.

- Served since as a volunteer consultant on human rights conditions in Vietnam to Human Rights Watch/Asia and other international human rights organizations.

- Founder and current Executive Director Vietnam-Helsinki Committee, a non-profit organization working for the protection and monitoring human rights conditions in Vietnam.

- Current Vice-President/Executive Board of National Congress of Vietnamese in America (NCVA).

- Commissioner in charge of human rights for the Vietnamese Community of WA.DC, Maryland and Virginia.

November 7, 1995

STATEMENT OF MR. TRAN TU THANH
VIETNAM HELSINKI COMMITTEE

House Committee on International Relations
Subcommittee on International Operations and Human Rights
Subcommittee on Asia and the Pacific
November 8, 1995

Mr. Chairman,
Honorable Members of the Joint Committees,
Ladies and Gentlemen,

It is a great honor for me to appear today before the Subcommittee on International Operations and Human Rights and the Subcommittee on Asia and the Pacific to testify on the human rights situation in Vietnam.

My name is Tran Tu Thanh. I am Executive Director of the Vietnam Helsinki Committee, a non-profit organization working for the protection of human rights and monitoring human rights conditions in Vietnam.

Today I wish to bring to your attention the following with regard to the detention of religious leaders and political prisoners in "re-education" camps:

1. Since 1975 the Socialist Republic of Vietnam (SRV) government has consistently resorted to violence in its dealings with religious leaders and dissidents who speak out on human rights in Vietnam. Hanoi's policy of persecution is a deliberate one planned and directed at the highest levels of the Communist Party of Vietnam (CPV), and it is carried out by security forces at all levels throughout Vietnam. The Vietnam Helsinki Committee has done a thorough study of the SRV's treatment of the various churches in Vietnam entitled, *Religious Persecution in the Socialist Republic of Vietnam: 1975-1995*, published in September this year. Together with Attachment 1, this publication should contain ample and eloquent evidence of Hanoi's human rights violations in just one area of Vietnamese life. I respectfully submit these documents for the record.

2. The communist government has also resorted to lengthy and among the toughest sentences to repress opposition elements. To express a different political viewpoint, which is common practice elsewhere, is enough to expose oneself to the risk of death or a sentence of anywhere between 15 years and life imprisonment. Many do not even have the luxury of a public trial while the rest, right after a close trial, may be sent directly to a forced labor camp, which goes under the euphemism of "re-education camp." Even worse, common criminals are used to harass, terrorize, and in some instances, murder the political prisoners. Political prisoners are kept in the same wards with murderers, robbers, rapists, and hard core criminals. These criminals are then used by the prison wardens to provide surveillance, abuse or even to degrade the political prisoners at will. This inhuman tactics has led to the tragic death of a number of political prisoners. For instance, the death of Mr. Tran Quang Quan in Ham Tan "re-education" camp (Z30D/K1), situated some 80 miles northeast of Saigon. Mr. Quan was born in 1950 in Gia Dinh Province; arrested on June 14, 1982, he was incarcerated in Camp A20, Phu Yen Province, and sentenced to 20 years of hard labor. In April 1995, a common criminal crushed his head against a stone, causing instant death. Another political prisoner, Mr. Van Dinh Nhat, was tried on August 25, 1993, and sentenced to six years of imprisonment and three years under house arrest upon release. But before his release he was stabbed four times by his cell mate who was a hard core criminal. Attachment 2 is a list of the 374 political prisoners currently detained in A20 "re-education" camp and of 153 others in Camp Z30A, Xuan Loc, Dong Nai Province.

Prostitutes and female criminals with contagious diseases were also used to intimidate, harass, or terrorize female political prisoners. In many prisons, 60 to 70 females prisoners, political and criminal alike, would be sandwiched in a 16' x 30' ward. Some of the victims included such persons as one of my sister-in-laws, Dr. Thich Nu Tri Hai (a very learned Buddhist nun), Mrs. Doan Viet Hoat, and the daughter of the late Head of State Phan Khac Suu of the former Republic of Vietnam (1965).

3. To silence opposition to the regime, the communist government has utilized death squads and well-publicized execution grounds to spread terror, fear, and deterrence in "re-education" camps and among the population. In Ho Chi Minh City alone, there are four execution grounds with Hoc Mon and Long Thanh My being the most infamous. At the Long Thanh My execution ground, I saw with my own eyes more than 100 graves where political prisoners were buried in shallow graves. The first commander (Le Van Phong) of Ho Chi Minh City's execution squad has executed 45 political prisoners by his own hand. In 1992 he told *Tuoi Tre* ("Youth," official newspaper of the People's Committee of Ho Chi Minh City) that at one time he shot as many as eight coups de grace to eight prisoners that he was in charge of executing. He later resigned because of a severe case of depression. We have just been informed by our Vietnam Helsinki Committee contacts in Vietnam that the Long Thanh My ground will soon be leveled to eradicate the vestiges of such crimes. Attachment 3 is a partial list of political prisoners executed by the SRV government's execution squads.

The above are just a few examples illustrating the cruelty and inhumanity of Hanoi's policies and their total disregard of basic human rights as guaranteed in the Universal Declaration of Human Rights and upheld as a matter of common practice by the American people. In view of Hanoi's current lobbying effort with Congress for the Most Favored Nation status, we recommend that the U.S. strongly pressure Hanoi:

- a. to release at once and unconditionally all political prisoners, including religious leaders, artist, writers, and dissidents. Some of the names that come readily to mind are the Supreme Patriarch Thich Huyen Quang and the Most Venerable Thich Quang Do of the Unified Buddhist Church of Vietnam, Professor Doan Viet Hoat, and Dr. Nguyen Dan Que.
- b. to allow humanitarian organizations and independent monitory groups to visit "re-education" camps to insure that medical care be provided and prison conditions be improved.
- c. to separate immediately all political prisoners from the common criminals.
- d. to give a full accounting of all the Vietnamese political prisoners, whether they are presently in jail or under house arrest.

The Vietnam Helsinki Committee believes that the U.S. Congress has an enormous role to play and great influence that it can bring to bear on Hanoi so as to stop the human rights abuses in Vietnam, and for that reason the U.S. government should always raise human rights concerns during all bilateral talks with Hanoi.

Thank you, Mr. Chairman and Honorable Members of the two Subcommittees, for an opportunity to speak to you today.

Tran Tu Thanh
November 8, 1995



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LIST OF RELIGIOUS LEADERS

PRESENTLY DETAINED IN COMMUNIST "RE-EDUCATION" CAMPS
 or PLACED UNDER HOUSE ARREST

1. **Superior Patriarch Thich Huyen Quang:** was born Le Dinh Nhan in 1919 in Binh Dinh province; Acting Head of the Institute for the Propagation of the Dharma (IPD) of the Unified Buddhist Church of Vietnam (UBC); was arrested in 1977 and incarcerated at Hoi Phuoc Temple from 1982 to December 29, 1994, when he was transferred to a village temple, Phuoc Quang Temple, Nghia Hanh district, Quang Ngai province. The official seal and files of the UBC as well as his personal files were confiscated. In August 1995, *Nhan Dan*, the official newspaper of the Communist Party of Vietnam, announced the impending trial of Thich Huyen Quang.
2. **Most Venerable Thich Quang Do:** was born Dang Phuc Tue on November 27, 1928 in Thai Binh province; Secretary General of the IPD; was arrested in 1977 and incarcerated since 1982; around 3:15 p.m. of January 4, 1995, was arrested at Thanh Minh Meditation Temple, 90 Tran Huy Lieu St., Ward 15, Phu Nhuan precinct, Ho Chi Minh City; was detained at T82 interrogation camp, Nguyen Van Cu St., Ho Chi Minh City, has been recently transferred to Vu Ban village, Nam Dinh province, North Vietnam. In August 1995, Thich Quang Do was brought to trial and sentenced to five years of imprisonment for "disturbing the peace"
3. **Venerable Thich Khong Tanh** (born Phan Ngoc Anh): Head of Lien Tri Pagoda, Thu Duc district; Ombudsman of the UBC Central Office; was arrested in late 1976 and jailed for 10 years for writing to Premier Pham Van Dong protesting the drafting of young Buddhist monks into the army, which was aimed at disrupting UBC personnel, November 6, 1994, was transferred to interrogation center 3C (Ton Duc Thang St.), Section PA 24 of Ho Chi Minh City's Police Station;

August 1995, was convicted of "undermining the policy of religious solidarity" and sentenced to five years.

4. **Venerable Thich Nhat Ban:** was arrested together with Venerable Thich Khong Tanh; was detained at interrogation center 3C, To Duc Thanh St., Precinct 1, Ho Chi Minh City; was put to trial together with Thich Khong Tanh in August 1995 and sentenced to four years for his attempt to carry out flood relief in the name of the UBC.
5. **Venerable Thich Tri Luc:** religious son of Supreme Patriarch Thich Don Hau, was arrested for the first time on Oct. 2, 1992 and released in March 1993; Jan. 6, 1994 was arrested at Phap Van Temple, 246 C Nguyen Van Dau St., Ward 6, Binh Thanh precinct, Ho Chi Minh City; was incarcerated for refusing to abort flood relief activities; in August 1995, was brought to trial and sentenced to two and half years.
6. **Venerable Thich Long Tri** (born Ly Truong Chau): Head of Vien Giac Pagoda, Hoi An district, Da Nang Province; Chairman of the UBC Committee for the Relief of Flood Victims; was arrested Oct. 29, 1994 in Ho Chi Minh City, and later transferred to detention at Hoi An district, Quang Nam province.
7. **Venerable Thich Hai Hung:** was arrested at Phuoc Duyen Pagoda, Hue City, Dec. 25, 1994
8. **Venerable Thich Hanh Duc:** (same name with Reverend Thich Hanh Duc of Son Linh Temple, Thu Duc District) was arrested at Linh Quang Pagoda, Hue City, December 25, 1994.
9. **Reverend Thich Hanh Duc:** Head of Son Linh Temple, Thu Duc district, was arrested at Ba Ria and sentenced to 3 years in 1993 for "illegal activities and possession of anti-government materials; evicted from (State-sponsored) Vietnamese Buddhist Church owned temple Mar 25, 1993 for supporting of the UBC led campaign for religious freedom.
10. **Reverend Thich Thien Tho:** Head of Son Linh Pagoda, was arrested Jul 9, 1993; sentenced to house arrest since Jan. 1994.
11. **Thich Tri Tuu:** was born Le Quang Vinh on Oct. 10, 1953; was arrested at Linh Mu Pagoda, Hue City, in Jun. 1993 and detained at Thua Phu Prison, Hue City;

was sentenced at Nov. 15, 1993 trial to 4 years for "disturbing public order"; now incarcerated at Ba Sao "re-education" camp, Phu Ly district, Ha Nam Ninh province.

12. **Thich Hai Thinh** (born Le Phu Thinh): was arrested Jun. 5, 1993, was sentenced at Nov. 15, 1993 trial to 3 years, now detained with common prisoners at Camp Ba Sao, Phu Ly District, Ha Nam Ninh province.
13. **Thich Hai Tang**: was born Nguyen Dinh Hoa on Mar. 14, 1958; was arrested May 6, 1993 and sentenced to four years of imprisonment; now detained with criminal prisoners at "re-education" camp Ba Sao, Phu Ly district, Ha Nam Ninh province.
14. **Thich Hai Chanh** (born Nguyen Chan Tam): was arrested July 19, 1993; was put on trial Nov. 15 and sentenced to 3 years of imprisonment; now incarcerated at Ba Sao "re-education" camp, Phu Ly district, Ha Nam Ninh province.
15. **Thich Nhat Lien**: Head of Long Tho Temple, Xuan Loc district, Dong Nai province; was taken into custody Dec. 2, 1993 for interrogation for 9 days; now under house arrest at Long Tho Temple, Xuan Loc district, Dong Nai province.
16. **Most Venerable Thich Tri Luc**: was arrested Oct. 2, 1992 in Ho Chi Minh City for distributing materials protesting the SRV government's persecution of the UBC, demanding its respect for human rights as well as the release of Patriarch Thich Huyen Quang and Most Venerable Thich Quang Do; put under house arrest by administrative sanction in March 1993
17. **Reverend Thich Tue Sy**: was born Pham Van Thuong on Feb. 15, 1941; scholar on Vietnamese Buddhism and co-editor (with Reverend Thi Tri Sieu) of the Encyclopedia of Buddhism, was arrested Apr. 2, 1984 with other Buddhist monks and followers at Gia Lam Temple and Van Hanh Pagoda; founder of the Free Vietnam Force (FVF - Luc Luong Viet Nam Tu Do) and writer of its Manifesto; was prosecuted together with 20 other FVF members in September 1988 and sentenced to death; his sentence was subsequently commuted to 20 years by the Supreme People's Court in November 1988 in the face of mounting opposition by the international community and the Vietnamese community overseas; in April 1989, transferred to "re-education" camp Z30A, Xuan Loc district, Dong Nai province; immediately returned to "re-education" camp 20A, Xuan Phuoc district, Phu Yen province, where he was jailed for the first time from June 1978 through February 1980.
18. **Reverend Thich Tri Sieu**: was born Le Manh That in 1943 in Trieu Phong

- village, Quang Tri province; was a U.S. educated professor and co-editor of the Encyclopedia of Buddhism; was arrested with other Buddhist monks and followers at Gia Lam Temple and Van Hanh University on April 2, 1984; brought to trial for "*plotting to overthrow the People's Government*" and given a death sentence which was later commuted to 20 years imprisonment by the Supreme People's Court in November 1988; transferred from Cell 20, Section F of Chi Hoa Prison in Ho Chi Minh City to "re-education" camp Z30A, in Xuan Loc district, Dong Nai province.
19. **Reverend Thich Nguyen Giac:** was born Ho Khac Dung in Thua Thien province in 1951; as a FVF member was sentenced to 15 years imprisonment in September 1988; transferred from Chi Hoa Prison to "re-education" camp Z30A; now detained in camp A20 in Xuan Phuoc village, Tuy Hoa district, Phu Yen province.
 20. **Reverend Thich Phuc Vien:** born Le Hien in 1951; was arrested in June 1980 at Chau Lam Pagoda in Hue City for "*plotting to overthrow the People's Government*"; sentenced to 20 years imprisonment in September 1980; now detained in camp A20.
 21. **Venerable Thich Thien Tan:** was born Thai Thanh Hung in 1945; Head of Thuyen Ton Temple in Hue City since 1972; was arrested in August 1978 for "*participating in conspiratorial activities against the People's Government*"; sentenced to life imprisonment by the People's Court of Hue City in March 1980; presently detained in camp A20.
 22. **Reverend Thich Minh Su:** was sentenced to 20 years' hard labor; now incarcerated in camp Z30A.
 23. **Reverend Thich Tri Giac:** was sentenced to 20 years' hard labor; now detained in camp Z30A.
 24. **Reverend Thich Tam Can:** was born Nguyen Huu Tin in 1945; sentenced to 20 years' labor; now detained in camp A20
 25. **Reverend Thich Tam Tri:** was born Huynh Van Ba in 1945; sentenced to 20 years' labor.
 26. **Thich Nguyen The:** was sentenced to 20 years imprisonment; now detained in camp Z30A.
 27. **Thich Hai Tri:** was sentenced to 18 months' imprisonment.

28. **Reverend Thich Thong Buu:** sentence not yet confirmed
29. **Reverend Thich Thanh Tinh** (born Hoang Van Giang): sentence not yet confirmed; now detained in camp Z30A.
30. **Reverend Thich Tri Giac** (born Nguyen Dung): was sentenced to 20 years' imprisonment; now detained in camp Z30A.
31. **Reverend Thich Hue Dang** (born Nguyen Ngoc Dat): was sentenced to 20 years' imprisonment; now detained in camp A20.
32. **Reverend Thich Hai Dan:** was arrested together with Reverend Thich Hai Chanh on July 19, 1993; now under house arrest.
33. **Reverend Thich Hai Lac:** was arrested July 19, 1993; now under house arrest.
34. **Venerable Thich Nguyen Ly:** Head of Tu Hieu Temple; taken into custody from Nov 7, to 12, 1994 for intensive interrogation; now under house arrest.
35. **Venerable Thich Lang Quynh:** Headed a temple in Nha Be district; was coerced twice in November 1994 by Ba Luc, a high ranking police officer in charge of religious affairs for Ho Chi Minh City Police, into aborting a flood relief effort in Vinh Binh province; barred from traveling outside his district of residence.
36. **Most Venerable Thich Nhu Dat:** member of the Central Executive Committee of the (state-sponsored) VBC; author of an eight-page statement submitted to SVR Prime Minister Vo Van Kiet and the Central Committee for Religious Affairs of the CPV, protesting the politicization of Buddhist teachings at the School of Basic Buddhism in Thua Thien province, Hue City; was arrested together with 12 Buddhist monks on December 7, 1994
37. **Monk Do Huy Cuong:** was arrested Jul 9, 1993 at Son Linh Temple in Thu Duc district; ordered out of his temple and now under house arrest.
38. **Layman Pham Van Duc:** was arrested with Reverend Thich Hanh Duc, head of Son Linh Temple.
39. **Venerable Thich Nguyen Nhu:** was prohibited by Ho Chi Minh City Police in November 4, 1994, from participating in flood relief efforts by the UBC; now under house arrest.

40. **Venerable Thich Quang Ton**: was also barred from taking part in UBC-sponsored flood relief projects; now under house arrest.
41. **Reverend Thich Tam Van**: same as No. 39.
42. **Reverend Thich Nguyen Thinh**: same as No. 39.
43. **Layman Nhat Thuong** (born Pham Van Xua): was arrested on November 4, 1994, the same time as Venerables Thich Khong Tanh and Nhat Ban, and Reverend Thich Tri Luc.
44. **Laywoman Dong Ngoc** (born Nguyen Thi Em): same as No.43.
45. **Monk Thich Nguyen Man**: was arrested for interrogation for having visited Patriarch Huyen Quang at Hoi Phuoc Temple; coerced into signing a commitment not to contact with Patriarch Huyen Quang.
46. **Monk Thich Dong Hoa**: same as No. 45.
47. **Student Monk Thich Huyen Van**: is now held in custody at Tho Duc Temple.
48. **Thich Thien Minh** (born Huynh Van Ba): was born in 1945; was sentenced to 20 years' imprisonment.
49. **Buddhist monk Do Ngay**: under house arrest
50. **Monk Hoang Son**: -id-
51. **Monk Ngo Van Hua** -id-
52. **Monk Nguyen Viet Hoc** -id-
53. **Monk Nguyen Van Hoa** -id-
54. **Monk Nguyen Huu Phuoc** -id-
55. **Monk Nguyen Phi Hung** -id-
56. **Monk Nguyen Minh Cuong** -id-

57. **Monk Phan Van Du** -id-
58. **Monk Phan Van Vinh** -id-
59. **Phan Van Lai** -id-
60. **Tran Dai Minh** -id-
61. **Tran Quang Minh** -id-
62. **Tran Thanh Son** -id-
63. **Vo Van Chinh:** -id-
64. **Monk Nguyen Van Tho:** now detained in "re-education" camps
65. **Monk Nguyen Van Hoang:** -id-
66. **Monk Nguyen Van Trung:** -id-
67. **Monk Tran Van Tu:** -id-
68. **Various Reverends and Buddhist monks:** were reportedly injured and arrested by Hue City Police on November 27, 1994, for presenting a petition to Most Venerable Thich Thien Sieu (also a member of the SRV Assembly) of the state-sponsored UBC. Their identities and places of detention have yet been confirmed.

DR. DOAN VIET HOAT: THE VAGARIES OF A CLEAR THINKER

"A new fight has started: it is the war against poverty, backwardness and arbitrariness, it is the aspiration towards a rich and strong, progressive, free and democratic [Vietnam]. And in this new struggle there can be only one winner, the Vietnamese nation and the Vietnamese population, and only one loser, the forces of dogmatism, arbitrariness and backwardness." So wrote Doan Viet Hoat in an essay written in January 1990 entitled, "The True Nature of the Current Vietnamese Situation."

The article appeared in a *samizdat*-type newsletter called *Dien Dan Tu Do* ("Freedom Forum"), which carried writings by Vietnamese citizens associated with both the former regime in South Vietnam and with the current government in Hanoi, plus translations of important articles from the foreign press. The newsletter was circulated from January till the fall of 1990, at which point Doan Viet Hoat was arrested for the second time since 1975 (November 17, 1990). His crime, as defined in a closed trial held on March 29, 1993, was to attempt the overthrow of the government by establishing a political organization and using the publication as an instrument to mobilize public sentiment around it. Arrested together with Dr. Hoat were several other intellectuals including Nguyen Xuan Dong, Le Duc Vuong, Pham Thai Thuy, Nguyen Thieu Hung (pen name Mai Trung Tinh), Pham Duc Kham, Hoang Cao Nha and Nguyen Van Thuan. For his "crime" Doan Viet Hoat received a 20-year imprisonment sentence, which was protested at once all over the world, especially by the Committee to Protect Journalists, Amnesty International and AsiaWatch.

So it was that Doan Viet Hoat, born on December 24, 1942, educated in Vietnam and the U.S. (Ph.D. in Education and College Administration, Florida State University, 1971), Professor and Assistant to the Chancellor of Van Hanh University, Saigon, 1971-75, and Professor of English, University of Agriculture and Forestry, Ho Chi Minh City, 1978-1990, knew only three years of freedom since Vietnam was reunified under communism in 1975. Denounced by a student for suspected ties with the U.S., he was arrested for the first time on August 29, 1976, and kept in Chi Hoa Prison for nearly twelve years (he was not set free until February 9, 1988). Out of jail for a little bit more than two years, he was again arrested because of the above incident and remained in jail since.

It was thanks to the persistent efforts of his wife, nee Tran Thi Thuc, and his family that Dr. Doan Viet Hoat's case remains the focus of much international attention. In the meantime he kept writing from jail a number of documents that stand as monuments to his independent thinking, his great vision and to his lack of rancor. For instance, in an "appeal to the leaders of the Communist Party of Vietnam," dated November 1, 1992, he called on them to "release all political detainees," to "implement political freedom, freedom of speech and press, and freedom of religion," and finally, to "organize genuinely free and fair elections in which all citizens may stand for office regardless of political affiliation."

Despite such moderation and commitment to non-violence, the Hanoi government seems intent on punishing Dr. Doan Viet Hoat by moving him from one prison to another, each time to a worse off place. Right now, he is in Thanh Cam on the Laotian border, in one of the most notorious places for insalubrious water.

DR. NGUYEN DAN QUE AND THE "HIGH TIDE OF HUMANISM" MOVEMENT

Together with Dr. Doan Viet Hoat, an American-trained educator, Dr. Nguyen Dan Que can be said to be a paragon of the intellectual rising to his responsibility as the conscience of the nation. A medical doctor by profession, he opposed the American war effort in Vietnam even while pursuing his postdoctoral studies in Europe in the late sixties and early seventies. Back in Vietnam, he served at the Cho Ray hospital in Saigon and refused to be evacuated at the time of the fall of South Vietnam (April 30, 1975).

Despite his initial sympathy for the new regime, Nguyen Dan Que, born in 1942, soon found himself in the opposition when he formed the National Front for Progress (Mat Tran Dan Toc Tien Bo) in early 1976 with a number of other intellectuals and students. The Front produced clandestine publications and called for non-violent forms of protest. Two years later, in February 1978, the government managed to break up the group by arresting most of its leaders, including Nguyen Dan Que who spent the next ten years in Phan Dang Luu prison in Ho Chi Minh City.

Released in late 1988, Nguyen Dan Que went right on organizing another opposition movement, which he called "The High Tide of Humanism Movement" (Cao Trao Nhan Ban). On May 11, 1990, he signed his real name to a proclamation entitled, "Appeal from Vietnam of the High Tide of Humanism Movement Addressed to All Forces Struggling for Freedom, Democracy and Pluralism." For this reason he was arrested together with a number of other comrades and given a sentence of 20 year imprisonment at a trial held in November 1991. Right away, his name spread far and wide. He was made a "prisoner of conscience" by Amnesty International and invited by AFL-CIO President Lane Kirkland to be a speaker at the labor union's Solidarity Day organized in Washington a year later, and every year since. Members of the U.S. Congress have repeatedly nominated him for the Nobel Peace Prize. On June 6, 1994, Dr. Que was nominated for the 1994 Robert F. Kennedy Human Rights Award by the (U.S.) Physicians for Human Rights, and on June 12, he received the Congressional Human Rights Foundation's Raoul Wallenberg Award, in absentia.

A joint resolution by the U.S. Senate and House of Representatives last year decided to proclaim May 11, 1994, to be the first Vietnam Human Rights Day, in support of freedom and human rights for the people of Vietnam. Recognizing the widespread abuses of human rights in Vietnam, the U.S. Congress urged "Hanoi to release immediately and unconditionally all political prisoners, including Dr. Nguyen Dan Que, with full restoration of their civil and human rights." Vietnam Human Rights Day was again marked this year by a ceremony in the Hart senate building, sending a strong message to Hanoi that as long as it continues to imprison people like Dr. Nguyen Dan Que it will remain a pariah in the moral estimation of mankind.

Despite all the unsanitary conditions of prison life in Vietnam and the diseases that such environment has spawned, Dr. Nguyen Dan Que has remained as strong as ever in his conviction that rationality and the people's legitimate aspirations will one day overcome the forces of darkness in his homeland. He continues to appeal for the demilitarization of Vietnam, for the respect of human, civil and property rights, and for the end of exploitation--whether by capitalists or by the Communist Party. Dr. Que is currently in jail in Xuan Loc some 60 miles from Ho Chi Minh City.

THE MOST VENERABLE THICH HUYEN QUANG: THE COURAGE TO STAND

Born Le Dinh Nhan on September 19, 1919, in Binh Dinh Province, the Most Venerable Thich Huyen Quang came from a peasant and small merchant background. However, he was quite well educated having attended school uninterruptedly from the age of 6 to the age of 26. He first received a traditional confucian education, then went into monkhood at the age of 13. He also traveled and knew both Central and South Vietnam intimately.

In 1945, at the age of 26, after having completed his Buddhist college studies, he was made leader of the Buddhist Movement for National Salvation struggling against the French in Binh Dinh Province and Interzone V (Quang Nam, Quang Ngai, Binh Dinh and Phu Yen). But at the same time, he fought the communists, which landed him in Viet Minh jail in 1952. He was not freed until 1954. Because of his opposition to the Ngo Dinh Diem government and its anti-Buddhist policies, he was arrested in the famous raid ordered by Ngo Dinh Nhu on the An Quang Pagoda on August 20, 1963. Released in November, he became the number two in the hierarchy when the Unified Buddhist Church of Vietnam (UBC) was formed in 1964. For the next ten years, he was the Secretary General of the UBC's Institute for the Propagation of the Dharma. In this capacity he traveled to international Buddhist conferences all over the world (Tokyo 1970, Geneva 1973, Brussels 1974).

The communist takeover of the South changed all that. In March 1977, he wrote a letter to Prime Minister Pham Van Dong detailing 85 instances of repression of the UBC. For this reason he was arrested on June 9 together with five other prominent leaders and charged with opposition to the government policy. Brought to trial on December 8, 1978, he was given a two-year suspended sentence for "agitating against the military service law and other social duties." Because of his continued opposition to the planned incorporation of the UBC into a church more pliable to government wishes, he was arrested for 24 hours in October 1981, then for a third time on February 25, 1982 and sent into exile at Hoi Phuoc Pagoda in Quang Ngai Province, where he was put under surveillance. His name became internationally known when two former Nobel Prize winners nominated him for the Nobel Prize for Peace in the same year. Since 1992 from his place of exile he has sent out a series of pronouncements admonishing the government of the SRV to reform its ways, which put him in deep trouble with the authorities.

Nonetheless, these letters have amounted to a sweeping restatement of the role of Buddhism in Vietnamese culture, of the UBC as the legitimate Buddhist church of Vietnam, and a rejection of communism as the ideology fitting for the Vietnamese people. This he was able to do because, on his death bed, the Most Venerable Thich Don Hau picked TMV Thich Huyen Quang as his successor at the head of the UBC Institute for the Propagation of the Dharma, a mantle which he took on in April 1992 at the funeral of Venerable Thich Don Hau.

On December 29, 1994, public security forces went into Hoi Phuoc Temple, got hold of all the official papers and seal of the UBC, and transferred Venerable Huyen Quang to a new location, keeping him totally isolated. Because of his advanced age and high blood pressure, it is imperative that he be released at once and given medical care for his illnesses.

THE MOST VENERABLE THICH QUANG DO: JAIL, INTERNAL EXILE, JAIL AGAIN

Two tragic images stand out in the Most Venerable Thich Quang Do's memory: the cold-blooded murder of his religious master, TMV Thich Duc Hai, on the very day the communists came to power in Vietnam (August 19, 1945), and the arrest and subsequent execution of his brother-in-religion, TMV Thich Dai Hai, in 1946 for belonging to a non-communist party, the Vietnam Nationalist Party. (Details given in a letter he addressed on August 19, 1994, to Do Muoi, Secretary General of the Communist Party of Vietnam)

For that reason, this religious leader, born Dang Phuc Tue on November 27, 1928, in Thai Binh province, never trusted the communists. When following the Geneva Agreements, they came to power in Hanoi in 1954, he fled South and became a very respected Buddhist leader known for his scholarship and large vision. A prominent figure in the Buddhist crisis which toppled the Ngo Dinh Diem regime in late 1963, he was some 11 years later elevated to the position of Secretary General of the Institute for the Propagation of the Dharma (i.e. the executive office), Unified Buddhist Church of Vietnam (UBC). In this capacity, he protested against the revolutionary government's infringements on religious freedoms and confiscations of UBC property (such as the takeover of the Quach Thi Trang Orphanage in March 1977) after the communist takeover of the South. For what was considered "obstructions" to the work of the government in religious matters, on April 6, 1977, he and five other prominent leaders of the UBC were arrested. In October of the same year, they were tortured and forced to admit that they worked for the CIA. On November 11, Prime Minister Pham Van Dong issued Resolution 297, which severely restricted religious freedoms and practices in Vietnam, allowing government confiscation of church property and forbidding the "spread of superstitions." Even then, when they were brought to trial on December 8, 1978, the government could not find them guilty of anything except disturbing peace and spreading misinformation. Thich Quang Do and Thich Thanh The were acquitted.

To reduce UBC influence, in 1980-81 the government created a puppet organization called the Buddhist Church of Vietnam (BCV). When in September 1981 this church, BCV, tried to incorporate the UBC into its structure, it ran into the strong opposition of Thich Quang Do, who was overwhelmingly supported by all the leaders present. One month later, Thich Quang Do and five other Buddhist leaders were arrested and detained for 24 hours so that the incorporation could proceed smoothly.

The unification of the Buddhist Church being "completed," opposition leaders were then declared illegal. That was how the government justified its arrest on February 25, 1982, of Thich Quang Do and Thich Huyen Quang, the two most prominent figures of the recalcitrant "opposition" UBC. They were subsequently exiled to their places of birth, Quang Do back to Vu Doai in Thai Binh Province. His mother, then in her 90's, was also exiled with him and froze to death three years later in 1985.

In March 1992, after more than 10 years of exile, Thich Quang Do took it upon himself to return to Saigon. He continued to struggle for religious freedom. In August 1994, he wrote a 44-page document addressed to Mr. Do Muoi (as related above) detailing all the persecution undergone by the UBC since the communists came to power in Vietnam. For this, he was arrested on January 4, 1995.

FATHER TRAN DINH THU: LIFE SENTENCE AT 81

Twenty years after South Vietnam has been conquered by the North, Archbishop Nguyen Van Binh was asked in *Saigon Giai Phong* ("Liberated Saigon"), issue of April 29, 1995: "After twenty years of working under the communist regime, are you still afraid of the communists?" His frank answer was: "Yes, I am still afraid..." And the reasons he gave are: there is discrepancy between what the Party and Government leaders say and what the lower cadres actually do, there is still restrictions in many areas of Catholic life (for instance, in the recruitment and formation of priests), and there is still interference in church appointments. Though he acknowledges that church-state relations in Ho Chi Minh City are better than elsewhere in the country, he also mentions several incidents pointing to differences that are not easily bridged: the Vinh Son incident (February 1976), the treatment of various orders in Thu Duc (in the mid-1980s), and the Coredemptorist Affair (May 1987).

This last incident refers to the arrest on July 2, 1987, of Father Tran Dinh Thu, then 81 and the founder and Superior General of the Dong Cong Congregation, after his headquarters were raided in May 1987. Among the evidence cited for his "crime" at the October 1987 trial in Ho Chi Minh City were: the discovery of "many illegal residents and many reactionary documents together with a huge amount of illegally stored grain," plus one pistol and some ammunition. Nonetheless, he and a co-defendant, Brother Nguyen Chau Dat, were sentenced to life imprisonment and 21 others were given jail terms ranging between 4 and 20 years for "counterrevolutionary activities." A storm of protest by overseas Vietnamese ensued, and in September 1988, the life sentences imposed on Father Tran Dinh Thu and Brother Nguyen Chau Dat were reportedly reduced to 20 year terms. They were also reported to have been moved from Chi Hoa Prison (in Saigon) to a "reeducation camp" in Dong Nai Province.

What is so outrageous about Father Tran Dinh Thu's case is that he was not guilty of any real crime, even by the narrow definition of the law in socialist Vietnam. He and his codefendants were severely punished for simply daring to resist illegal search and arrest. So in order to justify the severe penalty he was said in a press campaign (in *Saigon Giai Phong*, June and July 1987) to have been "actively engaged in counter-revolutionary activities" since his ordination as a priest, in 1937, eight years before there was even a revolution (August 1945).

The backwardness of Vietnamese communist justice can be seen in the fact that it does not even measure up to the standards of justice obtained in feudal Vietnam. In traditional Vietnam, a person 60 years old or older gets his sentence automatically reduced, a person 70 years old or older cannot be put in jail, and a person 80 years old or older cannot be given the capital punishment. By these standards, even when Father Thu's sentence was reduced from life to 20 years (in 1988) it was still much stricter than the ancient law of the land. Besides, in giving a 83-year old man a sentence of 20 years is of course the same as retaining his life sentence. Yet all this happened after the *Doi Moi* ("Renovation") policy has been instituted in Vietnam.

In 1991 Father Tran Dinh Thu was finally released from jail but it is reported that he is still under house arrest and held incommunicado, a situation similar to the plight of the Buddhist leader Thich Huyen Quang in his exile in Quang Ngai.

NGUYEN HO: A DISSIDENT FROM WITHIN THE RANKS

On March 20, 1994, an AFP dispatch from Hong Kong disclosed, Nguyen Ho, 77, a 54 year veteran of the Communist Party of Vietnam (CPV), was arrested for the second time in four years for propagating a document entitled, *Quan Diem va Cuoc Song* ("Viewpoints and Life"), calling on the Communist Party to abandon Marxism-Leninism and frankly adopt the capitalist way--since, according to the author, this is already happening in Vietnam. Who is Nguyen Ho and why is his document considered so dangerous?

According to the preface to the work, Nguyen Ho said that he was born on May 1, 1916 in Go Vap, Saigon. His family being poor, he could afford to go to school only for a few years and thereafter, became a machinist at the Ba Son shipyard in Saigon at the age of 19. He became a communist in 1937, underwent jail and exile to Poulo Condor (1940-45), from which he was liberated in 1945. Thereafter, he rose rapidly through the ranks to become a permanent member of the Resistance standing committee for Saigon-Cho Lon (1950-52). After the partition of Vietnam in 1954, he went to North to engage in labor union activities. Sent back South in 1964, he was in charge of proselytizing work in the Saigon-Gia Dinh area. After the communist victory in 1975, he became one of the most powerful rulers in the communist hierarchy in the South.

Retired since 1987 (at the age of 71), he had more time to be with the people and discovered the extent of their unhappiness with the regime. His first brush with the law came in 1990 after he had, together with some other famous southern leaders, formed the Club of Former Resistants and published a journal called *Truyen Thong Khang Chien* ("The Resistance Tradition"). The Club, which attracted members all over country, soon became a hotbed of criticism of various government policies, especially of the shabby way the government had treated its own veterans and intellectuals. Only two issues of the journal appeared (in late 1989) and that was enough for the government to order the confiscation of issue number 3 and the closing of the Club. Unable to bear the pressure, Nguyen Ho left Saigon (March 21, 1990) and became a declared dissident. One month later, several of his associates in the Club of Former Resistants were arrested, including: Ta Ba Tong, Ho Van Hieu, Do Trung Hieu, and Le Dinh Manh. (The repercussion of this movement was such that from December 1990 to May 1991, 35,000 people altogether were arrested, according to a revelation in *Quan Doi Nhan Dan*, People's Army, in May 1991.)

In August 1990, Prime Minister Vo Van Kiet visited with Nguyen Ho and tried to dissuade him from his dissident course. As this failed order came for his arrest (September 7, 1990) and for the next three years he spent time in jail or under house arrest and was not released until May 20, 1993. His crime? It was only for saying: "Over sixty years of that communist revolutionary path, the Vietnamese people have suffered inordinate sacrifice, for which they got nothing in the end. The country is as poor and backward as ever, the people are not well-fed or happy, have no freedom or democracy. This is a shame."

A few weeks after he was arrested for the second time, Nguyen Ho claimed that he needed medical attention. He was allowed to go home and it is reported that he is currently under house arrest.

VIETNAM HELSINKI COMMITTEE

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UPDATED LIST OF POLITICAL PRISONERS IN VIETNAM
 (NOVEMBER 1995)

Xuan Loc, DONG NAI, Vietnam

	NAME:	PRISON LOCATION	PENALTY
1	A DAT	Z30 A Xuan Loc, Dong Nai	18 years
2	BUI VAN HUNG	Xuan Loc	20 years
3	BUI QUANG THAO	Xuan Loc	16 years
4	CAO XUAN TRUONG	Z30 A Xuan Loc, Dong Nai	18 years
5	CAO PHUC	Xuan Loc	Life imprisonment
6	CAO VAT	Z30 A Xuan Loc, Dong Nai	Life imprisonment.
7	CHAU VAN DAT	Z30 A Xuan Loc, Dong Nai	20 years.
8	CHAU LON	Z30 A Xuan Loc, Dong Nai	19 years
9	CHUONG NEN	Xuan Loc	10 years
10	CU KHAC THANH	Xuan Loc	Life imprisonment
11	DANG HOANG MINH	Z30 A Xuan Loc, Dong Nai	18 years
12	DINH TRI THUC (Priest)	Z30 A Xuan Loc, Dong Nai	14 years
13	DOAN VAN NAY	Z30 A Xuan Loc, Dong Nai	18 years
14	DOAN THANH LIEM	Xuan Loc	12 years
15	DUONG TAN Y	Xuan Loc	20 years
16	DUONG THANH HOANG	Xuan Loc	Life imprisonment
17	DUONG VAN HOAN	Xuan Loc	Life imprisonment
18	DUONG VAN SY	Z30 A Xuan Loc, Dong Nai	Life imprisonment
19	GIANG LONG QUANG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
20	HOANG XUYEN	Z30 A Xuan Loc, Dong Nai	20 years
21	HONG THIEN GIAN (Thinh)	Z30 A Xuan Loc, Dong Nai	*
22	HUYNH HUU LAM	Z30 A Xuan Loc, Dong Nai	16 years
23	HUYNH VAN BA	Z30 A Xuan Loc, Dong Nai	Life imprisonment
24	HUYNH VAN PHUOC	Z30 A Xuan Loc, Dong Nai	12 years
25	HUYNH VAN THI	Z30 A Xuan Loc, Dong Nai	20 years
26	HUYNH VAN UT	Xuan Loc	14 years
27	HUYNH VINH SANH	Z30 A Xuan Loc, Dong Nai	Life imprisonment
28	KHONG DUNG	Z30 A Xuan Loc, Dong Nai	20 years
29	LAM NGOC THANH	Xuan Loc	20 years
30	LE HOA THUAN	Z30 A Xuan Loc, Dong Nai	Life imprisonment
31	LE THAI CHAN	Xuan Loc	18 years
32	LE TOAN QUYEN	Z30 A Xuan Loc, Dong Nai	Life imprisonment
33	LE TRUONG XUAN	Xuan Loc	Life imprisonment
34	LE VAN BAY	Z30 A Xuan Loc, Dong Nai	Life imprisonment
35	LE VAN NGHIA	Xuan Loc	Life imprisonment

36	LE VAN SANH	Xuan Loc	20 years
37	LE VAN SU	Z30 A Xuan Loc, Dong Nai	*
38	LE VAN SUOI	Xuan Loc	Life imprisonment
39	LE VAN THE	Xuan Loc	Life imprisonment
40	LE VAN THU	Z30 A Xuan Loc, Dong Nai	Life imprisonment
41	LE VAN TRINH	Xuan Loc	12 years
42	LE VAN BAY	Z30 A Xuan Loc, Dong Nai	Life imprisonment
43	LE VAN THU	Xuan Loc	Life imprisonment
44	LE XUAN TUNG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
45	LY CONG CUONG	Z30 A Xuan Loc, Dong Nai	15 years
46	LY VAN HIEP	Xuan Loc	16 years
47	MAI CHI HIEU	Z30 A Xuan Loc, Dong Nai	Life imprisonment
48	MAI HUU NGHI	Xuan Loc	18 years
49	MANG CONG	Z30 A Xuan Loc, Dong Nai	10 years
50	MANG KHAM	Z30 A Xuan Loc, Dong Nai	17 years
51	NGO HOANG HUE	Xuan Loc	Life imprisonment
52	NGO QUANG TUYEN (Dominic)	**	18 years
53	NGO VAN THUNG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
54	NGUYEN CAO THANG	Xuan Loc	Life imprisonment
55	NGUYEN CHI NGO	Xuan Loc	20 years
56	NGUYEN CHAN	Xuan Loc	Life imprisonment
57	NGUYEN DAN QUE	Z30 A Xuan Loc, Dong Nai	20 years
58	NGUYEN DINH PHUNG	K4, Xuan Loc	Life imprisonment
59	NGUYEN DUC KHIEM	Xuan Loc	16 years
60	NGUYEN HUU CAU	Xuan Loc	Life imprisonment
61	NGUYEN HUU TRUOC	Z30 A Xuan Loc, Dong Nai	20 years
62	NGUYEN HUU XUAN	Z30 A Xuan Loc, Dong Nai	13 years
63	NGUYEN MANH BAO	Z30 A Xuan Loc, Dong Nai	Life imprisonment
64	NGUYEN NGOC AN	Z30 A Xuan Loc, Dong Nai	15 years
65	NGUYEN NGOC PHUOC	Xuan Loc	20 years
66	NGUYEN NGOC THANH	Xuan Loc	Life imprisonment
67	NGUYEN THI ANH	Xuan Loc	*
68	NGUYEN THANH HUNG	Xuan Loc	Life imprisonment
69	NGUYEN THI LAI	Xuan Loc	20 years
70	Bernard NGYEN THIEN PHUNG	Z30 A Xuan Loc, Dong Nai	20 years
71	NGUYEN TRI (TRUONG HUNG HAI)	Z30 A Xuan Loc, Dong Nai	8 years
72	NGUYEN TRI PHUONG	Z30 A Xuan Loc, Dong Nai	18 years
73	NGUYEN VAN A	Xuan Loc	Life imprisonment
74	NGUYEN VAN BA	Z30 A Xuan Loc, Dong Nai	18 years
75	NGUYEN VAN BEN	Z30 A Xuan Loc, Dong Nai	14 years
76	NGUYEN VAN BUT	Xuan Loc	15 years
77	NGUYEN VAN CAC	Xuan Loc	20 years
78	NGUYEN VAN CHAN	Xuan Loc	Life imprisonment
79	NGUYEN VAN CHI	Z30 A Xuan Loc, Dong Nai	14 years
80	NGUYEN VAN CHUC	Z30 A Xuan Loc, Dong Nai	Life imprisonment
81	NGUYEN VAN DANH	Xuan Loc	Life imprisonment

82	NGUYEN VAN DAT	Z30 A Xuan Loc, Dong Nai	18 years
83	NGUYEN VAN DAU (BA DAU)	Z30 A Xuan Loc, Dong Nai	Life imprisonment
84	NGUYEN VAN DUOC	Xuan Loc	Life imprisonment
85	NGUYEN VAN HIEP	Xuan Loc	Life imprisonment
86	NGUYEN VAN HUYNH	Z30 A Xuan Loc, Dong Nai	Life imprisonment
87	NGUYEN VAN KHANH (Bay Khanh)	Z30 A Xuan Loc, Dong Nai	Life imprisonment
88	NGUYEN VAN KIM	Xuan Loc	Life imprisonment
89	NGUYEN VAN KINH	Xuan Loc	Life imprisonment
90	NGUYEN VAN LE	Xuan Loc	Life imprisonment
91	NGUYEN VAN LUOM	Z30 A Xuan Loc, Dong Nai	20 years
92	NGUYEN VAN LUONG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
93	NGUYEN VAN MINH (Minh Den)	Z30 A Xuan Loc, Dong Nai	18 years
94	NGUYEN VAN NA	Xuan Loc	Life imprisonment
95	NGUYEN VAN NAM	Xuan Loc	Life imprisonment
96	NGUYEN VAN NGU	Z30 A Xuan Loc, Dong Nai	Life imprisonment
97	NGUYEN VAN NUONG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
98	NGUYEN VAN PHAN	Xuan Loc	Life imprisonment
99	NGUYEN VAN THAO	Z30 A Xuan Loc, Dong Nai	Life imprisonment
100	NGUYEN VAN THIEN	Xuan Loc	Life imprisonment
101	NGUYEN VAN THONG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
102	NGUYEN VAN TIEN	Xuan Loc	Life imprisonment
103	NGUYEN VAN TU	Xuan Loc	Life imprisonment
104	NGUYEN VAN TUAN	Z30 A Xuan Loc, Dong Nai	Life imprisonment
105	NGUYEN VAN THAO	Xuan Loc	Life imprisonment
106	NGUYEN VAN THANH	Z30 A Xuan Loc, Dong Nai	20 years
107	NGUYEN VAN Y	Xuan Loc	Life imprisonment
108	NGUYEN VAN LO	Z30 A Xuan Loc, Dong Nai	Life imprisonment
109	NGUYEN VAN TRUNG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
110	NGUYEN VIET DAO	Z30 A Xuan Loc, Dong Nai	Life imprisonment
111	NGUYEN VIET HONG	Z30 A Xuan Loc, Dong Nai	16 years
112	PHAM HUNG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
113	PHAM NGOC CHI	**	7 years
114	PHAM NGOC LIEN(Brother)	**	20 years
115	PHAM HONG QUY	Xuan Loc	Life imprisonment
116	PHAM HUNG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
117	PHAM THE CONG	Xuan Loc	Life imprisonment
118	PHAM TRAN ANH	Z30 A Xuan Loc, Dong Nai	Life imprisonment
119	PHAM VAN BAN	Xuan Loc	Life imprisonment
120	PHAM VAN DANG	Xuan Loc	Life imprisonment
121	PHAN TRAN ANH	Z30 A Xuan Loc, Dong Nai	Life imprisonment
122	PHAN VAN LE	Z30 A Xuan Loc, Dong Nai	18 years
123	PHAN VAN TENG	Xuan Loc	16 years
124	SAM VAN TA	Z30 A Xuan Loc, Dong Nai	18 years
125	Solayma(BA HANH)	Z30 A Xuan Loc, Dong Nai	14 years
126	THACH NHO	Z30 A Xuan Loc, Dong Nai	18 years
127	Thich NGUYEN CHE	Xuan Loc	20 years

128	Thich Tri Giac	Z30 A Xuan Loc, Dong Nai	20 years
129	Thich Tri Sieu (LE MANH THAT)	Z30 A Xuan Loc, Dong Nai	20 years
130	TON THAT KY	Z30 A Xuan Loc, Dong Nai	16 years
131	TRAN NGOC HAI	Z30 A Xuan Loc, Dong Nai	Life imprisonment
132	TRAN THANH LIEM	Xuan Loc	Life imprisonment
133	TRAN TRONG KIM	Z30 A Xuan Loc, Dong Nai	Life imprisonment
134	TRAN TRUNG SON	Z30 A Xuan Loc, Dong Nai	20 years
135	TRAN VAN BA	Xuan Loc	Life imprisonment
136	TRAN VAN HOA	Z30 A Xuan Loc, Dong Nai	18 years
137	TRAN VAN KHAI	Z30 A Xuan Loc, Dong Nai	Life imprisonment
138	TRAN VAN TAM	Z30 A Xuan Loc, Dong Nai	18 years
139	TRAN VAN THAM	Xuan Loc	18 years
140	TRAN VAN THANH	Xuan Loc	Life imprisonment
141	TRAN VAN THIET	Xuan Loc	20 years
142	TRIEU BINH THIET	Z30 A Xuan Loc, Dong Nai	18 years
143	TRINH HUY	Z30 A Xuan Loc, Dong Nai	Life imprisonment
144	TRINH NHAT	Z30 A Xuan Loc, Dong Nai	Life imprisonment
145	TRUONG TAM MUOI	Xuan Loc	11 years
146	TRUONG VINH ANH	Z30 A Xuan Loc, Dong Nai	18 years
147	TRUONG VINH CHAU	Z30 A Xuan Loc, Dong Nai	Life imprisonment
148	VO NGOC HANH	Z30 A Xuan Loc, Dong Nai	Life imprisonment
149	VO THANH NANG	Z30 A Xuan Loc, Dong Nai	*
150	VO VAN RO	Xuan Loc	Life imprisonment
151	VO VAN SAU	Xuan Loc	Life imprisonment
152	VO VAN DUONG	Z30 A Xuan Loc, Dong Nai	Life imprisonment
153	VU VAN KICH	Z30 A Xuan Loc, Dong Nai	Life imprisonment

Remark:

- prison Location with (*): have been transferred, unknown
- Penalty with (*) without trial

VIETNAM HELSINKI COMMITTEE

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UPDATED LIST OF POLITICAL PRISONERS DETAINED IN REEDUCATION CAMP A 20, XUAN PHUOC, PHU YEN, VIETNAM

<u>NAME:</u>	<u>PRISON</u>	<u>PENALTY</u>
1. BUI HONG THUY	A20 Phu Yen	(Indefinite renewable administrative detention)
2. BUI HUE	A20 Phu Yen	20 years
3. BUI QUYEN	A20 Phu Yen	Life imprisonment
4. CAI VAN THANH	A20 Phu Yen	17 Years
5. CHAU TRO	A20 Phu Yen	Life imprisonment
6. CHAU VAN TOI	A20 Phu Yen	20 years
7. CHU VAN TAN	A20 Phu Yen	Life imprisonment
8. CU KHAC HANH	A20 Phu Yen	20 years
9. DANG MINH HOANG	A20 Phu Yen	Concentration camp
10. DANG MINH TAM	A20 Phu Yen	Life imprisonment
11. DANG VAN HIEN	A20 Phu Yen	20 years
12. DANH CHUC	A20 Phu Yen	Concentration camp
13. DANH DEN	A20 Phu Yen	20 years
14. DANH HONG	A20 Phu Yen	20 years
15. DANH TRUC	A20 Phu Yen	Concentration camp
16. DANH TUAN	A20 Phu Yen	20 years
17. DAO DANH NHAN	A20 Phu Yen	20 years
18. DINH MONG HAI	A20 Phu Yen	20 years
19. DINH NGOC BICH	A20 Phu Yen	Life imprisonment
20. DINH PHU THO	A20 Phu Yen	15 years
21. DINH NGOC PHUONG	A20 Phu Yen	Life imprisonment
22. DINH TRIEU MAU	A20 Phu Yen	16 years
23. DINH VAN BE	A20 Phu Yen	Life imprisonment
24. DINH VAN SANH	A20 Phu Yen	Life imprisonment
25. Rev. DINH VIET HIEU(Thuc)	A20 Phu Yen	15 years
26. DO BACH THO	A20 Phu Yen	17 years
27. DO HONG VAN(Muoi Thai)	A20 Phu Yen	18 years
28. DO HUON	A20 Phu Yen	Life imprisonment
29. DO KIM VUI	A20 Phu Yen	Concentration camp
30. DO VAN XA	A20 Phu Yen	20 years
31. DO VAN TRUONG	A20 Phu Yen	Concentration camp
32. DOAN THE HOA	A20 Phu Yen	20 years
33. DOAN TRONG HIEN	A20 Phu Yen	20 years
34. DOAN VAN NAI	A20 Phu Yen	Life imprisonment
35. DOAN VAN SINH	A20 Phu Yen	20 years
36. DONG VAN MINH	A20 Phu Yen	Life imprisonment
37. DUONG KHONG	A20 Phu Yen	Life imprisonment
38. DUONG MIEN (Men)	A20 Phu Yen	Concentration camp
39. DUONG NGOC HUNG	A20 Phu Yen	20 years
40. DUONG TIEP	A20 Phu Yen	20 years
41. DUONG VAN SI	A20 Phu Yen	Life imprisonment
42. HA VAN LAM	A20 Phu Yen	Concentration camp

43.	HO DIEU KHANH	A20 Phu Yen	Life imprisonment
44.	HO HOAI TUONG	A20 Phu Yen	20 years
45.	HO HOAN	A20 Phu Yen	Life imprisonment
46.	HO KHAC DUNG	A20 Phu Yen	20 years
47.	HO VU(Huu) KHANH (Cao Dai)	A20 Phu Yen	Life imprisonment
48.	HOANG DINH MY	A20 Phu Yen	Life imprisonment
49.	HO NGOC AN	A20 Phu Yen	Life imprisonment
50.	HOANG QUOC VIET	A20 Phu Yen	20 years
51.	HOANG THE LONG	A20 Phu Yen	20 years
52.	HOANG TRONG DIEP	A20 Phu Yen	20 years
53.	HOANG VAN KHAO	A20 Phu Yen	Life imprisonment
54.	HOANG VAN THU	A20 Phu Yen	20 years
55.	HONG XUAN CHINH	A20 Phu Yen	Life imprisonment
56.	HUYNH CONG TRAC	A20 Phu Yen	15 years
57.	HUYNH HUU	A20 Phu Yen	20 years
58.	HUYNH MINH TAM	A20 Phu Yen	Life imprisonment
59.	HUYNH NGOC	A20 Phu Yen	Life imprisonment
60.	HUYNH NGOC HIEP	A20 Phu Yen	16 years
61.	HUYNH NGOC TAN	A20 Phu Yen	Life imprisonment
62.	HUYNH NGOC TIEN	A20 Phu Yen	20 years
63.	HUYNH NGOC TUAN	A20 Phu Yen	Life imprisonment
64.	HUYNH QUANG TE	A20 Phu Yen	20 years
65.	HUYNH THUC BAO	A20 Phu Yen	Life imprisonment
66.	HUYNH VAN HIEP	A20 Phu Yen	20 years
67.	HUYNH VAN HOA	A20 Phu Yen	Life imprisonment
68.	KA RIP	A20 Phu Yen	20 years
69.	KASOK TUM	A20 Phu Yen	Life imprisonment
70.	KIEN SAMONE	A20 Phu Yen	20 years
71.	LAC TO HA	A20 Phu Yen	Life imprisonment
72.	LAI THE HUONG	A20 Phu Yen	20 years
73.	LAM HONG SUONG	A20 Phu Yen	15 years
74.	LAM THANH TONG	A20 Phu Yen	Life imprisonment
75.	LAM VAN DEN	A20 Phu Yen	Concentration camp
76.	LAM VAN SANG	A20 Phu Yen	Concentration camp
77.	LAU SI PHUC	A20 Phu Yen	18 years
78.	LE CHINH	A20 Phu Yen	15 years
79.	LE CAM SON	A20 Phu Yen	17 years
80.	LE DANH PHA	A20 Phu Yen	12 years
81.	LE DINH BAY	A20 Phu Yen	Concentration camp
82.	LE HIEN (Thich Phuc Vien)	A20 Phu Yen	20 years
83.	LE HOANG SON	A20 Phu Yen	16 years
84.	LE MINH DIET	A20 Phu Yen	20 years
85.	LE MINH CHANH	A20 Phu Yen	Concentration camp
86.	LE MINH NIEN	A20 Phu Yen	18 years
87.	LE MINH TAM	A20 Phu Yen	20 years
88.	LE NGOC VANG	A20 Phu Yen	18 years

89.	LE PHAM LONG	A20 Phu Yen	Life imprisonment
90.	LE QUAN QUANG	A20 Phu Yen	Life imprisonment
91.	LE QUOC VIET	A20 Phu Yen	Concentration camp
92.	LE QUY HOA	A20 Phu Yen	Life imprisonment
93.	LE SON TUNG	A20 Phu Yen	Life imprisonment
94.	LE THAI CHAN	A20 Phu Yen	Life imprisonment
95.	LE THANH THUC	A20 Phu Yen	Concentration camp
96.	LE THIEN QUAN	A20 Phu Yen	Life imprisonment
97.	LE VAN CHUC	A20 Phu Yen	Life imprisonment
98.	LE VAN DIEM	A20 Phu Yen	Life imprisonment
99.	LE VAN HOA	A20 Phu Yen	16 years
100.	LE VAN HIEU	A20 Phu Yen	16 years
101.	LE VAN LONG	A20 Phu Yen	Life imprisonment
102.	LE VAN KY	A20 Phu Yen	Life imprisonment
103.	LE VAN NAM	A20 Phu Yen	20 years
104.	LE VAN NHO	A20 Phu Yen	20 years
105.	LE VAN QUAN	A20 Phu Yen	Life imprisonment
106.	LE VAN SINH	A20 Phu Yen	20 years
107.	LE VAN SON	A20 Phu Yen	Concentration camp
	(Si Quan Truyen tin QLVNCH)		
108.	LE VAN THU	A20 Phu Yen	20 years
109.	LE VAN TRUNG	A20 Phu Yen	Concentration camp
110.	LE VAN TRIEU	A20 Phu Yen	Life imprisonment
111.	LE VAN TRUNG	A20 Phu Yen	20 years
112.	LE VAN TUOI	A20 Phu Yen	16 years
113.	LIEN BAN	A20 Phu Yen	Life imprisonment
114.	LO VAN HIEU	A20 Phu Yen	16 years
115.	LO VAN TRIEU	A20 Phu Yen	16 years
116.	LO VAN CHI	A20 Phu Yen	16 years
117.	LUI A BAU	A20 Phu Yen	20 years
118.	LUU MINH NIEN	A20 Phu Yen	Life imprisonment
119.	LUU MINH TIEN	A20 Phu Yen	Life imprisonment
120.	LUU VAN CHAU	A20 Phu Yen	Life imprisonment
121.	LY HO	A20 Phu Yen	15 years
122.	LY HOANG VIEN	A20 Phu Yen	Concentration camp
123.	LY KHINH	A20 Phu Yen	Concentration camp
124.	LY NA REN	A20 Phu Yen	Concentration camp
125.	LY SA RING	A20 Phu Yen	(Indefinite renewable administrative DETENTION)
	detention)		
126.	LY XA VIET	A20 Phu Yen	Concentration camp
127.	MA DO QUI	A20 Phu Yen	Life imprisonment
128.	MA KHAC SINH	A20 Phu Yen	20 years
129.	MAI CHI HIEU	A20 Phu Yen	20 years
130.	MAI DAC CHUONG(Nghi)	A20 Phu Yen	20 years
131.	MAI PHUC (Mai Van Phuc)	A20 Phu Yen	Concentration camp
132.	MAI VAN CAN	A20 Phu Yen	Life imprisonment

133. MAI XUAN PHUOC	A20 Phu Yen	Life imprisonment
134. MAI XUAN CANH	A20 Phu Yen	20 years
135. NGO BICH	A20 Phu Yen	20 years
136. NGO NHU KEO	A20 Phu Yen	Life imprisonment
137. NGO VAN LIEM	A20 Phu Yen	20 years
138. NGO VAN SO	A20 Phu Yen	20 years
139. NGO VIET NHON	A20 Phu Yen	18 years
140. NGUYEN ANH DUNG (Thanh Nhu)	A20 Phu Yen	20 years
141. NGUYEN ANH LINH	A20 Phu Yen	20 years
142. NGUYEN ANH TUAN	A20 Phu Yen	20 years
143. NGUYEN BA TAN	A20 Phu Yen	Life imprisonment
144. NGUYEN BA CHI	A20 Phu Yen	20 years
145. NGUYEN CAN	A20 Phu Yen	15 years
146. NGUYEN CHE	A20 Phu Yen	Life imprisonment
147. NGUYEN DINH KHA	A20 Phu Yen	20 years
148. NGUYEN DINH OAI	A20 Phu Yen	20 years
149. NGUYEN DINH VAN LONG	A20 Phu Yen	Life imprisonment
150. NGUYEN DUC NHIEM	A20 Phu Yen	Life imprisonment
151. NGUYEN DO	A20 Phu Yen	17 years
152. NGUYEN DUC TUAN	A20 Phu Yen	Life imprisonment
153. NGUYEN GIANG MINH	A20 Phu Yen	20 years
154. NGUYEN HUE	A20 Phu Yen	Concentration camp
155. NGUYEN DUC HIEN	A20 Phu Yen	Life imprisonment
156. NGUYEN DUC HOA	A20 Phu Yen	Life imprisonment
157. NGUYEN HUNG ANH	A20 Phu Yen	20 years
158. NGUYEN HUNG PHON	A20 Phu Yen	Life imprisonment
159. NGUYEN HUU CO	A20 Phu Yen	Life imprisonment
160. NGUYEN HUU HUONG	A20 Phu Yen	Life imprisonment
161. NGUYEN HUU NGHIA	A20 Phu Yen	20 years
162. NGUYEN HUU THIENG	A20 Phu Yen	Life imprisonment
163. NGUYEN HUU TIN (Thich Tam Can)	A20 Phu Yen	Life imprisonment
164. NGUYEN HUY CHUONG	A20 Phu Yen	10 years
165. NGUYEN KY	A20 Phu Yen	20 years
166. NGUYEN LAN	A20 Phu Yen	20 years
167. NGUYEN KIM LONG	A20 Phu Yen	20 years
168. NGUYEN MINH KHA	A20 Phu Yen	16 years
169. NGUYEN MINH KIM	A20 Phu Yen	Life imprisonment
170. NGUYEN NGOC	A20 Phu Yen	Life imprisonment
171. NGUYEN NGOC DANG	A20 Phu Yen	20 years
172. NGUYEN NGOC HIEN	A20 Phu Yen	20 years
173. NGUYEN NGOC LAN	A20 Phu Yen	Life imprisonment
174. NGUYEN NGOC XUAN	A20 Phu Yen	Life imprisonment
175. NGUYEN HUNG PHONG	A20 Phu Yen	Life imprisonment
176. NGUYEN NGOC PHUONG	A20 Phu Yen	20 years
177. NGUYEN QUANG HOA	A20 Phu Yen	20 years
178. NGUYEN QUOC BAO	A20 Phu Yen	Life imprisonment

179.	NGUYEN QUOC SUNG	A20 Phu Yen	Life imprisonment
180.	NGUYEN SONG NGOC	A20 Phu Yen	20 years
181.	NGUYEN TAN DONG	A20 Phu Yen	20 years
182.	NGUYEN TAN KHOE	A20 Phu Yen	Concentration camp
183.	NGUYEN TAN PHAT	A20 Phu Yen	Concentration camp
184.	NGUYEN THANH	A20 Phu Yen	20 years
185.	NGUYEN THANH HUNG	A20 Phu Yen	20 years
186.	NGUYEN THANH TAM	A20 Phu Yen	Concentration camp
187.	NGUYEN THANH TRO	A20 Phu Yen	Life imprisonment
188.	NGUYEN THE HUNG	A20 Phu Yen	Life imprisonment
189.	NGUYENTHIET	A20 Phu Yen	15 years
190.	NGUYEN THUNG	A20 Phu Yen	Life imprisonment
191.	NGUYEN TOAI CHI	A20 Phu Yen	Life imprisonment
192.	NGUYEN TRONG TAI	A20 Phu Yen	20 years
193.	NGUYEN TRUNG CA	A20 Phu Yen	20 years
194.	NGUYEN TRUONG	A20 Phu Yen	Life imprisonment
195.	NGUYEN TRUONG TAM	A20 Phu Yen	Life imprisonment
196.	NGUYEN VAN BACH	A20 Phu Yen	20 years
197.	NGUYEN VAN BANG	A20 Phu Yen	15 years
198.	NGUYEN VAN BAO	A20 Phu Yen	Life imprisonment
199.	NGUYEN VAN BAO	A20 Phu Yen	Concentration camp
200.	NGUYEN VAN CAN	A20 Phu Yen	20 years
201.	NGUYEN VAN CO	A20 Phu Yen	20 years
202.	NGUYEN VAN CANG	A20 Phu Yen	15 years
203.	NGUYEN VAN CUONG	A20 Phu Yen	Concentration camp
204.	NGUYEN VAN CHINH	A20 Phu Yen	20 years
205.	NGUYEN VAN DAN	A20 Phu Yen	10 years
206.	NGUYEN VAN DAU	A20 Phu Yen	Life imprisonment
207.	NGUYEN VAN DO	A20 Phu Yen	20 years
208.	NGUYEN VAN DOAN	A20 Phu Yen	Life imprisonment
209.	NGUYEN VAN DUC	A20 Phu Yen	Life imprisonment
210.	NGUYEN VAN DUOC	A20 Phu Yen	20 years
211.	NGUYEN VAN DUONG	A20 Phu Yen	20 years
212.	NGUYEN VAN GIAO	A20 Phu Yen	20 years
213.	NGUYEN VAN HAI	A20 Phu Yen	Life imprisonment
214.	NGUYEN VAN HIEN	A20 Phu Yen	20 years
215.	NGUYEN VAN HIEU	A20 Phu Yen	Concentration camp
216.	NGUYEN VAN HOA	A20 Phu Yen	20 years
217.	NGUYEN VAN HUE	A20 Phu Yen	Life imprisonment
218.	NGUYEN VAN HUNG	A20 Phu Yen	Life imprisonment
219.	NGUYEN VAN KHA	A20 Phu Yen	Life imprisonment
220.	NGUYEN VAN KHA	A20 Phu Yen	Concentration camp
221.	NGUYEN VAN LANG	A20 Phu Yen	Life imprisonment
222.	NGUYEN VAN LONG	A20 Phu Yen	Life imprisonment
223.	NGUYEN VAN LY	A20 Phu Yen	Life imprisonment
224.	NGUYEN VAN MANH	A20 Phu Yen	Life imprisonment
225.	NGUYEN VAN MINH	A20 Phu Yen	Life imprisonment
226.	NGUYEN MAU	A20 Phu Yen	Life imprisonment

227.	NGUYEN VAN MUON	A20 Phu Yen	Life imprisonment
228.	NGUYEN VAN NGOC	A20 Phu Yen	Life imprisonment
229.	NGUYEN VAN NHO	A20 Phu Yen	Life imprisonment
230.	NGUYEN VAN SOI	A20 Phu Yen	Life imprisonment
231.	NGUYEN VAN THAO	A20 Phu Yen	Concentration camp
232.	NGUYEN VAN THUAN	A20 Phu Yen	Concentration camp
233.	NGUYEN VAN THUY	A20 Phu Yen	Life imprisonment
234.	NGUYEN VAN TONG	A20 Phu Yen	Life imprisonment
235.	NGUYEN VAN TRUNG	A20 Phu Yen	Life imprisonment
236.	NGUYEN VAN QUAN	A20 Phu Yen	Concentration camp
237.	NGUYEN VAN RO	A20 Phu Yen	Life imprisonment
238.	NGUYEN VAN RUNG	A20 Phu Yen	15 years
239.	NGUYEN VAN SINH	A20 Phu Yen	Concentration camp
240.	NGUYEN VAN SUONG	A20 Phu Yen	20 years
241.	NGUYEN VAN TAI	A20 Phu Yen	Life imprisonment
242.	NGUYEN VAN TAN	A20 Phu Yen	20 years
243.	NGUYEN VAN TAY	A20 Phu Yen	20 years
244.	NGUYEN VAN TE	A20 Phu Yen	Life imprisonment
245.	NGUYEN VAN TRO	A20 Phu Yen	Life imprisonment
246.	NGUYEN VAN THANH	A20 Phu Yen	Life imprisonment
247.	NGUYEN VAN TIN	A20 Phu Yen	Life imprisonment
248.	NGUYEN VAN TIEN	A20 Phu Yen	Concentration camp
249.	NGUYEN VAN TUAN	A20 Phu Yen	Life imprisonment
250.	NGUYEN YEM	A20 Phu Yen	20 years
251.	ONG VAN UT	A20 Phu Yen	Concentration camp
252.	PHAM ANH DUNG	A20 Phu Yen	20 years
253.	PHAM ANH MINH	A20 Phu Yen	20 years
254.	PHAM CONG THANH	A20 Phu Yen	Life imprisonment
255.	PHAM DINH KHIET	A20 Phu Yen	20 years
256.	PHAM DINH XKUAN	A20 Phu Yen	Life imprisonment
257.	PHAM DUC HAU	A20 Phu Yen	18 years
258.	PHAM DUC KHAM	A20 Phu Yen	16 years
259.	PHAM HOANG LE	A20 Phu Yen	Concentration camp
260.	PHAM HONG NHAT	A20 Phu Yen	20 years
261.	PHAM HUU THIEN	A20 Phu Yen	Life imprisonment
262.	PHAM MINH TE	A20 Phu Yen	Life imprisonment
263.	PHAM MINH THE	A20 Phu Yen	Life imprisonment
264.	PHAM NGOC BICH	A20 Phu Yen	20 years
265.	PHAM NGOC TRI	A20 Phu Yen	Concentration camp
266.	PHAM THAI CONG	A20 Phu Yen	20 years
267.	PHAM THANH LONG	A20 Phu Yen	Life imprisonment
268.	PHAM THOI	A20 Phu Yen	Life imprisonment
269.	PHAM TRAN ANH	A20 Phu Yen	Life imprisonment
270.	PHAM VAN DANH	A20 Phu Yen	Life imprisonment
271.	PHAM VAN THANH(Khanh)	A20 Phu Yen	Life imprisonment
272.	PHAM BA DUC	A20 Phu Yen	20 years
273.	PHAM HUU HAI	A20 Phu Yen	Life imprisonment
274.	PHAM NGOC DAN	A20 Phu Yen	20 years

320.	TRAN MINH TUAN	A20 Phu Yen	20 years
321.	TRAN NAM PHUONG	A20 Phu Yen	Life imprisonment
322.	TRAN NGOC BICH	A20 Phu Yen	20 years
323.	TRAN NGOC DONG	A20 Phu Yen	Life imprisonment
324.	TRAN PHUONG (Tran Thanh)	A20 Phu Yen	Concentration camp
325.	TRAN SAN	A20 Phu Yen	20 years
326.	TRAN TAN SANG	A20 Phu Yen	Life imprisonment
327.	TRAN THA	A20 Phu Yen	Concentration camp
328.	TRAN THAI DIEP	A20 Phu Yen	20 years
329.	TRAN THIEN CAN (CANG)	A20 Phu Yen	Life imprisonment
330.	TRAN THO	A20 Phu Yen	Life imprisonment
331.	TRAN TRONG NGHIA	A20 Phu Yen	20 years
332.	TRAN TU (Peter TRAN)	A20 Phu Yen	Life imprisonment
333.	TRAN VAN ANH	A20 Phu Yen	Life imprisonment
334.	TRAN VAN HUNG	A20 Phu Yen	Concentration camp
335.	TRAN VAN LUONG (Truong Van Lan)	A20 Phu Yen	Life imprisonment
336.	TRAN VAN MY	A20 Phu Yen	Life imprisonment
337.	TRAN VAN SON	A20 Phu Yen	07 years
338.	TRAN VAN SUONG	A20 Phu Yen	Concentration camp
339.	TRAN VAN THIET	A20 Phu Yen	Life imprisonment
340.	TRAN VAN TIENG	A20 Phu Yen	Concentration camp
341.	TRAN VAN VI	A20 Phu Yen	15 years
342.	TRAN VAN XUONG	A20 Phu Yen	20 years
343.	TRAN VIET DINH	A20 Phu Yen	15 years
344.	TRINH BICH	A20 Phu Yen	Life imprisonment
345.	TRINH HUYNH	A20 Phu Yen	20 years
346.	TRINH KE BICH	A20 Phu Yen	20 years
347.	TRINH VAN KHAI	A20 Phu Yen	20 years
348.	TRINH VAN SON	A20 Phu Yen	Life imprisonment
349.	TRUONG DI NHIEU	A20 Phu Yen	20 years
350.	TRUONG DINH KHOI	A20 Phu Yen	20 years
351.	TRUONG NHAT TAN	A20 Phu Yen	Life imprisonment
352.	TRUONG QUAN KIM	A20 Phu Yen	20 years
353.	TRUONG QUOC BAO	A20 Phu Yen	Life imprisonment
354.	TRUONG TAM LAC	A20 Phu Yen	20 years
355.	TRUONG VAN DUNG	A20 Phu Yen	20 years
356.	TRUONG VAN KHAI	A20 Phu Yen	20 years
357.	TRUONG VAN LEN	A20 Phu Yen	07 years
358.	TRUONG VAN NAM	A20 Phu Yen	20 years
359.	TRUONG VAN SUONG	A20 Phu Yen	Concentration camp
360.	VO ANH TUAN	A20 Phu Yen	15 years
361.	VO DANG PHUONG	A20 Phu Yen	10 years
362.	VO KICH	A20 Phu Yen	20 years
363.	VO HONG PHONG	A20 Phu Yen	Life imprisonment
364.	VO KY PHAT	A20 Phu Yen	07 years
365.	VO LY SANH	A20 Phu Yen	20 years
366.	VO NGOC TOI	A20 Phu Yen	Life imprisonment

367. VO TRUC (Thuc)	A20 Phu Yen	Life imprisonment
368. VU DINH THUY (Thieu Uy QLVNCH)	A20 Phu Yen	20 years
369. VU NGOC TAM	A20 Phu Yen	17 years
370. VU NGOC QUY	A20 Phu Yen	18 years
371. VUONG DUC LE	A20 Phu Yen	07 years
372. Y FINE	A20 Phu Yen	Life imprisonment
373. Y RU	A20 Phu Yen	20 years
374. Y RUOI	A20 Phu Yen	20 years

275.	PHAM NHAT VINH	A20 Phu Yen	Concentration camp
276.	PHAM VAN BAN	A20 Phu Yen	Life imprisonment
277.	PHAM VAN DUC	A20 Phu Yen	20 years
278.	PHAM VAN LIEN	A20 Phu Yen	Life imprisonment
279.	PHAM VAN LOI	A20 Phu Yen	20 years
280.	PHAM VAN SON	A20 Phu Yen	20 years
281.	PHAM VAN TY	A20 Phu Yen	18 years
282.	PHUNG PHUC HIEN	A20 Phu Yen	20 years
283.	TA DINH QUY	A20 Phu Yen	Life imprisonment
284.	THACH CHUONG	A20 Phu Yen	20 years
285.	THACH MONI	A20 Phu Yen	20 years
286.	THACH SINH	A20 Phu Yen	20 years
287.	THACH SON HOANG	A20 Phu Yen	Concentration camp
288.	THACH THIEN	A20 Phu Yen	Concentration camp
289.	THAI PHI KICH	A20 Phu Yen	17 years
290.	THAO PHUONG LAO	A20 Phu Yen	Life imprisonment
291.	THICH THIEN MINH (Huynh Van Ba)	A20 Phu Yen	20 years
292.	THICH THIEN TAN (Thai Thanh Hung)	A20 Phu Yen	Life imprisonment
293.	THICH TUE SI (Pham Van Thuong)	A20 Phu Yen	20 years
294.	TO THANH SON	A20 Phu Yen	20 years
295.	TO VAN CUONG	A20 Phu Yen	15 years
296.	TO VAN HAI	A20 Phu Yen	07 years
297.	TON THAT KY	A20 Phu Yen	16 Years
298.	TONG VAN SON	A20 Phu Yen	07 years
299.	TRAN BE	A20 Phu Yen	Life imprisonment
300.	TRAN DAU	A20 Phu Yen	Life imprisonment
301.	TRAN DE	A20 Phu Yen	19 years
302.	TRAN DIEN	A20 Phu Yen	20 years
303.	TRAN DIEU	A20 Phu Yen	20 years
304.	TRAN DINH LUAT	A20 Phu Yen	Concentration camp
305.	TRAN DINH MAU	A20 Phu Yen	Life imprisonment
306.	TRAN DINH QUI	A20 Phu Yen	20 years
307.	TRAN DU	A20 Phu Yen	20 years
308.	TRAN DUC HAO	A20 Phu Yen	Concentration camp
309.	TRAN DUY MINH TAM	A20 Phu Yen	20 years
310.	TRAN HIEU	A20 Phu Yen	20 years
311.	TRAN HUNG MEN	A20 Phu Yen	20 years
312.	TRAN HUU CONG	A20 Phu Yen	10 years
313.	TRAN HUU NGAN	A20 Phu Yen	Life imprisonment
314.	TRAN KHANH LINH	A20 Phu Yen	Concentration camp
315.	TRAN LANG	A20 Phu Yen	Concentration camp
316.	TRAN MANH QUYNH (Jimmy)	A20 Phu Yen	20 years
317.	TRAN MINH CHI	A20 Phu Yen	15 years
318.	TRAN MINH DANG	A20 Phu Yen	Life imprisonment
319.	TRAN MINH DIEU	A20 Phu Yen	15 years

VIETNAM HELSINKI COMMITTEE

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LIST OF POLITICAL PRISONERS SENTENCED TO DEATH
AND EXECUTED BY HANOI DEATH SQUAD SINCE 1975.

- 1- NGUYEN VAN HOANG aka Nguyen Chinh Nghia born in 1947. Former chief of Gia Dinh tax office arrested on April 27 1979, sentenced to death by the People's tribunal of HCM City for attempting to overthrow the People's Government executed at Long Thanh My district of Thu Duc/ HCM City on July 22 1983 at 4th 30 AM. His remains were secretly removed to Bien Hoa by his family
- 2- TRAN QUANG MAN born 1932 in Saigon high-school teacher, arrested on April, 21, 1979, sentenced to death by the People's tribunal/ HCM City, executed at the same time and same place with Mr. Hoang
- 3- NGUYEN VAN AN aka Do Thanh Hai born in 1945, arrested with Mr. Hoang, tortured to death by police interrogators, his corpse was liquidated, and was unfound by his family until now
- 4- TRAN VAN BA born in 1945 French citizen, arrested on Oct. 1984, sentenced to death by the People's tribunal of HCM City on Dec. 14, 1984, executed on January 5, 1985 at Long Thanh My, district of Thu Duc/ HCM City.
- 5- LE QUOC QUAN a French citizen arrested in the same time with Mr. Ba sentenced to death in Dec. 14 1984 by the tribunal/HCM City, executed on the same day and time and place with Mr. Tran Van Ba.
- 6- HO THAI BACH arrested in the same time with Ba and Quan, sentenced to death on Dec. 14 1984 by the tribunal of HCM, executed on same day, time and place with Mrss. Ba and Quan
- 7- PHAN VAN TAN April 8 1979 sentenced to death on July 22, 1981 by the People's tribunal/ HCM City executed in Dec. 1981 at Long Thanh My, district of Thu Duc/ HCM City

- 2
- 8-NGUYEN MINH SANG aka Vo Dinh San , born in 1942, employee for an American private company before 1975, arrested on April 8, 1979, sentenced to death by the tribunal of HCM City on July 22, 1981, executed in Dec. 1981 with Mr. Phan Van Tan.
- 9-VU XUAN DUONG. born in 1922 a former Major in the Republic of Vietnam Armed Forces. Arrested on April 8, 1979, sentenced to death by the tribunal/ HCM City executed in Dec. 1981 with Mrs. Phan Van Tan and Nguyen Minh Sang
- 10-PHAN CONG HIEN. born in 1939, arrested on April 8, 1979 , sentenced to death on July 22, by the tribunal of HCM City, executed in Dec.1981 with Mrs. Tan, Sang and Duong.
- 11-NGUYEN VAN VIEN. an Airborne Major in the Republic of Vietnam Armed Forces, brother of father Nguyen Van Vang, arrested in August 1977, sentenced to death by the tribunal/ HCM City, executed in 1978 at Long Thanh My district of Thu Duc.(exact date and month unknown).
- 12-NGUYEN HUY CHUONG Leader of " the People's Revolutionary Movement", arrested on August 2, 1977, executed in 1978 at Long Thanh My, district of Thu Duc (exact date unknown).
Priest
- 13-NGUYEN VAN GIAU a Captain in the Republic of Vietnam Armed Forces, aide-de-camp to General Van Thanh Cao, escaped from reeducation camp of Long Giao/ Long Khanh in 1976, arrested and sentenced to death by the tribunal of Song Be province, (Judge: Nguyen Dinh Quyen), executed on June, 4, 1977 of the lunar calendar at Song Be stadium.
- 14-TRAN QUANG VINH. a 2nd lieutenant, graduated from the National Psychological warfare Academy. Born in 1952 in Hanoi, nephew of the late Tran Van Tuyen, a famous human rights Attorney and leader of the opposition to Thieu. Vinh was arrested in Ban Me Thuoc, Dac Lac province with his brother Tran Hoai Ha. Both were executed in Oct. 1975 without trial.
- 15-TRAN HOAI HA. born in 1954 in Hanoi, Tran Quang Vinh's younger brother, executed without trial in Oct. 1975 in Ban Me Thuoc, Dac Lac province.
- 16-NGUYEN DOI. member of the Vietnam Kuomintang party , sentenced to death by the tribunal of Quang Nam, executed at Ky Anh Village, Ly Tin district, Quang Nam province in 1980.
- 17-NGUYEN LIEU. member of Vietnam Kuomintang Party, younger brother of Nguyen Doi, sentenced to death by the People's tribunal of Quang Nam for " counter-revolutionary charges." executed on the same day with Mr. Nguyen Doi in 1980
- 18-NGUYEN VAN HIEU. settler from Quang Nam province, executed by Xuan Loc security police for "attempting to deliver" political prisoners of Z30 Chard labor camp/ Xuan Loc district, Dong Nai province (exact date unknown).
- 19-LE DUC THINH. born 1944, former Major in the Republic of Vietnam Armed Forces, sentenced to death for "attempting to escape from reeducation camp", executed on April. 16, 1979 at Long Giao/ Long Khanh province.
- 20-ALI HUNG former Navy Non -Commissioned Officer, sentenced to death for preventing the State security police to ransack Catholic Vinh Son Church, executed in 1978

- 21-CHU MINH LOC former captain in the Republic of Vietnam Armed Forces was arbitrary shot death in the back in Nov. 1976 in reeducation camp # 12/776th group, inter- camp Noi/Yen Bai province/North Vietnam. .
- 22-VU HO member of the VN Kuomintang Party, born in 1930, executed in Tam Ky, Quang Tin central VN (exact date unknown).
- 23-TRAN HOC HIEU
Priest executed in Long Khanh province in 1978 for " attempting to overthrow the People's Government" (exact date unknown).
- 24-Minister PHAN TAN executed for "attempting to overthrow the people's Government", (exact date unknown).
- 25-DUONG TRUNG CAN executed with Pastor Phan Tan (exact date unknown).
- 26-DO VANG LY executed with Pastor Phan Tan and Mr. DT Can (exact date unknown).
- 27-KHONG TRUNG LO executed for "attempting to overthrow the people's Government" (exact date unknown).
- 28-PHAN NGOC TRANG notable caodaist, sentenced to death in 1976 .
- 29-NGUYEN THANH DIEM notable caodaist, sentenced to death in 1976.
- 30-DANG NGOC LIEM notable caodaist, sentenced to death with Mrss. PN Trang and NT Diem.
- 31-NGUYEN VAN MANH caodaist, sentenced to death on Dec. 8, 1979.
- 32-LE VAN NHO caodaist, sentenced to death on Dec. 8 , 1979. With Mr. NV Manh.
- 33-NGUYEN THANH LIEM caodaist, sentenced to death on Dec. 11, 1979 in Tay Ninh.
- 34-HUYNH THANH KHIET caodaist, sentenced to death on Dec. 11, 1979 in Tay Ninh, with Mr. NT Liem.
- 35-HO HUU HIA caodaist, sentenced to death on Dec. 11, 1979 in Tay Ninh. With Mrss. NT Liem and HT Khiết.(34 , 35)
- 36-TRAN NGOC THANH chief of Cao Dai Scout group, sentenced to death in Da Nang (exact date unknown).
- 37-NGUYEN VAN BAY Cao Dai Scout Group's Commissioner, sentenced to death in Da Nang (exact date unknown).
- 38-NGUYEN VAN PHUNG Hoa Hao Buddhist, death sentence, executed (exact date unknown).
- 39-NGUYEN DE Hoa Hao Buddhist, death sentence, executed (exact date unknown).
- 40-HUYNH VAN LAU Hoa Hao Buddhist, former congressman, executed publicly at the City Town in Chau Doc on August 29, 1975.
- 41-NGUYEN VAN BAO Hoa hiao Buddhist, death sentence, executed (date unknown).
- 42-NGUYEN VAN KHIET Hoa Hao Buddhist, death sentence, executed (date unknown).

- 43-NGUYEN VAN OANH. Hoa Hao Buddhist, death sentence, executed (date unknown).
- 44-LE CHON TINH. Hoa Hao Buddhist, death sentence, executed (date unknown)
- 45-NGUYEN VAN COL. Hoa Hao Buddhist, death sentence, executed (date unknown).
- 46-NGUYEN VAN BA. Hoa Hao Buddhist, death sentence, executed (date unknown).
- 47-NGUYEN VAN UT. Hoa Hao Buddhist, death sentence, executed (date unknown).
- 48-NGUYEN THANH LONG Hoa Hao Buddhist, tortured to death with a broken neck.
- 49-NGUYEN THANH NAM. an engineer who promoted reconciliation between North and South Vietnam to cease the war. He was beaten to death with a broken neck.
- 50-VO PHE. Chairman of the "Front for the National Salvation" (FNS), born at My Hoa, Phu My- Nghia Binh (Binh Dinh), executed in Oct. 1979.
- 51-THIEU KHAC PHUONG. Vice chairman of the "Front for the National Salvation" (FNS). POB: Nhon Loc- An Nhon, (Binh Dinh), executed in Oct. 1979.
- 52-LE VAN THUAN. POB: Tai Luong - Tam Quang, (Binh Dinh), executed in Oct. 1979. (FNS).
- 53-NGUYEN VAN HOA. POB: Nhon Loc- An Nhon, (Binh Dinh), executed in Oct. 1979. (FNS).
- 54-NGUYEN QUOC HUNG. POB: Nhon Khanh- An Nhon, (Binh Dinh), executed in Oct. 1979. (FNS).
- 55-PHAN VAN HUYNH. POB: Nhon Hoa- An Nhon, (Binh Dinh), executed in Oct. 1979. (FNS).
- 56-NGUYEN QUOC HAN. POB: Nhon Tho- An Nhon, (Binh Dinh), executed in Oct. 1979. (FNS).
- 57-LAM ANH HAI. POB: Nhon Hoa- An Nhon, (Binh Dinh), executed in Oct. 1979. (FNS).
- 58-NGUYEN TAN PHAT. POB: Nhon Khanh- An Nhon, Binh Dinh, executed in Oct. 1979. (FNS).
- 59-NGUYEN VAN LINH. POB: Nhon Loc- An Nhon, (Binh Dinh), executed in Oct. 1979. (FNS).
- 60-NGUYEN VAN CO. POB: Binh Nghi- Binh Quang, (Binh Dinh), executed in Oct. 1979. (FNS).
- 61-NGUYEN VAN TRUNG. POB: Binh Tuong (Binh Dinh), executed in Oct, 1979. (FNS).
- 62-NGUYEN VAN HUNG. aka Le Minh Hung. POB: Cat Hiep-Phu Cat, (Binh Dinh), executed in Oct.
- 63-NGUYEN THANH PHIEN. POB: Phuoc Hiep- Tuy Phuoc, (Binh Dinh), executed in Oct. 1979.
- 64-HUYNH LONG SON. POB: Phuoc An- Tuy Phuoc, (Binh Dinh), executed in Oct. 1979.
- 65-NGUYEN VAN PHE. a captain in the Republic of Vietnam Armed Forces, executed in Nov. for escaping from reeducation camp No. 12 inter-camp No 1/776th group, Yen Bai province/North Vietnam.
- 66-NGUYEN VAN BE. a life sentenced prisoner held in A 20 camp, Xuan Phuoc, Phu Yen province, executed for attempting to escape from the camp with Le Van Thieu and Nguyen Phuong Tay. After the failed escape Mrs. Trieu and Tay were sentenced to 20 years imprisonment.

5

- 67-DANG VAN TIEP former congressman, brutally tortured to death on May 2, 1979 at Thanh Cam camp (Thanh Hoa province) North Vietnam.
- 68-TRAN THANH DINH a leader of Duy Tan party, executed at Thu Duc market in 1976 after being charged of " plotting to overthrow the People's Government".
- 69-HO NGOC CAN former ARVN Colonel, chief of Chuong Thien Province, executed publicly in June 1975 at the City Town. His corpse was trailed along the streets behind a Jeep by the communist executers before it was buried.
- 70-YO YANG former ARVN colonel, shot dead in the back in 1976 in Tien Lanh concentration camp, Quang Nam province.

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Democratic Chief of Staff

One Hundred Fourth Congress
Congress of the United States
Committee on International Relations
House of Representatives
Washington, DC 20515

Joint Hearing
on

"Human Rights in Vietnam"

8 November 1995

During his testimony before the House Subcommittees on Asia and the Pacific and on International Operations and Human Rights, Mr. Tran Tu Thanh, Executive Director of the Vietnam Helsinki Committee, requested that the document *Religious Persecution in the Socialist Republic of Vietnam, 1975-1995* be made part of the hearing record. While this document is not included in the "Human Rights in Vietnam" hearing print due to the length of the document (in excess of 126 pages), the Subcommittee on Asia and the Pacific will retain *Religious Persecution in the Socialist Republic of Vietnam, 1975-1995* as part of the hearing record kept in the subcommittee office. At the end of the 104th Congress, the entire file on this hearing will be archived.

For those wishing to obtain a copy of this Vietnam Helsinki Committee publication, you may contact the Committee at the following address:

Vietnam Helsinki Committee
P.O. Box 6132
Alexandria, Virginia 22306-6132



News Service 215/95

AI INDEX: ASA 41/07/95
8 NOVEMBER 1995

VIET NAM: AMNESTY INTERNATIONAL CONDEMNS IMPRISONMENT OF PARTY CRITICS

Following today's sentencing of two prominent critics of the Communist Party of Viet Nam (CPV) Amnesty International is calling on the Vietnamese government to release them immediately and unconditionally.

Hoang Minh Chinh, 76, was sentenced to 12 months' imprisonment and Do Trung Hieu, 57, to 15 months reportedly on charges of "abusing the rights of freedom and democracy to damage national security".

"It is appalling that the two men have been sentenced merely for questioning the policies of the Communist Party -- they are prisoners of conscience and should never have been tried in the first place," Amnesty International said today.

"It seems that their trial and sentences are simply designed to ensure calls for reform will not be heard in the run-up to next year's Party Congress."

Amnesty International is particularly concerned by their sentences because both men are suffering from serious health problems. Hoang Minh Chinh is said to suffer from heart and respiratory problems as well as low blood pressure. He is also known to be in severe pain and suffering paralysis in his arm due to a worsening of a long-standing shoulder injury. These problems are reportedly being exacerbated by his continued detention in B-14 prison outside Hanoi.

Do Trung Hieu has for many years suffered from a heart complaint and his health is feared to have deteriorated since his arrest. He has reportedly been allowed to see his family only once since his arrest.

The two men were sentenced by Hanoi People's Court following their arrest on 13 June. Both have been detained on previous occasions for years without trial for their criticism of trends within the CPV.

Amnesty International is also concerned about the fairness of the one-day trial, particularly as both men were reportedly denied representation by lawyers of their choice.

Hoang Minh Chinh, a communist activist since the age of 14 who rose to senior positions in the North Vietnamese regime was first detained in the 1960s for expressing criticism of Maoist tendencies in the Party. From 1967 to 1991 he spent 11 years in prison and nine under house arrest or surveillance for his repeated calls for political and economic reform. His latest arrest is believed to have resulted from his recent calls for the rehabilitation of those purged during the 1960s and for expressing views critical of the Communist Party in interviews with foreign journalists.

Do Trung Hieu, a senior member of the CPV until his expulsion in 1992, is believed to have been arrested for a pamphlet he wrote earlier this year calling for a national reconciliation conference

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which would include expatriate Vietnamese groups. Do Trung Hieu was in charge of the communists' mobilization of intellectuals, students and youth in Saigon during the Viet Nam war.

The trial comes only days after two other prisoners of conscience were released and expelled from Viet Nam. Nguyen Tan Tri and Tran Quang Liem, both naturalized Americans of Vietnamese origin, were among nine defendants who were arrested in Ho Chi Minh City for their part in a peaceful political organization entitled the "Movement to Unite the People and Build Democracy". The men were involved in arranging a conference on democracy at the time of their arrest in November 1993.

Amnesty International welcomes the fact that Nguyen Tan Tri and Tran Quang Liem are no longer in detention but believes that their imprisonment and that of their Vietnamese colleagues was arbitrary, in contravention of the International Covenant on Civil and Political Rights to which Viet Nam is a party.

The organization is calling for the immediate release of all of the seven who still remain in detention. They are: Professor Nguyen Dinh Huy, Dr. Pham Tuong, Nguyen Ngoc Tan, Bui Kim Dinh, Nguyen Van Bien, Dong Tuy and Nguyen Van Chau -- and are all currently serving four to 15 year sentences.

ENDS\

The
American
Legion

★ WASHINGTON OFFICE ★ 1608 'K' STREET, N W ★ WASHINGTON, D. C. 20006 ★
202-861-2711 ★



OFFICE OF THE
EXECUTIVE DIRECTOR

November 8, 1995

Representative Christopher Smith, Chairman
Subcommittee on International Operations
and Human Rights
House Committee on International Relations
2401A Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

The American Legion appreciates the fact that you are holding today's hearings on an important humanitarian issue. As you are aware, The American Legion strongly supported the recent amendments which would provide for a reexamination of the refugee status of thousands of Vietnamese who fled their homeland out of fear of political reprisal, up to and including death. We are continuing to urge the passage of similar language in the Senate.

We are very much aware of the plight of our former allies who currently remain in Vietnam, having personally talked with many of them during several trips to Vietnam by American Legion officials over the past four years. Most if not all of them have been imprisoned in "reeducation" camps, and once released, have been treated as less than second-class citizens. Most of those fortunate enough to work have the most menial jobs available. Additionally, we have spoken with numerous former ARVN who have been prohibited from emigrating to the United States or elsewhere through the Orderly Departure Program.

Those former members of the South Vietnamese armed forces who escaped by boat or whatever means, and their families, certainly have great reason to fear being forcefully repatriated. All one needs to do is review the latest State Department report on human rights in Vietnam to realize that little has changed with respect to what happens to those citizens who have political differences, or try to exhibit religious freedom in that country.

The American Legion considers it a debt of honor to strongly support your efforts to authorize the proper screening of those individuals who continue to be held in refugee camps in Asia, including the Lao Hmong, and to allow for the resettlement of those refugees who fought side-by-side with the American forces during the Vietnam War, as well as their families.

228

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- 2 -

I have enclosed a copy of Resolution No. 7, adopted by The American Legion's National Executive Committee on October 18, 1995, which sets forth our official policy on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Sommer, Jr.", written in a cursive style with a large initial "J".

JOHN F. SOMMER, JR.
Executive Director

Enclosure

NATIONAL EXECUTIVE COMMITTEE MEETING
OF
THE AMERICAN LEGION
INDIANAPOLIS, INDIANA
OCTOBER 16-19, 1995

RESOLUTION NO.: 7

SUBJECT: RESETTLEMENT OF VIETNAMESE AND LAO HMONG
REFUGEES

ORIGIN: FOREIGN RELATIONS COMMISSION

WHEREAS, The American Legion upholds a foreign policy of "Democratic Activism" which promotes democratic values; and

WHEREAS, The American Legion has adopted foreign policy principles that support human rights; and

WHEREAS, There are about 70,000 Vietnamese and Lao Hmong remaining in refugee camps in Southeast Asia, many of whom fought side by side with Americans during the Vietnam war and should not be forgotten now, but are being denied their human rights; and

WHEREAS, Nations and international organizations involved in the Comprehensive Plan of Action (CPA) are not appropriately investigating the compelling refugee claims of many people who remain in the detention camps, and of others who may escape from Vietnam or Laos in the future; and

WHEREAS, It is imperative that our former allies who are true refugees be separated from the "economic migrants" through the implementation of an honest and judicious screening process; and

WHEREAS, The CPA has not successfully encouraged voluntary repatriation; since 1989, only a fraction have returned, including fewer than 10% of those in Hong Kong camps; and

WHEREAS, Forceful repatriation may result in reeducation, "slave" status or death for our former allies who worked with the United States military or for the CIA behind enemy lines during the Vietnam War; and

WHEREAS, Some of the "voluntary" repatriations have been the result of intense pressure, including punitive detention of persons who had been selected for repatriation but had refused to "volunteer"; and

WHEREAS, The U.S. Department of State proposes a policy of granting another interview in Vietnam giving credit for service with the Army of the Republic of Vietnam, or time in a reeducation camp, but it is not specified who will secure these transit camps; and

WHEREAS, The American Legion considers it a moral obligation to assist our former allies; now, therefore, be it

RESOLVED, By The National Executive Committee of The American Legion in National Convention assembled in Indianapolis, Indiana, October 16-19 1995, That The American Legion urge the U.S. Government to seek proper screening methods for our Vietnamese and Lao Hmong allies who laid their lives on the line in support of our efforts to maintain freedom in their country, and, be it further,

RESOLVED, That the American Legion opposes forceful and unwarranted repatriation of Vietnamese and Lao Hmong refugees; and, be it finally

RESOLVED, That The American Legion oppose the proposed process of conducting a second interview in Vietnam rather than the refugee camps, as it would put our former allies, the veterans of the Armed Forces of the Republic of Vietnam and Lao Hmong, at great risk based on the fact that their security would have to be guaranteed by their enemy, the Vietnamese Communists.



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