



EFC

The Evangelical Fellowship
of Canada

“NOT WHAT YOU SEE”

**A Report on the Religious Liberty Situation
of Protestant Believers in Vietnam**

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RELIGIOUS FREEDOM IN VIETNAM:

NOT WHAT YOU SEE

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1. Summary observations

Whenever questioned or challenged on religious freedom, Vietnamese officials are fond of making statements like, *“Just look at all the people and activity at churches and pagodas on worship days. You will see that there are no hindrances at all”*.

On a recent fact-finding trip to Vietnam, the author of this report found that church leaders interviewed about the religious liberty situation in Vietnam – mainly Protestant leaders from both registered denominations and unregistered house churches, as well as some Catholic leaders, responded, in effect, with the same answer: *“It is not what you see that reflects the real religious freedom situation, it is what you don’t easily see. We deal with many systemic hindrances to our religious activity. For a time in 2005 and 2006 we were hopeful, but since then we have been given regular reasons to doubt the government’s sincerity to change.”*

A number of leaders added that along with the modest progress that had occurred since 2006, was a situation that actually seems to have deteriorated. Most agree that authorities are using non-religious pretexts in refining more ways to frustrate Protestant groups that are growing. For example, in one instance government authorities singled out only a new church for demolition because it was allegedly built using illegally cut lumber. The congregation’s requests for permission were ignored and they proceeded to construct in the same fashion as all buildings constructed in the region around that time.

Additionally, religious liberty abuses perpetrated by both authorities and violently anti-religious citizens continue to go un-prosecuted and unpunished. The idea that the government has an actual policy on religion quite contrary to the public “laws” and “face”, is still widely believed by Vietnamese Christians and oft repeated.

The church registration regime which was supposed to be the core improvement (some said a great leap forward) offered by the 2004/2005 new religion legislation is considered of dubious benefit by those who have it and a failure by the many who do not – estimated to still be more than half of Vietnam’s Protestant population. The registration issue is causing dissension among church groups – some believe as a deliberate government strategy. Those who have it say to get registration is to acquire a new set of challenges.

Recent Catholic and Protestant experiences with church property and building issues are seen as outright betrayals. The current, rapidly growing dispute over the Tam Toa church in Quang Binh province is in line with others. The State media has started a propaganda campaign against “bad” Catholics. Any property aspiration of religious people expressed en masse will not be considered but are sure to be denied and squelched.

Christian leaders are also united in the conclusion that attempts to contain the Christian movement remain a driving force in Vietnam’s religion policy and practice. Protestants say they encounter harassment and persecution in all situations where they encroach on areas where there were previously no believers.

A number of prominent Christian leaders voiced disappointment with the inability of some foreign observers and diplomats to see through the government ploys. One leader voiced, *“Why do some diplomats seem to accept the government’s version of events at face value? Are they really fooled by the government’s cleverness?”*

Psychologically speaking, it seems the promises of improvement five years ago were too high and the delivery too low for modest improvements to be given the credit they have received.

There is speculation by some church leaders about the recent increase in discrimination towards Catholics, Protestants, Buddhists and human rights advocates such as Le Cong Dinh, a prominent lawyer/rights activist who defended other activists in court and was himself therefore arrested for “slandering the state” and “threatening national security”. They wonder if it stems from an ebbing government ability for social control. They also observe that the numbers of discontented are growing significantly. This concerns authorities who are responding by lashing out to try to show strength to those sectors they know have "different ideas" than their own ideology and government. If they do not show force toward these sectors – authorities fear the worst. In terms of Party and government attitudes and practices concerning religions, this concern quickly trumps regard for international opinion, which has been a driver for improvement.

Two major issues, raised for some time as shortcomings of Vietnam’s religion practices, remain unaddressed: the highly irregular and problematic church registration system and the ongoing failure of Vietnam to prosecute violators of citizens’ religious rights – whether government officials or ordinary citizens.

A real indicator of improvement would be a growing trust relationship between religious leaders and government officials. No religious leader I talked to indicated a serious basis for increasing trust. The contrary is true.

2. Vietnam visit in June and July 2009

The above observations/conclusion came out of a 12-day visit to the Ho Chi Minh City and Hanoi areas of Vietnam by officials of the Evangelical Fellowship of Canada (EFC) and the World Evangelical Alliance (WEA). Some ethnic minority leaders and others traveled from remote areas to these cities to meet these officials.

Those visited and interviewed were top leaders, pastors and members of the Evangelical Church of Vietnam – South (ECVN-S), North (ECVN- N), house church leaders of the Vietnam Evangelical Fellowship in the south and the recently formed Hanoi Christian Fellowship in the north, as well as some Catholic leaders – about 35 people in all.

Also visited were next-of-kin of imprisoned prisoners-of-conscience lawyers Nguyen van Dai and Le thi Cong Nhan.

One key question asked was whether the new religion legislation of five years ago had delivered progress in religious freedom.

3. The new religion legislation of 2004/2005

The new legislation came with a promise and a hope for substantial improvement in Vietnam's religious liberty situation. It included the Ordinance on Belief and Religion of 2004, and the Prime Minister's Special Directive on Protestantism and the Decree on Religion No. 22 of 2005.

In themselves quite limited in the expanded religious freedom they offered, the new "laws", once publicized with much promise, have been only partially and selectively implemented.

In the key area of church registration, five Protestant groups and a Seventh Day Adventist church have been granted full legal recognition (in addition to the ECVN(N) and ECVN(S) which had it before this legislation). Sadly, two of the recently registered groups are reported by their peers to have used money or collaboration to help gain legal registration status. Government figures agree with church figures in identifying about 70 Protestant groups in all.

The benefits of legal recognition for the two ECVN bodies, however, did not extend to the majority of their churches that consist of ethnic minorities. These must go through a special registration process entirely controlled by the government and not included in the new legislation. The Central Bureau of Religious Affairs *2008 Training Manual for the Task Concerning the Protestant Religion*, references documents regulating the protocol for this but does not disclose the contents. (See full analysis of this manual posted in June 2009 by Christian Solidarity Worldwide (CSW) on their website at www.csw.org.uk).

The provision of the legislation to provide for international visits and connections for registered church bodies with full legal recognition has proven useless. Of the now many hundreds of foreign visits and contacts, fewer than 10 have been officially allowed, and these only in connection with a church organizing general assemblies where the government can get some propaganda advantages. This year, the ECVN(S) wanted to invite the president of their American sister denomination to address their quadrennial general assembly. When they broached this with Bureau of Religious Affairs, it was dismissed as "unnecessary". This cavalier treatment by officials of the modest aspirations of the largest and best established Protestant body is highly indicative.

None of the legally registered churches have plans to report all their activities – as registration really expects and requires. Most leaders of legally registered groups say they still disclose less than half of their planned activities.

Once legally registered, it is very difficult for a church to make changes to its constitution. For example, the ECVN(S) desperately wants to reincorporate into its constitution to the district level administration it traditionally had, but which was required

removed as a condition of legal registration in 2001. With general assemblies only every four years, it will take at best eight years to accomplish this – provided the government approves. In the meantime, administrative overload of top church leaders remains debilitating.

The Prime Minister's 2005 Special Directive on Protestantism was supposed to be a fast and efficient directive from the top to enable local officials to register local congregations for religious activity, until the more comprehensive legislation was operative. At this point, it is fair to say that local officials have ignored this directive. An analysis of the reports of many house church groups received on this visit reveals that only about 10 percent of congregations that applied for local registration were granted the same. The most common response to an application remains none at all. Some have been given written refusal and for others officials would not even receive their application.

Further registration activity this year is expected to be very limited. Reportedly, the government is to complete the registration of bodies claiming pre-1975 existence. Some church leaders have been told the delayed registration of the Lien Huu Co Doc house church group will take place in September, but that this still may not happen as this body has been in melt-down since losing major foreign support in 2008. In late June, the Assemblies of God (AOG) group submitted application for level two registration that allows blanket national permission for religious activity. However, the AOG only consented to apply when the government finally dropped its longtime demand that the AOG change its organizational structure to exclude its regional administration structure. An answer was promised in 30 days, a time now expired.

According to some reports, the government plans to do a five-year evaluation of the new religion legislation. Serious government consultation with Vietnam's Protestants themselves would be highly desirable, but is quite unlikely.

4. Stories and Indicators

The accumulation of the experiences of Christians and the stories below contributes to the conclusions above, and leads to the serious, on-going skepticism of Protestant leaders concerning prospects of better Vietnam religion policy and practice. These are what casual observers do not see:

1. Earlier this year a woman not far from Hanoi who had recently become a Christian believer invited others to her home for Christian worship and teaching. (Those involved did not wish to disclose their names.) Her husband opposed this and began to seriously and regularly beat his wife. Encouraged by other believers she eventually reported this to the local police - who sided with her husband and did absolutely nothing. When she declined to give her husband a divorce, he went to local authorities and had his wife and daughter removed from the family register. When she confronted the local authorities on this, they defended their illegal action by saying there were not two parties in Vietnam – only communism. She was advised by the national head of the

house church she belonged to to take her case to the women's union that often defends women in such straights. They declined to help "because you are a Christian".

This indicates how anti-Christian prejudice and discrimination are allowed to have their way, are tolerated and even promoted by local officials. The government has been very slow to instruct bureaucrats on changes to the operational framework for religion in the supposedly more enlightened official attitude toward religion, let alone other representatives or agency officials.

2. Authorities in Dien Bien in particular and in other Northwest Mountainous Province locations are still refusing to issue ID cards to Christians who ask that "Christianity" be recorded in the religion space. Some embassies have protested this discrimination, but to no avail.
3. The authors met and interviewed Pastor Duong van Tuan of Hung Yen whose abuse was detailed in a June 18, 2009 Compass Direct News release¹. All facts which appeared in the new release were confirmed. Additionally, Pastor Tuan provided photos of welts and marks on those punched and kicked by the police. The most alarming additional news was about the mistreatment of his wife, Mrs. Nguyen Thi Vuong, by the police. Two officers grabbed her arms to restrain her and banged her head against a wall. Photos show her being dragged across the yard by six or seven police officers before they threw her into a field. This act was justified by misguided authorities as enforcing law and social order! Mrs. Vuong was taken by fellow Christians for medical care the same day.

Several house church pastors of the Hanoi Christian Fellowship went to visit Pastor Tuan after the incident of June 21 and complained directly to local officials about "human rights abuses". When word got back to Hanoi the pastors were called in by Hanoi police for a discussion in which they reaffirmed their concern for such egregious abuse of religious believers exercising their rights under Vietnamese law. No action was promised, but the house church leaders felt the Hanoi officials listened to them and, at least in part, may have agreed with them.

4. Some provinces and areas are noted for their anti-Christian attitudes and actions. Among these are Thanh Hoa and Dak Lak, where in both places 1950's communist throw-back public denunciations against Christian leaders took place this year.

¹ Compass Direct News, Vietnam, 2009, <http://www.compassdirect.org/english/country/vietnam/3600/>

5. While in Vietnam, the authors learned of apparent collaboration between Vietnamese and Laos officials against Christians of the Bru ethnic minority. Ethnic minority evangelists (and many other minority people) routinely cross the border between Vietnam and Laos in the Quang Tri (Vietnam) and Savannakhet (Laos), their traditional region. On June 28, 2009, two Vietnamese Bru evangelists were detained in Saphol District, Savannekhet province, Laos, while they were participating in a worship service of a newly established Bru church. They were imprisoned – ankles shackled with the shackles trussed to arm restraints. During their two month incarceration they were provided with only one small bowl of rice and salt daily which they were forced to eat awkwardly with their chained hands.

Investigation by leaders of the church organization to which these men belong revealed the following:

Vietnam police in Quang Tri say that they do not intervene for citizens of Vietnam arrested in Laos. On the other hand, Laos officials concerned say they will release the prisoners only if the Vietnamese police affirm they are Vietnamese. Vietnamese police did indeed go to Laos on this case but refused to verify the evangelists as Vietnamese citizens because, it is thought, it was convenient to let Laos authorities do their dirty work. This anti-Christian activity suits both Lao and Vietnamese police.

After being ransomed with an exorbitant “fine”, the evangelists were finally released from their Laos prison and turned over to Vietnamese border authorities on August 30, 2009. The evangelists were subsequently held in a Vietnamese prison for an additional 10 days of investigation and released on September 10, 2009 after another significant fine was paid. While in the Vietnamese prison, officials refused to feed them “because they are Christians”. Family members, however, were allowed to bring them food.

This incident in Laos is one of a number of several recent incidents in which Laos authorities seem to have renewed an offensive against Christians.

Contacts met during this visit provided information on three serious incidents since the authors’ visit to Vietnam:

6. Five police officers banged on the door of house church leader Mr. Nguyen van Chinh of Hoc Mon District in Ho Chi Minh City at midnight of July 24, 2009 demanding to be let in. The pretense was checking ID’s and family register. The police found no one except those registered in the “temporary residence”. The real reason became clear the next day when police called the Christians in for interrogation. They were pressured to sign a document saying they had participated in regular illegal gatherings, but they refused. This church followed local government guidance and submitted a request to register for local religious activity in January. No reply was received until July

25, 2009 when they were told to resubmit an application. When they tried to do so on the spot, the authorities would not accept it on the grounds that that future city planning would not accommodate a church there. The Christians were told to cease and desist in any further meetings. To disobey would be make them guilty of violating security and public order with dire consequences.

According to the authorities, there is no way forward for the house church but to quit worshipping at this location. The church, however, was determined to continue to meet three times per week and face the consequences. When they met the morning of Sunday, July 26, 2009 they were disrupted by police but continued anyway. Mr. Chinh said he would go to the police after the worship and other religious practices were completed. Because of harassment, the group went to the home of another house church leader in the area to complete the baptism of several new members. (The leader of that church is now also being harassed by local authorities.) When Mr. Chinh went to the police station later, where he was detained and questioned for two hours. He was again forbidden to worship in his residence by written order. This is not an atypical story of the Catch 22 situation into which Christians are often put.

An order was received by Mr. Chinh on July 30, 2009 to come to the police station on July 31, 2009 to “receive the order for an administrative fine”. He was told this fine was for his house church meeting illegally. He paid the fine but another attempt to register the house church was rebuffed. The most recent reports indicate that he is now being asked to submit a registration application for the fourth time in eight months.

7. Another incident also took place on Sunday, July 27, 2009 in Tran Phu Commune, Chuong My District, Hanoi (until recently Ha Tay Province). Mr. Dang Dinh Toi, commune police chief with four others pushed their way into a home church service being led by Pastor Ms Dang Thi Dinh. They ordered the meeting be disbanded, but the Christians present refused to move. The police then threatened the believers with death.

They pressured the Christians to sign a document admitting they were holding an illegal gathering. Pastor Dinh insisted they substitute “Christian worship service” for “illegal meeting”. The police agreed and the people then signed but the police would not leave them a copy as the law requires.

Following this, one of the policemen shouted an extremely pejorative word for “you” saying, “If next Sunday (August 2, 2009) I find you meeting again, I will kill you all like I’d kill a dog!”

The next day the leader of this church group from the south, the Rev. Ms. Vo Xuan Loan accompanied Pastor Dinh to meet the chairman of the commune peoples’ committee and tried again to apply for local registration according to

the Prime Minister's Special Directive Concerning Protestants. The chairman asked them where in the world they came up with such a government order and whatever the case, it did not apply in his commune. When asked why, he replied, "In this commune we have absolutely no Protestants!" Then he shooed them away.

8. Authorities in Dak Lak appeared to take advantage of the absence of the top leader of the Vietnam Good News Mission/Church (VNGNM/C) who was in the US for his son's wedding in July 2009 to apply additional strong pressure to his organization. In March of 2009, officials closed a Bible School in Buon Ma Thuot serving Montagnard church leaders. Since then they have been harassing the lead pastor who ran the Bible School, the Rev. Mai Hong Son. On July 28, 2009, Dak Lak police summoned four Montagnard church leaders. They were interrogated individually and the sessions videotaped. The intent was to get them to implicate Pastor Son in opening an illegal Bible school and building an illegal dormitory. The next day they summoned Pastor Son. He refused to allow the session to be videoed. But in intense and unpleasant questioning by officials (one of whom he believed to be from the Ministry of Public Security in Hanoi) they made clear to him that VNGNM/C activities were illegal and demanded that he write an account of all his past church activities. They informed him his church had no constitution and by-laws and so could not be considered for registration. When he provided them on the spot with copies of these documents (which the church had submitted to authorities in Hanoi last March), he was summoned to Hanoi for further discussion.

Official Vietnam television then aired a program including 19 minutes of video in which pastors and members of another prominent church severely criticized and slandered the VNGNM/C, apparently unaware of how they were being used by the government to damage the Christian community at large. This illustrates reprehensible government strategy of sowing division among Christian groups.

VNGNM/C leaders point out that the government prescribed church registration system requires 20 years of stable illegal operation before eligibility for registration can be considered— conferring a strange kind of legitimacy on "illegality". The registration regime is anything but straightforward and transparent.

This case also illustrates that groups lead by strong leaders who dare to confront the government on irregularities and abuses are especially targeted.

5. A selfless appeal from Christian prisoners-of-conscience (POC'S)

Next-of-kin of prominent imprisoned Christian lawyers Nguyen Van Dai and Ms. Le Thi Cong Nhan said they do not expect further clemency in length of their sentences. There is

some concern about the health of Le thi Cong Nhan, but basically, both are reported to be okay. Ms Cong Nhan has a worrying swelling on one her eyes, and suffers some respiratory difficulty exacerbated by her assigned job of regularly sweeping the cell she shares with many convicted criminals. Ms. Cong Nhan was taken to a local hospital to check her eye but without much satisfaction. She was also given a change for her optical prescription, but this proved so unsatisfactory that she continued to use her old glasses.

Significantly, the relatives we talked to volunteered that international attention on Lawyers Dai and Cong Nhan and on Father Ly at this point have virtually guaranteed no mistreatment for these POC's. The exemption is almost embarrassing they say. Lawyer Dai alone among prisoners is exempted from any physical work. He is able to serve as a spiritual leader for the many Montagnard Christians in his cell and for some Vietnamese POC's who are Christian believers.

Through their next-of-kin Lawyers Dai and Cong Nhan appeal to churches, rights activists and governments to raise the cases of other human rights prisoners-of-conscience who are said to be suffering terribly in prison.

6. Recommendations

The EFC Religious Liberty Commission believes that Vietnamese authorities could markedly improve the trust relationship with Protestants, by:

1. Promptly implementing their own regulations, especially to speedily register all congregations to carry on religious activity as ordered by the Prime Minister in his *Special Directive Concerning the Protestant Religion* of February 2005. This will require authorities to greatly speed up educating government officials at all levels in the now five-year old new religion legislation.
2. Respectfully inviting all Protestant groups, registered and unregistered, to contribute their experiences and ideas as part of the proposed five-year evaluation of the new religion legislation.
3. Vigorously investigating and, where indicated, publicly prosecuting local officials in the situations where they plainly violate the rights of religious believers. As long as officials frustrate, discriminate, harass, and persecute Protestant believers with impunity, they cannot expect to gain trust and respect.
4. Considering abolishing all special laws and regulations on religions, the Bureau of Religious Affairs, and the special Ministry of Public Security departments whose job is to watch and investigate religions, and instead bring all religions and religious matters under regular civil law. The continued existence of special religion laws and government religion bureaucracies conveys government suspicion of and bias against religion. So, abolition of these would provided a more enduring solution than drafting yet another comprehensive law on religion, as is planned.