

OPEN LETTER

on the banning of Buddhist monks from paying New Year's visits and administrative detention by “verbal order”

Buddhist Era 2548

VTT/TT

To :

Mr. Nong Duc Manh, Secretary-general of the Communist Party of Vietnam

Mr. Tran Duc Luong, President of the Socialist Republic of Vietnam

Mr. Phan Van Khai, Prime Minister of the Socialist Republic of Vietnam

Mr. Nguyen Van An, President of the SRV National Assembly

Dear Sirs,

Almost two years have passed since I went to Hanoi for medical treatment and was received by Prime Minister Phan Van Khai on 2nd April 2003. This landmark meeting brought great joy and hope to Buddhists at home and abroad, to governments and international friends worldwide. It brought great joy, because never before, in any county in the world, had a Prime Minister held talks with a religious prisoner. Indeed, I was a prisoner then, and I still am today. The meeting also brought hope, because after so many long, dark years living in expectation, everyone truly hoped this was a sign that the Communist Party and State had truly changed their policies of repression and discrimination against the Unified Buddhist Church of Vietnam (UBCV). I shared these sentiments of joy and hope myself. I was especially moved by the Prime Minister's reply to my question on why the government had persistently repressed the UBCV for the past 30 years. He confided : *“At first, we had many shortcomings and made many mistakes. But from now on, we will gradually put everything right. Most Venerable, please be compassionate and forgiving”*. When he said that, I let him understand that I was ready to forgive everything that had happened in the past.

However, just six months later, on 8-9 October, the events of Binh Dinh and Luong Son took place and I was intercepted and arrested by the Police along with several other UBCV leaders. After that, my doubts turned to bitter disappointment. I saw clearly that the government was continuing the same, immutable policy of religious intolerance towards the UBCV and myself that it had pursued since the struggle for independence against the French, when they arrested me in the 5th Inter-zone. Today, in the Socialist Republic of Vietnam, I am still under arrest and their policy remains unchanged.

At the end of last year, I fell gravely ill. Venerable Thich Quang Do tried to come and visit me in hospital with a delegation of UBCV monks from Saigon, but Police intercepted them and forbade them from making the trip. Then came the Lunar New Year (Tết), which is a time of family reunion for all Vietnamese, a moment of happiness after a hard year's work, and an occasion for people to visit their relatives and friends. I was very grieved to learn that Venerables Thich Quang Do, Head of the UBCV's Executive Institute (*Vien Hoa Dao*), Thich Duc Chon, member of the UBCV Council of Sages, Thich Vien Dinh, Deputy Head of *Vien Hoa Dao* and other Buddhist monks were once again prevented from traveling to Nguyen Thieu Monastery in Binh Dinh province to pay me a New Year's visit. I hear that the local authorities and Police in Binh Thanh, Go Vap, Phu Nhuan, Thu Duc districts etc. [Saigon] systematically called on all UBCV Pagodas to warn monks against traveling to Binh Dinh. They advanced vague pretexts such as : *"the situation in the province is delicate and unstable"*, or totally absurd arguments like : *"hostile elements are trying to take advantage of the situation to organize a delegation to visit the Patriarch Thich Huyen Quang in Binh Dinh. If anyone invites you to go, you must refuse because the State will not tolerate this visit"*. Venerable Thich Quang Do's telephone has been cut off since that date.

In Vietnam, the act of paying respects to one's elders and visiting family during the Tết is an ancient feature of our culture, and we should maintain this good tradition. I therefore solemnly call upon the Communist Party and the State to investigate this affair and find out exactly who banned Venerable Thich Quang Do and his delegation from traveling to Binh Dinh, and for what reason. If the ban was justified, the Party and State should explain the reason publicly to Vietnamese Buddhists at home and abroad, and to international opinion, in order to dispel people's concerns that the State was arbitrarily persecuting the UBCV and depriving its members of their right to freedom of movement and peaceful assembly, as guaranteed in the Vietnamese Constitution and United Nations' human rights treaties. On the contrary, if the ban was unjustified, then Party and State should immediately contact Venerable Thich Quang Do at the Thanh Minh Zen Monastery in Saigon and affirm that he and other UBCV dignitaries are fully free to travel and visit whosoever they wish. If you do this, you will be proving that the government's slogan *"Living and working according to the Law"* is not just an empty phrase, but a principle that applies to the daily lives of every Vietnamese citizen.

I find these restrictions particularly shocking since they come at a time when the Communist Party and State has authorized a delegation of several hundred Buddhists from an overseas sect to visit Vietnam with full freedoms of movement and speech. Yet they prevent Buddhist monks who live in Vietnam and adhere to the historic, traditional Unified Buddhist Church of Vietnam, from traveling and spreading Buddhist teachings.

Dear Sirs,

I also take this opportunity to demand the government's accountability on the situation of Venerable Thich Quang Do and myself. We were both placed under house arrest by "verbal orders" on 9th October 2003 after the events of Luong Son (Nhatrang), and we have been held under detention since then. I heard the government spokesman telling the international media that Venerable Thich Quang Do and I are accused of "possessing State secrets". If the government has proof of our guilt, it should produce evidence and put us both on trial, guaranteeing our access to defence lawyers and the due process of law. If we are proven guilty after a fair and impartial hearing, then we shall accept whatever sentence the Court hands down. If, on the contrary, the government has no proof of our guilt, then the State must immediately clear us of these spurious charges and restore our full freedoms and rights. We cannot continue living as prisoners in the Thanh Minh Zen Monastery and the Nguyen Thieu Monastery, detained under strict control and surveillance, as we have done for over a year.

The Vietnamese Criminal Procedures Code (Article 10) stipulates that "*no person will be held guilty and punished until a judgment of guilty of a court has come into legal force*". The Code also states (Article 71) that "*detention whilst awaiting investigation*" must not exceed a maximum period of 12 months. When this period has expired, "*the detained person must be released*". In our case, this period expired over four months ago. I sincerely hope, Sirs, that you will discharge your duties in accordance with the law and settle the points raised in this letter.

Yours sincerely,

Nguyen Thieu Monastery,
Binh Dinh Province, 21 February 2005
Fourth Supreme Patriarch
Unified Buddhist Church of Vietnam
(signature and seal)
Bikkhu **Thich Huyen Quang**