



Fact sheet on Human Rights and Religious Freedom

Comments on Vietnam's Political Development

□ Vietnam it has experienced profound changes in the past 20 years.

"The gradual loosening of restrictions since Vietnam's doi moi ("renovation") economic reforms were launched in 1986 has opened the door for Vietnamese to engage in private enterprise, has permitted **most Vietnamese to observe the religion of their choice, and has allowed a moderately vibrant press to sprout**" – *US-Vietnam Relations: Background and Issues for Congress, Congressional Research Service, March 2006*

"In the past year, restrictions on some legally recognized religious activity appears to have eased, particularly among Buddhists and Catholics. In January 2006, a special envoy from Rome made the **first visit by a senior official from the Vatican since 1954** and presided over the **ordination of 57 priests** at a ceremony in Hanoi." – *Annual Report of the United States Commission on International Religious Freedom, May 2005.*

"Today, his 19th-century cathedral is packed with worshippers on Sundays, and Catholic seminaries are expanding. New churches are mushrooming in this corner of northern Vietnam where Catholicism has sunk deep roots. Fr. Phuc is amazed at the rapid growth. **'In the past 10 years, almost every year a new church is built.** I can't keep track,' he says." – "In Vietnam, Christianity gains quietly," *The Christian Science Monitor, February 22, 2006.*

"During the year **the government took steps to improve respect for human rights**, including worker rights. Unlike in previous years, there were no credible reports of killings or disappearances by security forces. The government amnestied more than 26 thousand prisoners, including several high-profile prisoners-of-conscience." – *Country Reports on Human Rights Practices 2005, released by the Bureau of Democracy, Human Rights, and Labor, March 2006.*

□ One of the key factors in bringing positive changes and expansion of religious freedom and human rights has been Vietnam's integration with the international community.

"Over time, Vietnam has made some progress on human rights and allowed more personal freedoms because it recognized it could not grow its economy without releasing the dynamism of its population and **increasing interaction with the international community**" – *Statement of the Honorable Eric John at the Joint Hearing of the House International Relations Committee in March 29, 2006.*

"Some say the country's economic liberalization is helping by opening the country to **a free flow of ideas and information** that is part and parcel of a modernized society. 'Integration into the world means opportunities for dialogue with each other, it brings us together,' says the Rev. Joseph Dang, secretary of the Vietnam Bishops' Council at Hanoi's cathedral." – *In Vietnam, Christianity gains quietly, The Christian Science Monitor, February 22, 2006.*

□ In particular, the United States' engagement with Vietnam has brought fruitful results. Vietnam is committed to continuing a formal Human Rights Dialogue with the US and to broadening the dialogue with American NGO's and religious groups. This dual approach has led to the implementation of new laws protecting religious rights.

"Perhaps **the most significant improvement is the promulgation of a new legal framework.** Two of the most significant documents, 'Decree 22,' which represents the Implementation Regulations of the New 'Ordinance on Belief and Religion,' and 'The Prime Minister's Instruction on Protestantism,' were brought forward shortly before we negotiated the exchange of letters. This new legal framework reflects many of the issues we had been working on with the Vietnamese over the previous three and a half years and **represents significant improvement over previous policy.**"— *Statement of the Honorable John. V. Hanford III, at the Joint Hearing of the House International Relations Committee in March 29, 2006.*

"...**the Vietnamese government committed** to fully **implement new legislation** on religious freedom and render previous contradictory regulations obsolete, **instruct local authorities to strictly and completely adhere** to the new legislation and ensure their compliance, facilitate the process by which religious congregations are able to open houses of worship, and **give special consideration to prisoners and cases of concern raised by the United States** regarding the granting of prisoner amnesties." — *US-Vietnam Relations: Background and Issues for Congress, Congressional Research Service, March 2006*

Regarding the **US-Vietnam Human Right Dialogue:** "...the Vietnamese clearly were prepared to engage us substantively...The **GVN agreed to discuss all of the human rights topics** that we put forward, which included Criminal Code Reform, Prisoners of Concern, Prison Conditions and Freedom of the Press and the Internet..." - *Testimony of Barry F. Lowenkron, Assistant Secretary of State for Democracy, Human Rights and Labor before The House International Relations Subcommittee on Africa, Global Human Rights and International Operations and Subcommittee on Asia and the Pacific on March 29, 2006*

- ❑ **Supporting Vietnam's accession to the WTO will strengthen the rule of law in the country, which provides the necessary scaffolding for further economic and political reforms, including the expansion of Vietnamese civil society and the enhancement of individual freedoms.**

"**Economic developments remained a major influence on the human rights situation** as the country carried on with its rapid transition from a centrally planned economy to a 'socialist-oriented market economy.' Economic reforms and the rising standard of living continued to reduce CPV [Communist Party of Vietnam] and government control over, and intrusion into, daily life." — *Country Reports on Human Rights Practices 2005, released by the Bureau of Democracy, Human Rights, and Labor, March 2006.*

"The GVN said it would **welcome U.S. assistance in implementing criminal code reform.** Vietnam lacks sufficient numbers of trained judges and lawyers and the legal infrastructure necessary to make long-term improvements." — *Statement of the Honorable Barry Lowenkron, at the Joint Hearing of the House International Relations Committee in March 29, 2006.*

"We have great respect for our Vietnamese friends and we are excited to work with them on sustaining and expanding the progress that has been made in religious freedom. Recent national conferences in Vietnam to train government officials in the new religious regulations, the (forthcoming) September conference on religion and the rule of law...(and) Vietnam's anticipated ascension to the WTO are all part of the same trend." — *Statement by Chris Seiple, President, Institute for Global Engagement, June 2006*

- ❑ **Vietnam is taking steps in the right direction, and we must continue to engage to ensure further improvements to human rights and religious freedom. On the other hand, denying Vietnam's PNTR will only discourage further reforms, slow down the free flow of ideas and information exchange, and thus restrict the development of human rights and religious freedom in the country.**

"Let me stress that there is unanimity on this side of the Pacific that human rights problems continue in Vietnam, but that the trajectory is one of improvement. The question thus becomes how Congress and the Executive branch respond. **We can emphasize areas of continued disagreement, or we can move to engage as forthcomingly as possible.** I favor the latter; we should move positively and quickly, Congress and the Executive together." - *Statement of Rep. James A. Leach, Chairman of Subcommittee on Asia and the Pacific Hearing on "The Human Rights Dialogue With Vietnam: Is Vietnam Making Significant Progress?" March 29, 2006*

Vietnamese Trends in Brief

Human rights are expanding gradually but exponentially:

- Since January 2005, Vietnam released 18 prisoners of concern, including political and religious activists such as Dr. Nguyen Dan Que, Father Ly, Thich Thien Minh, Nguyen Khac Toan and Do Van My.
- The Vietnamese Government implemented an agreement with Cambodia and the office of the UN High Commissioner for Refugees (UNHCR) to facilitate the return of nearly 200 ethnic minority Vietnamese citizens to the Central Highlands of Vietnam from Cambodia and provided access to the Central Highlands for UNHCR and foreign mission staff, including U.S. personnel, to monitor the progress and treatment of returnees.
- The National Assembly has amended its criminal procedure code to allow more rights for defendants and set a goal of changing courtroom procedures to an “adversarial” model from the current “investigative” model.

Religious freedom is strengthening across all major religions, even in Protestant denominations in the Central Highlands, the most sensitive area:

In 2005, the United States and Vietnam reached an agreement, the first of its kind ever signed under the International Religious Freedom Act, which commits the Vietnamese Government to fully enforce its new legal framework on religion. Since this agreement, the Vietnamese Government has worked to change conditions for religious believers across Vietnam. Recent improvements include:

- Since March 2005, Vietnam has put in place a new legal framework for the practice of religion, including a new Ordinance on Religion and Belief and a special Prime Minister’s “Instruction on Protestantism” that explicitly orders local officials to allow Protestant congregations to register their activities.
- A significant number of churches have been opened, re-opened, or registered in the Central Highlands. In Gia Lai province, for example, over two hundred “meeting points” were officially registered under the new legal framework, effectively legalizing religious activities for virtually all of the Southern Evangelical Church of Vietnam’s 75,000 believers in the province.
- Under the new laws, the Catholic Church has expanded its outreach and charitable work, and has been allowed to train and ordain more priests. The Vietnamese Government has also stepped up efforts to establish diplomatic relations with the Vatican. In November 2005, 57 new priests were publicly ordained by a Vatican representative in Hanoi.
- Forced renunciations of faith have been outlawed, and the number of credible reports of forced renunciations across Vietnam has dropped significantly.

The National Assembly is becoming more assertive, reinforcing emerging checks and balances within the formal system.

- The supervision of the government accounting function has been moved from the executive branch to the legislature;
- Many National Assembly hearings are televised, and draft legislation is placed on the internet for public comment;
- The Assembly increasingly eschews a “rubber stamp” approach to the confirmation of executive branch officials and has rejected some high-level nominations.