

THE TESTIMONY OF:     JOSEPH CAO  
                              FORMER MEMBER OF CONGRESS  
                              CHAIRMAN OF THE RENEWING DEMOCRACY FUND, INC.

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CONGRESSIONAL COMMITTEE: HOUSE COMMITTEE ON FOREIGN AFFAIRS,  
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

Chairman Smith and members of the Subcommittee on Africa, Global Health, and Human Rights, I would like to thank-you for holding this important hearing on the human rights conditions in Vietnam and your support of the Vietnam Human Rights Bill. The struggle for religious freedom and the promotion of justice and democracy in Vietnam remain in the hearts of minds of the 1.5 million Vietnamese-Americans presently living in the United States. Therefore, your dedication and support of these issues will be deeply appreciated and remembered by those who continue to struggle and fight for this righteous cause.

Mr. Chairman, “All human beings are born free and equal in dignity and rights . . . .”<sup>i</sup> These rights include “the right to freedom of thought, conscience and religion . . . [which encompasses the] freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”<sup>ii</sup> These words are expressed in Articles 1 and 18 of the United Nations’ Universal Declaration of Human Rights respectively. Vietnam, a member of the United Nations, has systematically violated this right and has no intention of keeping the promise that it made to the US Congress in 2006 to steadily improve its human rights record as a condition for the Congress’ support of Vietnam’s entry into the World Trade Organization (WTO). Sadly, instead of improving its human rights record, the Government of Vietnam has increased its repression of dissenters and religious leaders.<sup>iii</sup> To continue its imposition of an iron will on the people of Vietnam, the government detains, imprisons, places under house arrest, and convicts individuals for their peaceful expression of dissenting political or religious views, including but not limited to: democracy and human rights activists; independent trade union leaders; non-state-sanctioned publishers; journalists, bloggers; members of ethnic minorities; and unsanctioned religious groups. The Chairman and members of this Subcommittee are quite familiar with the cases of Tran Huynh Duy Thuc, Nguyen Tien Trung, Tran Khai Thanh Thuy, Le Cong Dinh, and Le Thi Cong Nhan among countless others.

The Government of Vietnam continues to limit freedom of religion, pressure all religious groups to come under the control of government and party-controlled management boards, and restrict the operation of independent religious organizations. Religious leaders who do not conform to the Government’s demands are often harassed, arrested, imprisoned, or put under house arrest. As noted in the October 2009 report of the United States Commission on International Religious Freedom, “[T]here continue to be far too many serious abuses and restrictions of religious freedom in the country. Individuals continue to be imprisoned or detained for reasons related to their religious activity or religious freedom advocacy; police and government officials are not held fully accountable for abuses; independent religious activity remains illegal; and legal

protection for government-approved religious organizations are both vague and subject to arbitrary or discriminatory interpretations based on political factors. . . [Moreover] property disputes between the government and the Catholic Church in Hanoi led to detention, threats, harassment, and violence by 'contract thugs' against peaceful prayer vigils and religious leaders."

A case that succinctly paints and substantiates the words of the Commission on International Religious Freedom is the case of Thai Ha Parish, a Catholic parish in Hanoi. The parish was founded by the Redemptorist Order in 1935 with the intention of providing educational and medical services to the region. Soon after the Communist Government took over Hanoi in 1954, it confiscated the schools that the parish had established leaving only the facilities to house the Redemptorist Brothers, the church building, the community center, and a few small structures around the church. But that was not enough for the Communist Government, it subsequently seized all the land belonging to the parish around Thai Ha and underhandedly proceeded to take control of the remaining buildings that it did not want to confiscate in 1954. For example, in 1959, the government forced the Redemptorist to "loan" one of the two buildings housing the brothers so that the government could turn it into a school. Because it was for a good cause, the Order complied. In 1972, the government, without due process, seized the remaining building the converted both buildings used to house the brothers into Dong Da Hospital. Subsequently, the government "borrowed" the community center and set up a wool knitting factory; it then "borrowed" the auxiliary building at the front of the church and turned it into a Red Cross Station; finally, it "borrowed" the last structure belonging to the church and turned it into a machine shop to initiate the Thang Long Cooperative. In 2008, during peaceful prayer vigils calling for the return of government-confiscated church properties, contract thugs harassed and dispersed the protestors, and destroyed church properties. In its final act of usurpation, the government then decided only four months ago to construct a wastewater treatment plant on, or near, parish grounds to effectively seize the right of ownership and stewardship after they forcibly took over the right of use. Again the parishioners protested, and again the government sent in their thugs. Fr. Nguyen Van Khai described what happened:

For a number of days starting on October 2, 2011, high-power loudspeakers belonging to the Quang Trung Administrative Area beamed towards Thai Ha Church the government's "plan to build a wastewater treatment plant for Dong Da Hospital" on the 2000 m<sup>2</sup> lot belonging to the church. Later events took place over a number of days. First, representatives of Dong Da Hospital came to the church to deliver the same message. Subsequently, the Quang Trung People's Committee requested a representative of Thai Ha Church to come to its offices to hear the message.

In response, Thai Ha Parish promptly submitted a request to the appropriate government units to: (1) stop all activities under the wastewater treatment project; and, (2) return to the parish the land and buildings that the government borrowed. Furthermore, the parish used an electronic sign to display its legitimate demand.

Concurrently the government-owned media launched a furious campaign of libel, slander, false accusations and threats against parishioners, brothers and priests in Thai Ha. Following this, the government resorted to its familiar tactics: its employees and police mustered a number of strangers, i.e., outside thugs who came to the church to threaten, harass and terrorize priests, monks and parishioners. On November 8, 2011, a government agent came to Mr. Dung's house and fomented a heated discussion. The police used this as an excuse to arrest Mr. Dung.

The underlying reality is that, like so many other Vietnamese, Thai Ha parishioners are being victimized by a corrupt regime that only cares about its own privileges. The regime frequently makes arbitrary decisions and backs them up by force instead of following the law.

The government-owned media is trying to paint us as putting roadblocks to stop a humanitarian project that will yield public benefits. However, nothing is further from the truth. We follow the law even as the government violates the law through its total disregard of its citizens' rights, the rights that the government is supposed to respect and protect."

Similar incidents occurred at Bau Sen, Loan Ly, Tam Toa, Dong Chiem, and Con Dau. At Con Dua in May of 2010, police forcibly dispersed a Catholic funeral ceremony that was held at cemetery located on disputed land. Afterwards, police and members of the civilian defense forces arrested and interrogated dozens of Con Dau parishioners, with one parishioner dying from injuries sustained during a beating in July 2010 and two women suffered miscarriages resulted from police tortures.

But religious repression is not limited to Catholics: The Unified Buddhist Church of Vietnam suffers persecution as the Government of Vietnam continues to restrict contacts and movement of senior clergy for refusing to join state-sponsored Buddhist organizations; the Bat Nha Buddhists monastery in Lam Dong province was attacked by government thugs in October 2009, and about 400 monks and nuns were physically abused and forcibly evicted from the monastery; members of Cao Dai, Hoa Hao, Mennonites, and Montagnard Christians suffered detention and imprisonment.

Faced with these atrocities, the Obama Administration's approach to the human rights conditions in Vietnam is to stand by and watch. Although Administration officials expressed "concerns", they continually pushed aside Vietnam's human rights abuses to further the interest of the Administration.<sup>iv</sup> This approach stands in stark contrast to the intent of the Founding Fathers of this Great Nation, who built the foundation of this country on principles of religious freedom and tolerance. The United States has to be more assertive in forcing Vietnam to adhere to the promises that it made to the US

Congress in 2006, and this requires passing and enforcing the Vietnam Human Rights Act.

Again, I would like to thank Chairman Smith and the members of this subcommittee for your commitment and support for the people of Vietnam. I know that if we persevere in this fight, Vietnam will one day be a free and democratic country.

I ask for the unanimous consent of the Chairman and members of this subcommittee to incorporate the statement of Fr. Nguyen Van Khai and the accompanying pictures into the record as Exhibit A.

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<sup>i</sup> United Nations Universal Declaration of Human Rights, Article 1.

<sup>ii</sup> United Nations Universal Declaration of Human Rights, Article 18.

<sup>iii</sup> Mark E. Manyin, "US-Vietnam Relations in 2011: Current Issues and Implications for U.S. Policy," Congressional Research Service 7-5700.

<sup>iv</sup> Mark E. Manyin, "US-Vietnam Relations in 2011: Current Issues and Implications for U.S. Policy," Congressional Research Service 7-5700.