



**NHÓM LINH MỤC  
NGUYỄN KIM ĐIỀN**

Contact: Reverend Phan Van Loi, [witness2005@gmail.com](mailto:witness2005@gmail.com)

The Nguyen Kim Dien Priests Group was founded by Catholic priests who are willing to take the risk and speak out for social justice and advocates for religious freedom for all Vietnamese. The group was named after Archbishop Nguyen Kim Dien, who died of poisoning in a hospital for having spoken out for justice and for religious freedom. Representatives of this group include Father Nguyen Van Ly, Father Phan Van Loi and Father Nguyen Huu Giai. The group publishes the biweekly online magazine “Freedom of Speech” and issues statements about social justice, rule of law, and individual cases of persecution. Father Nguyen Van Ly, a founder of the group, is currently in prison.



Committee of Justice and Peace for the Vietnamese Catholic Community of Archdiocese of Galveston-Houston

Contact: Reverend Anthony Tam Pham, tel: 281-818-5333; email: [apham2001@yahoo.com](mailto:apham2001@yahoo.com)

The creation of the Committee of Justice and Peace for the Vietnamese Catholic Community of Archdiocese of Galveston-Houston is an acknowledgment that "Our faith calls us to work for justice: to serve those in need; to pursue peace; to defend life, dignity and rights of all our sisters and brothers. This is the call of Jesus, the challenge of the prophets, and the living tradition of the Church" (A Century of Social Teaching, NCCB, 1991).

The mission of the Committee of Justice and Peace, in pursuing the common good, is to plan, organize and implement efforts to promote social justice and peace and to foster a consistent ethic of life. *The Committee serves to realize the particular social justice agenda of the Bishop among the Vietnamese faithful. The Office also serves as a resource to the Archbishop, Auxiliary Bishops and the Catholic faithful regarding public policy developments, community concerns and justice and peace efforts locally, nationally and globally.*

## **Vietnam's Repression of the Catholic Church from 2009 through 2013 – Material for the Universal Periodic Review**

As a result of the 5<sup>th</sup> session of the UN Human Rights Council on 8 May, 2009, the following recommendation was offered to Vietnam: Step up efforts to ensure the full respect of freedom of religion and worship, including by reviewing laws and provisions at all levels related to the freedom of religion, in order to align them with article 18 of ICCPR. The Vietnamese government responded as follows.

*7. As a country with adherents to a variety of religions, with over 20 million formally associated with religions and 80% of the population considering themselves religious, Vietnam has always valued religious freedom. Vietnam considers religious freedom a legitimate need and has created favorable conditions for religious organizations to operate under the protection of the law, as equal entities under the law. Our government gives religious organizations a number of preferences, including granting them land on which to build their places of worship.*

*8. In Vietnam religious freedom is formally addressed in the Constitution and legal documents, consistent with international law. Vietnam has also given high priority to the improvement of its regulation of religious activities. Under this program, based on a regular review of legal documents and official directives at the national and local levels, the central government has initiated processes directed at amending and strengthening current laws and regulations aimed at religion and beliefs. Consequently, recommendations were sent to the National Assembly on modifications to the Ordinance on Beliefs and Religion of 2004, with the intent to update and increase the Ordinance's effectiveness to better guarantee religious freedom. Furthermore, the government has been responding quickly to incidents involving local officials' improper infringement on religious activities.*

*9. Another priority is the training of central and local government officials assigned to religious affairs and the education of religious people on national laws and policy related to religion. The official media has been used extensively for this purpose. The government has conducted training for the benefit of local officials. Currently our citizens have better access to communications related to religion and are more knowledgeable about their rights and responsibilities as specified by the laws concerning religion. The international community has noted the flourishing religious life in Vietnam in recent years.*

**Contrary to the official statements, over the past 5 years (and even earlier), history has shown that the government has done precisely the opposite of what the official line proclaims.**

1. On 18 June, 2004, the National Assembly issued the Ordinance on Belief and Religion, consisting of 6 sections and 41 articles. On 1 March, 2005, the government issued an implementing decree that offered further guidance on the Ordinance (Decree 22). On 8 November, 2012, the government issued Decree 92, Directives and Measures for Implementing the Ordinance on Belief and Religion, with 5 sections and 46 articles. These three documents form the basis for official control of religious organizations under the framework of “Request/Subject to Approval”, i.e., all religious organizations must seek permission for their activities while the government may approve as it sees fit (“register”/“registration” used 74 times – meaning “seeking permission for”; and “shall give the reason for denying requests” used 22 times in Decree 92). The three documents control and restrict the five pillars of religious organizations, namely legal status, personnel, activities, assets, and communications. Religious adherents call this system a “five-link iron chain”.

## **I- No recognition of churches as legal entities**

2. None of those documents mentions the legal entity status of churches. There is no written document recognizing the Catholic Church as a legal entity. None of the Catholic orders, parishes, dioceses, and the entire Church in Vietnam, is recognized in the same manner as the government recognizes social and political organizations, because the government has not yet acknowledged the Catholic organizations as legal entities for the purpose of needed, routine transactions, including the right to open bank accounts, the acceptance of their seals and representatives' signatures, etc. As a result, real property being used by dioceses, parishes and religious orders must be registered under an individual's name, e.g., a bishop, priest, minister, nun, or an ordinary Catholic – exposing such property to a greater risk of confiscation by the State because it is not viewed as church property. Also, the situation has resulted in an unwarranted restriction on the scope of activities of church representatives. Although Decree 92's Article 11 states "Once recognized by the government, a religious organization and its subordinate organizations may use seals as approved under the law", this by no means constitutes official acceptance of the organizations as legal entities.

3. The government requires religious organizations and subordinate entities (dioceses, parishes, or religious orders in the case of the Catholic Church) to register, i.e., seek approval for their operation, subject to stringent conditions. Actually the government has granted permission to operate only to the Catholic Church (in view of her long history) and a score of other churches, after an arduous permitting process and the imposition of many conditions. The recognized churches include the Vietnam Buddhist Church (approved in 1994), Tien Thien Cao Dai Church (1995), Minh Chau Dao Cao Dai Church of Hau Giang (1996), Dai Dao Tam Ky Pho Do Cao Dai Church of Tay Ninh (1997), Vietnam Protestant Church (2001), etc. The government tightly controls these approved entities. The Unified Buddhist Church of Vietnam (established over 1,000 years ago), the Hoa Hao Buddhist Church (established in 1945), and a number of Protestant Churches are outlawed and harshly suppressed, simply for wanting to be free from unreasonable interference and control.

## **II- Restricting human resources**

4. The Ordinance's Article 3 and Decree 92's Article 1 define the 3 categories of personnel: believers, priests (including monks and nuns), and church officials.

a- For ordinary believers, their ID cards must identify their religious beliefs, and this requirement applies to a large number of other documents beyond ID cards. This embodies an undeniably widespread discrimination policy. It is evident that no religious believers, especially Catholics, are allowed to hold any kind of important jobs in government, e.g., the public security ministry, armed forces, universities, public corporations, etc. In predominantly Catholic locations such as Thai Binh, Nam Dinh or Dong Nai, Catholics may rise at most to the rank of village committee chairs. There is not a single Catholic serving as district, or city, or provincial committee chair. No Catholic has risen to ministerial ranks or been commissioned as officers in the military. In all government units, even science and technology ones, Catholics are denied promotions to more senior positions, regardless of character and expertise. In the past, Catholics who wanted membership in the Communist Party had to renounce their faith and declare themselves atheists when completing their background questionnaire. However, beginning in 2000, the government started to recruit Catholics into the Party in order to use them as instruments for monitoring and controlling the Church. Even these Catholics have yet to be promoted to the middle ranks of their bureaucracies.

b- Regarding seminarians and clergy members the Ordinance's Article 21 requires that "*Church functionaries register any individual who recently joined with the local People's Committee at the village level*", and Decree 92's Article 13, after restating this clause, specifies that

approval by the cognizant government unit (with the authority to approve the registration of new entrants to a seminary or monastery) must be secured. This clause gives the authorities the power to deny entry to individuals or deny a religious order the right to operate. In Hue Diocese, seminary applicants not only submit applications to the archbishop and the diocese's management staff, but also have to seek approval from the provincial people's committee and Committee on Religious Affairs. The government's application form includes these words: "*I shall endeavor to obey the government's laws and carry out the duties required of a citizen while enjoying the rights of a citizen...*". In practice, many would-be seminarians were denied admission in view of their connections with "reactionary clergy members", e.g., nephews of the activist priests Nguyen Van Ly and Phan Van Loi.

c- Church officials: "*Church officials are believers who hold positions and/or ranks in a religious organization*" (Ordinance Articles 3-10). Ordinance Article 19 defined further (for the Catholic Church): "*Members of the Operating Committee, Chairs of committees reporting to the Episcopal Conference of Vietnam, Cardinals, Archbishops, Bishops, Vicars General, Vicars, Moderators of the Curia, Chancellors, Superiors of religious orders, Seminary Deans*" and clarified: "*The religious organization [meaning, the Church] that appoints, promotes, elects, or designates these officials must send the registration application [request for approval] to the Central Religious Affairs Oversight Office*". This is the implementation of Ordinance Articles 22-4.

5. This shows that the government even interferes with the appointment of bishops, a traditional Vatican purview (The Church had to agree at the first round of meetings between the Vatican and Vietnam held in Hanoi from February 16 to 17, 2009). Before the Church may appoint a bishop, the nominee must have been approved by the government. The Ordinance specifies that the prime minister acts on behalf of the government, but in practice, all the following entities play a role: people's committees, the Committee on Religious Affairs, and Public Security officials at the provincial, city and central levels. The provincial or city officials are in a position to derail nominations, including those approved by the central government. This situation can greatly extend the process of appointing bishops whenever all the cognizant government officials have not agreed on a nominee's political suitability. Some dioceses had to wait many years, e.g., Hung Hoa's 1991-2003 hiatus, before a new bishop was installed. It is evident that the government grossly interferes with the Church's internal affairs and has been attempting to exercise significant control over her activities through a sophisticated setup. How could the Church remain independent under current circumstances? How could the Church install the kind of bishops that She needs while the atheist and anti-religious government has a major say in such appointments? This unequal relationship between the Church and Vietnam's government has caused the Church to lose some of her autonomy.

6. Additionally, the government has been constantly trying to interfere with the ordination, appointment, and transfer of priests, using the model "Request/Subject to Approval". Each activity must be approved before the Church may carry it out. Beginning in 2005, the government dropped the use of the word "request" in favor of "register" (e.g., Decree 92 reflects this style shift). In practice the system has not changed at all, only its ugliness has been made less visible. Should the Church ordain a priest whom the government does not trust, the government will accuse the appointment to be illegal, attempt to disrupt the priest's work, and create more difficulties to the diocese, the religious order, and the priest over the long term. For example, in 2010, the government opposed the ordination of 2 Redemptorist seminarians and used various roadblocks to stop the process.

7. Furthermore, after approving a new priest, the government insists that the appropriate officials "*constantly educate this religious person on patriotism and his duties as a citizen and a law-abiding individual*" (Ordinance Article 2), although current laws include many clauses that go against religious teachings; and what the regime means by "patriotism" is "love of socialism". The

government's agenda is to turn clergy members into propangadists for the Communist Party, contrary to their legitimate mission. More accurately, the government has been enticing Church officials to trade their role as God's emissaries for a new role, the Party's emissaries. The most glaring examples are members of the Committee for Catholic Solidarity or priests who are members of the National Assembly.

### III- Restricting religious activities

8. The Ordinance lists 14 categories of religious activities: 1- Establish, split, merge, or unify subordinate organizations (Article 17). 2- Organize conferences and symposia for members of a diocese, parish, or religious order (Article 18). 3- Activities of groups affiliated with churches (Article 19). 4- Activities of religious orders, monasteries, and believers who practice their faith as groups (Article 20). 5- Process the admission of someone into an order or a seminary (Article 21). 6- Promote, appoint, elect, or dismiss church officials (Article 22). 7- Relocate church officials or members of a religious order (Article 23). 8- Establish a school or enrichment classes serving religious workers (Article 24). 9- Plan religious events outside of places of worship (Article 25). 10- Conduct fundraising or accept donations (Article 28). 11- Renovate, expand, or build religious facilities (Article 30). 12- Print and publish religious material, including prayer books, books, periodicals, and other religious material; sales, imports and exports of religious material and items; produce items used in religious activities (Article 32). 13- Raise children with special needs; taking care of the poor, the disabled, the seriously ill; educating young children, and charitable activities (Article 33). 14- Interactions with international organizations such as inviting church members from other countries to Vietnam or proselytizing ideas from external religious organizations in Vietnam; participating in overseas religious activities, or sending people to overseas religious training centers (Article 35).

9. According to Decree 92 (Articles 5 – 41), all the above activities must be registered (i.e., approved) and may not take place before receiving official sanction. Conditions for approval are many: location of proposed activity, “political” attitude of individuals or communities seeking permission, etc. Following are typical violations of religious freedom:

- On 30 May 2009, the authorities stopped Rev. Peter Nguyen Van Phuong, a Damien priest, from performing pastoral activities in a number of locations within LẮk District, Đắk Lắk Province, following the District Chair's assessment that residents “*do not yet have places of worship, do not have a need for religious life, and Catholics in the 4 villages need only to practice their faith at home...*”.
- On 06 June 2009, Rev. Le Quang Uy, a Saigon Redemptorist and author of the letter “Let us save the Western Highlands from the Red bauxite disaster”, saw his laptop confiscated, was ordered to come to the city's Cultural Office for a “working session”, and, finally, was accused of “slander and false accusations against the State”.
- On 20 July 2009, parishioners in Tam Toa (Town of Dong Hoi, Quang Binh) erected a makeshift structure to use for prayers on the foundation of a bombed out church. Hundreds of Quang Binh public security officers, aided by hired hoodlums, brought down the structure, desecrated the Cross, confiscated electronic equipment, beat up believers, and arrested several among them. They subsequently attacked two priests who came to visit, causing them to be hospitalized.
- On 05 November 2009 approximately 600 policemen sealed off Bau Sen, a part of Chay Parish, Vinh Diocese, in Phuc Trach Village, Bo Trach District, Quang Binh Province. The police force also sealed off the entire village and surrounding municipality with the intent to

prevent any attempt by local people (and any reinforcement coming from outside) to be in the way of the police's assignment - taking down the statue of Our Lady of La Vang. The local Catholics had erected the statue on a mound inside the local graveyard on 04 March 2008. The local government also fined the parish the equivalent of \$15,000 to pay for the expenses associated with their raid.

- On 17 November 2009, the Internal Affairs Bureau of Son La Province issued a document instructing law enforcement officials to stop any attempt by Catholics to celebrate Christmas. The document stated: "*We have not issued an operating permit to any religious organization in Son La [although] a group of people, while acknowledging that they have not yet registered for religious activities, are bent on carrying out such activities anyway*". The document not only called on the Fatherland Front, public security, and other government entities, but also enlisted the assistance of the province's military command and the local border guards units in stopping the locals' attempt at celebrating Christmas.
- On 06 January 2010, approximately 500 public security officers armed with batons, guns, tear gas, other crowd control equipment, and police dogs, converged on Nui Tho, the graveyard of Dong Chiem Parish, Hanoi, to take down the large concrete cross that had stood there for a long time. Security forces blockaded all roads leading to the parish. They beat up two elderly Catholic women badly. On 11 January 2010, a number of Catholics from Hanoi came to Dong Chiem. Upon leaving, they were stopped by public security officers who used construction equipment to block their paths. Security forces used batons to hit a visitor on the head and face. On 20 January 2010, Brother Nguyen Van Tang from the Redemptorist Order of Thai Ha, another visitor to Dong Chiem, was badly wounded when public security attacked him in order to turn him back.
- On 05 April 2010, Nghe An Province's People's Committee worked with the management of Vinh's College of Education in forcing the college's students to sign an agreement with these words: "Shall not engage in unauthorized religious activities, or engage in private worship with others as such activities are harmful to security and order, and violate local ordinance". This is a brazen measure aimed at forbidding Catholic students from practicing their faith at home. Many students refused to sign. The People's Committee promptly directed school authorities to put pressure on those individuals. At the Nghe An College of Education, on 03 June 2010 the authorities issued an order to the departments to "evaluate their academic performance as average for the 2009-2010 academic year" in case Catholic students refuse to sign the document (a rating of "average" automatically blocks a student from advancing to the next level or from graduating).
- On 23 February 2012, Rev. Nguyen Quang Hoa was on his way home after administering the last rites to a believer in Kon Hnong Village, Dak Ha District, Kontum Province, when three thugs (urged on by public security) attacked him with steel bars. He tried to ride his bike into a rubber plantation to escape. However, the attackers caught up with him, hit him until he fell to the ground after being severely wounded in the head, body, and limbs. The thugs smashed his bicycle. Bad elements had threatened Rev. Hoa in the past, each time he went to Kon Hnong Village to administer the last rites.
- On 11 June 2012, the government of Quy Chau District, Nghe An, had thugs attack Mr. Tran Van Luong, Mrs. Tran Thi Ru, and Mr. Kim Xuan Anh, Catholics from Chau Binh, in Phu Quy, an unit of Vinh Diocese. All three victims had to be taken to the emergency room of a hospital. All they did was inviting some priests and a number of fellow Christians to celebrate Mass and pray for their family when their new house was completed. Local officials and public security officers had stopped the priests and their believers from

celebrating Mass. After the priests and the believers left, the local authorities hired thugs to enter the new house that afternoon and assault the three Catholics.

- On 01 July 2012, Rev. Nguyen Dinh Thuc went to Con Cuong, a part of Quang Lang Parish, Bot Da, Vinh Diocese, to celebrate Mass on a Sunday (as he had been doing for a long time). The government of Nghe An, Con Cuong, Yen Khe, and Trung Huong Hamlet joined forces to stop him. A group of armed soldiers, armed public security officers, government officials, and hired thugs equipped with sticks, stones and bricks, prevented the priest from entering the place of worship. After assaulting the priest and several local Catholics, they smashed statues and tore down sacred pictures. Some local Catholics who had been assaulted required emergency medical treatment.
- On 21 August 2012, the Kontum provincial government sent armed units on a raid against a group of Degar (tribal minority) Catholics who were praying in Bon Kon H'Drom Hamlet, Dak T'Re Village, Kon Braih District, Kontum Province. The security forces seized those who could not escape in time, mainly the elderly, women, and children, and used sticks to beat them in a most cruel manner. Over 30 Christians were hurt. In nearby Bon Kon P'Deh Hamlet, public security officers assaulted 9 Degar Catholics when they worshipped together.

## **2- The Church's social activities**

10. The government continues its policy of not recognizing Catholic youth organizations such as Catholic Scouts, Catholic Living for Young Persons, Young Catholics' services, because it wants young people to join Communist Youth and receive indoctrination on "the ideals of socialism". A few years ago, a government official said to a Catholic Scout leader: "The government will allow your group to operate if it renounces its religious character and reduced the scope of its second bylaw". Catholic organizations for adult fare no better. The Communist Party is even leery of the type of political activities conducted by two former (pre-1975) Catholic organizations in South Vietnam that were pro-Communist, namely French Catholic Workers and Vietnamese Catholic Workers.

11. Regarding education, Public Law No. 33 states: "2. The government encourages members of the clergy and those who have taken religious vows but practice their faith at home to engage in educational activities..." Unfortunately, Article 33-1 limits such activities to "pre-school", contradicting the Constitution's Article 36 that states: "The government shall develop a system consisting of public and private schools and other types of educational institutions". Considering the deplorable state of education in Vietnam with its consequences, i.e., students lacking in basic knowledge, skills and character, one would think that the Communist Party is inclined to shed its feeling of inferiority towards the religious organizations' proven capacity for educating and character building over many centuries. Regrettably, the government continues to exclude religious organizations from meaningful educational activities, thus condemning future generations to ignorance and competitive disadvantage through the Party's control and disastrous education policy.

- On 24 May 2012, the Nghe An People's Court sentenced four Catholic men to various jail terms, including Dau Van Duong (42 months), Tran Huu Duc (39 months), Chu Manh Son (36 months) and Hoang Phong (24-month suspended sentence) for "spreading anti-state propaganda". The real reason was their handling out leaflets demanding religious freedom, democracy and other human rights, and calling on others to boycott the National Assembly elections of May 2011, a thoroughly rigged event. In that activity, they were assisted by Rev. Nguyen Van Ly (Rev. Ly was temporarily out of prison because he needed medical

treatment and was confined in the diocesan compound in Hue from March 2010 through July 2011 while serving a 8-year sentence from 2007).

- On 08 January 2013, the Nghe An government sentenced 14 young men (many among them are Catholics) who had been detained without due process for nearly two years, to lengthy jail terms. Although the court could not cite a valid basis for the sentences, it dished out a total of 83 years of imprisonment and 42 years of post-prison surveillance to all the accused, although the young men had done nothing more than participating in religious activities and social services, and exercising the political rights of any citizen, including demanding justice and joining political parties with peaceful agendas. On 23 May 2013, 8 of the 14 prisoners' cases were reviewed by an appeals court. Although two of the sentences were reduced, the appeals court's meager adjustments to the lower court's decision were proof that the system is rigged in order to deny justice to those whom the regime persecute.

#### **IV. Control and Confiscation of Church's Properties**

12. Article 26 of the Ordinance states: "Legal properties owned by religious organizations or churches shall be protected by laws, prohibiting molestation of these properties". However, according to the Vietnamese Constitution, the state owns the lands. Since 2009, several properties of Catholic Church have been confiscated. On December 31, 2008, Prime Minister Nguyen Tan Dung signed Decree 1940/CT-Ttg governing lands and buildings owned by religious organizations. That decree officially allows local authorities to gain the ownership of all properties from North to South belong to all religions, including those previously owned by the Catholic Church and confiscated by the Vietnamese Communist Party in the past decades. Article 3 of the decree affirmed that those real estates owned by religious organizations, and have been used and managed by the Government before 1 July, 1991 under the policy of improvement of condition of real estates, will be regulated under Resolution 23/2003/QH11 dated 26 November, 2003 and corresponding regulations. This resolution officially recognizes the confiscation, as it states: "The Government will not entertain any claim for the return of properties that have been managed by the Government."

- In reality, on 11 June, 2009 the Government of Ho Chi Minh City has requested the Order of the Lovers of the Holy Cross in Thu Thiem, established since 1840, to move from its currently operated monastery, church and other establishment occupying a land area of 3.5 hectares so that the local government could build a multi-business district.
- On 10 September, 2009, the People Executive Committee of Vinh Long Province requested the Fatherland Front to inform the local Catholic Archbishop of the Saint Paul Order of MyTho Province that its land, occupying an area of 10,235 square meters, where an establishment operated by the Order was destroyed by the Government in 2005, will become a city square and a park; and the Government will start the construction soon.
- On 28 September, 2009, taking advantage of the tumultuous condition in City of Danang caused by the Storm number 9, Ketsana, the People's Committee of Son Tra District mobilized hundreds of policemen blocking all the streets leading to the An Hai Catholic church located in An Hai Tay, Son Tra District, Danang; then they used two bulldozers to raze the Khiet Tam School, where the church let the Government operate a training center. Within 2 hours, the school was erased.
- On 4 March, 2010, the Government of Danang City ordered 400 heads of the local households in Con Dau Parish to sign an agreement allowing the Government to vacate their homes, so that the Government can sell their lands to business establishments. Then, on 4 May, 2010 the Government interfered and wanted to stop the funeral processing of a deceased Con Dau parishioner; plain-clothed police and accompanying thugs attacked and



injured several parishioners. The police imprisoned 6 parishioners and prosecuted them for “obstructing members of the Government while carrying their duties.”

- On 14 December, 2010, the Redemptorish Order in Hochiminh City sent a letter to the People’s Committee of Lam Dong Province objecting to the Government’s decision to use their land located in the City of Dalat for the construction of the Biology Institute of Central Highlands. Disregarding the objection, the Government went on with their plan.
- On December 21, 2010, the Head Nun of the Holy Protector Order to request the government to return five buildings that served as the Order’s orphanage in Soc Trang province. The Government rejected their request in February of 2010, and advised them that the property is now owned by the Government.
- On 16 September, 2011 the Hanoi government officers resumed their plan to take over the lands of Redemptorist Order in Thai Ha Diocese where Ba Giang Lake is located. Originally Thai Ha Diocese owned a 61,455 square meters (m2) lot of land; all but 2,700 m2 were confiscated by the Government in 1954. Now the Government wanted to take over the remaining land including the Ba Giang Lake. On 3 November, 2011, the People’s Committee sent their cadres, policemen, war veterans and thugs to Thai Ha church causing turmoil, and threatening members of the diocese. On 6 November, 2011 the Government completed the installation of the wastewater treatment plant on that disputed land.
- On 9 November, 2011, the People’s Committee of District 3, Hochiminh City, sent workers to build a day care center on the land (727 m2) owned by the Redemptorist Order. Recently this day care is demolished by them and is ready for some unknown project.
- On 15 October, 2011, the Government Religious Regulating Branch of Nghe An Province confiscated by force a soccer stadium of 7,000 m2, owned by the Catholic Ngoc Long Diocese.
- On 15 January 2012, the Bishop of Vinh Long (South Vietnam), Rev. Nguyen Van Tan, informed all members of the Diocese by mail that the Government of Vinh Long Province, per official letter No. 3518/UBND-KTTH, will convert a seminary owned and operated by the Catholic Diocese, into a government-run recreational area for youth.
- On 14 April, 2012, the Government of Thuy Xuan Tien Quarter, Chuong My District of Hanoi, using plain-clothed policemen and thugs, attacked the orphanage owned and operated by Rev. Nguyen Van Binh of Yen Kien Catholic Diocese of Hanoi Archdiocese. This building was bought and refurbished by Ven. Nguyen to care for the orphans. The thugs under police escort beat up Rev. Nguyen and church members who came to rescue him. He passed out and several members suffered injuries. All children were evicted the orphanage, furniture and belongings were thrown outside, and the building was demolished.
- On 22 August, 2012 the Government of Hanoi City announced its confiscation of Kim Camelo monastery, to build a public hospital, disregarding the objection from the Office of the Archbishop of Hanoi. On 29 October, 2012, Rev. Nguyen Van Nhan, the Archbishop filed a complaint for the 4<sup>th</sup> time to the Government at different levels; and no response was received. On 3 January, 2013, the Hanoi Public Health Office continued the demolition work of the monastery to build a clinic specializing in Internal medicine.

## **V. Control Communication abroad made by Churches and Religious Organizations**

13. The Ordinance (Chapter 5, with 4 articles: 34-37) and Decree 92 (Chapter 8 with 5 articles: 37-41) prescribe: the international relationship of churches and religious organizations, members of the churches, the priests and religious hierarchies. All of these activities shall get the permission from the Government; but the Government is not required to grant the permission. In other words they do not need to say yes or no, nor respond to the public.

As a typical example, the Vatican cannot appoint a Bishop or Archbishop in Vietnam without the Government approval. Priests of any religion, going abroad, either for traveling, visiting, studying or researching are required to be interviewed by the religious police, who will tell them what to do and what not to do when they are overseas. In the last 5 years the Government's control on the relationship and communication between Catholic Church and foreign countries has become very harsh. The following occurrences illustrate such control:

- On 6 June, 2010, Father Guise Nguyen Van Phuong of the Redemptorist Order of Diocese Thai Ha, Hanoi went through the clearance process at Noi Bai Airport for travel to Rome to attend an official church function; he was denied clearance by the immigration officer.
- On 10 July, 2011, Father Pham Trung Thanh of the Catholic Redemptorist Order was stopped at Tan Son Nhut Airport as he was departing for his Order's meeting in Singapore. The Vietnamese police did not give him the reason why he was stopped, but only mentioned that they acted in accordance with decree 136/2007/ND. It appears that this action is haphazard and it could in fact in violation of the decree 136 because they did not inform him beforehand of the reason.
- On 12 July, 2011, the police of Moc Bai border gate, Tay Ninh Province blocked Father Dinh Huu Thoai, Chief of Staff of the Redemptorist Order, from going abroad. The Public Security Ministry later issued an order prohibiting Father Dinh to leave of the country during the period from 27 December, 2010 to 17 October, 2015 because he is "a dissatisfied element who opposes Party policies".
- On 5 July, 2012, the police force of Nghe An Province did not allow U.S. volunteers to teach English to about 1,000 students in a summer class to be held at the Diocese of Cau Ram of City of Vinh, Nghe An Province, with the reason that they, the volunteers, only had Visitors' Visas. The summer English class, free of charge, had been held in Cau Ram for several years to improve the English skill of local students, but was suddenly stopped by the Government.

## **CONCLUSIONS AND RECOMMENDATIONS**

14. Foreigners visiting Vietnam may see large and beautiful worshipping places and festivities attracting large numbers of participants, meet with high ranking officials of religious organizations, and think that Vietnam has freedom of religion. In reality, the Government offers conformist religious groups preferential treatment while using all sorts of measures to control religions and suppress those who raise their voice or request the fundamental rights for their members or for the public at large.

15. The real freedom of religion means that a religion shall be free in their activities and be independent in their management. It shall be free from government control, with no strings attached, and it shall not become a tool of that authoritarian regime, to accomplish its role in the society. That is the role of an educator of conscience, of a messenger daring to tell the truth, of an advocate defending justice, and a catalyst for the entire society.

16. We recommend that the Vietnamese government respects the right of Churches to:
- Be recognized as legal entities similarly to other civic organizations; thus, there shall be no special laws or regulations applied only to religious organizations;
  - Independently recruit and train seminarians, ordain priests and clergy members, assign and transfer them to any suitable positions without any interference from the Government; there shall be no permission by nor reporting to the government required.;

- Disseminate their religious teachings, beliefs, practices and principles publicly and freely to the society at large through the printed media, radio, television, websites...; thus, a religious organization should have its own publishing facility, radio programs, television programs, websites without any control or interference from the Government;
- Own land and facilities needed for conducting their activities, maintaining its existence and developing its community. Thus, the Government shall return to Churches numerous real-estates confiscated since 1954 in the North and since 1975 in the South;
- Provide education to youth from pre-school to college level with its own establishments, educators and management;
- Conduct social work and relief effort, establish and manage from orphanages to nursing homes, from health clinics to hospitals;
- Address social vices such as prostitution, human trafficking, gang activities, school drop-out...; and
- Communicate freely with their peers and leaders abroad without the interference or obstruction of the Government.