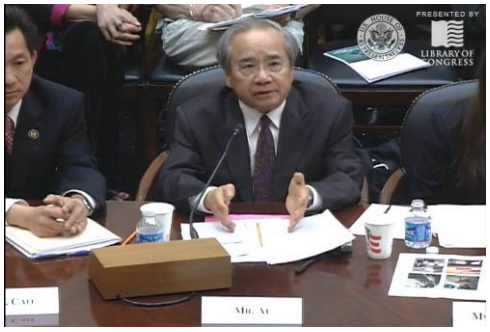
Quốc hội Hoa Kỳ tổ chức Điều trần về tình trạng Nhân quyền và đàn áp Giáo hội Phật giáo Việt Nam Thống nhất tại Việt Nam

HOA THỊNH ĐỐN, 11.4.2013 (QUÊ MẸ) – Ông **Võ Văn Ái**, Chủ tịch **Ủy ban Bảo vệ Quyền Làm Người Việt Nam** có trụ sở tại Paris và **Phát ngôn nhân Viện Hóa Đạo Giáo hội Phật giáo Việt Nam Thống nhất** (GHPGVNTN) nhận được thư mời của Dân biểu **Ed Royce**, Chủ tịch Ủy ban Đối ngoại Hạ viện đến điều trần về tình trạng GHPGVNTN bị đàn áp tại Việt Nam.

Dân biểu **Chris Smith** chủ tọa cuộc điều trần này dưới đề tài ***"Nêu bật các vi phạm nhân quyền của Chính phủ Việt Nam trước cuộc Đối thoại Nhân quyền giữa hai nước Việt Mỹ"***. Những người được chính thức ghi tên tại cuộc điều trần lúc 10 giờ sáng ngày thứ năm 11.4.2013 gồm có : Cựu dân biểu **Joseph Cao**, ông **Võ Văn Ái**, Chủ tịch Ủy ban Bảo vệ Quyền Làm Người Việt Nam kiêm Phát ngôn nhân Viện Hóa Đạo GHPGVNTN, Cô **Anna Buonya**, Phát ngôn nhân Tổ chức Nhân quyền Người Thượng, Cô **Danh Bùi**, Nạn nhân việc buôn bán phụ nữ, Ông **Tiên Trần**, Nạn nhân Công giáo ở Cồn Dầu, và ông **John Sifton**, Giám đốc Á châu của Tổ chức Human Rights Watch.



Ông Võ Văn Ái

Ông Võ Văn Ái kêu gọi Hoa Kỳ hãy đề cập vấn đề đàn áp Giáo hội Phật giáo Việt Nam Thống nhất (GHPGVNTN) trong cuộc Đối thoại Nhân quyền Mỹ Việt tuần này tại Hà Nội. Đây là cuộc đối thoại nhân quyền thường niên tổ chức luân phiên tại thủ đô Hoa Thịnh Đốn và Hà Nội. Vốn định kỳ từ năm 2012, nhưng Hoa Kỳ đã tự động hũy bỏ do tình trạng nhân quyền không được cải tiến tại Việt Nam.

Trong bài điều trần, ông Ái tỏ vẻ quan tâm tới sự kiện Bộ Ngoại giao Hoa Kỳ đánh giá thấp những sách nhiễu và hăm dọa mạnh mẽ mà những Phật tử thành viên GHPGVNTN phải chịu đựng trên mọi lĩnh vực của đời sống thường nhật. Ông nêu trường hợp vừa xẩy ra cho Huynh trưởng Gia Đình Phật tử Lê Công Cầu, cho blogger Phật tử và nhà

văn Huỳnh Ngọc Tuấn, cho Hòa thượng Thích Thanh Quang, chùa Giác Minh, Đà Nẵng, và cảnh ngộ khốn khó của Đức Tăng Thống Thích Quảng Độ bị quản chế hàng chục năm trường mà chẳng có án lệnh. Ông Ái kêu gọi Hoa Kỳ *"hãy nhìn sau lớp bóng bẫy ngụy trang của cái tự do cúng kiến của Nhà nước, để thấy rõ giả tâm tiến hành đàn áp GHPGVNTN và các cộng đồng tôn giáo khác không được thừa nhận tại Việt Nam"*.

Về cuộc Đối thoại Nhân quyền sắp tới đây, ông Ái nhận xét rằng *"đối thoại chỉ thích đáng khi dẫn tới những tiến bộ thật sự"*. Ông yêu cầu Hoa Kỳ thiết lập những điểm chuẩn và khung thời gian thi hành để bảo đảm rằng Việt Nam ***"không sử dụng cuộc đối thoại nhân quyền như tấm chắn để lung lạc sự kiểm tra quốc tế trước những cuộc đàn áp tôn giáo và vi phạm nhân quyền thái quá"***. Đặc biệt trong cuộc Đối thoại Nhân quyền tại Hà Nội kỳ này yêu cầu Hoa Kỳ kêu gọi Việt Nam trả tự do cho Đức Tăng Thống Thích Quảng Độ và những tù nhân vì lương thức, đồng thời phục hồi quyền sinh hoạt pháp lý cho GHPGVNTN.

Trong phần khuyến nghị, ông Võ Văn Ái yêu cầu Tổng thống Obama đặt Việt Nam trở lại trong danh sách CPC vì những cuộc đàn áp tự do tôn giáo và vi phạm nhân quyền ; cử Đại sứ Lưu động về Tự do Tôn giáo trên Thế giới viếng thăm Việt Nam, gặp gỡ rộng rãi mọi thành phần, kể cả các nhà tôn giáo bất đồng chính kiến và những thành viên thuộc các cộng đồng tôn giáo "không được thừa nhận" ; thúc đẩy việc ấn định thời điểm viếng thăm Việt Nam của Báo cáo viên LHQ đặc nhiệm tự do tôn giáo mà nhà cầm quyền Việt Nam đã đồng ý trên nguyên tắc ; và không hậu thuẫn cho Việt Nam làm thành viên Hội đồng Nhân quyền LHQ nhiệm kỳ 2014 – 2016 bao lâu Việt Nam chưa cải tiến nhân quyền thật sự.

Sau đây là toàn văn bản điều trần bằng Anh ngữ của ông Võ Văn Ái :

The States Policy of Repression
against the Unified Buddhist Church of Vietnam

VO VAN AI
President, Vietnam Committee on Human Rights &
International Spokesman of the Unified Buddhist Church of Vietnam

Honourable Chairman,
Distinguished Members of Congress,

Thank you for inviting me to testify on behalf of the Unified Buddhist Church of Vietnam (UBCV), the largest and oldest religious organization in Vietnam. It is especially important to be able to testify in advance of the U.S.-Vietnam dialogue

because, in the light of the latest Annual Report on International Religious Freedom, I am concerned that the State Department does not fully realize the gravity of Vietnams relentless repression of the UBCV.

In August last year, when U.S. Ambassador David Shear visited UBCV Patriarch Thich Quang Do at the Thanh Minh Zen Monastery where he is under house arrest, Thich Quang Do expressed the same concern. He said: ***“Whilst appreciating the State Departments reports of abuses against the UBCV, we are concerned that they portray but a pale picture of the systematic Police pressures, harassment and intimidation faced by UBCV Buddhists in every aspect of their daily lives”.***

The assessment of the US Commission on International Religious Freedom, which has made several in-country visits to Vietnam, is much closer to the truth. Describing the UBCV as *“Vietnams largest religious organization with a history of peaceful social activism and moral reform”*, the USCIRF reported *“marked increases in arrests, detentions, and harassment of groups and individuals viewed as hostile to the Communist Party”* in 2012, including the UBCV which, it stated, *“has faced decades of harassment and repression for seeking independent status and for appealing to the government to respect religious freedom and related human rights”*.

Vietnams deceptive religious policy, with its mixture of subtlety with sheer brutality, may at first seem hard to fathom. But I call upon Congress and the State Department to look behind Hanois mask, beyond the veneer of State-sponsored freedom of worship, and recognize the full extent of religious repression against the UBCV and other non-recognized religions in Vietnam. These are the issues that the U.S. must raise loud and clear in tomorrows dialogue with Hanoi.

Over the past year, violations of religious freedom and human rights have increased in Vietnam, at the USCIRF has observed. To avoid international outcry, Vietnam implements a policy of what I call “stealth repression”; instead of sentencing Buddhist leaders at public trials, the authorities detain them under house arrest, isolate them from their followers, cut off communications, place them under surveillance and deny them the right to travel and meet together. Foreign visitors to UBCV monasteries are assaulted and harassed. Police routinely disband religious gatherings and prevent UBCV pagodas from celebrating festivals such as the Vesak (Birth of Buddha) and the Lunar New Year. The authorities even seek to strangle the UBCVs economic survival by threatening to fire Buddhists from their jobs or have their children expelled from school if they support the UBCV. To avoid surveillance, UBCV followers often come at dawn to deposit food and offerings outside pagoda gates.

Following the Chinese model, Vietnam deploys special agents and “Religious Security

Police" *(công an tôn giáo)*, some disguised as monks, to infiltrate, slander and divide the Buddhist community and undermine it from within. The aim is to slowly stifle and suppress the UBCV by creating a permanent climate of fear in which followers dare not express their beliefs. Today, as this Hearing takes place, new evidence from Vietnam indicates that the authorities are intensifying persecution and seeking by every means to intimidate, harass and silence members the outlawed Unified Buddhist Church of Vietnam:

- Just last week, Buddhist blogger and writer **Huynh Ngoc Tuan** and his family were the victims of base intimidation. At midnight on 3 April, two men on a motorbike threw buckets of water mixed with rotten fish and excrements into his home in Quang Nam. Huynh Ngoc Tuan, who has spent 10 years in prison (1992-2002) for his articles on religious freedom and human rights, was one of five Vietnamese bloggers awarded this years Hammel-Hammet award for persecuted writers, along with his daughter Huynh Thuc Vy. His son, Huynh Ngoc Tuan tried to travel to the US to receive the prize on their behalf, but was stopped at the airport and banned from boarding the plane;

- In **March 2013**, Buddhist youth leader **Le Cong Cau** was interrogated intensively for three days by Security Police in Hue because he posted articles on the Internet calling for the legalization of the UBCV. Police said that by advocating for the UBCV rather than the State-sponsored Vietnam Buddhist Church (VBC), he was *"sowing divisions between religious followers"*, an offense punishable by up to 15 years in prison under Article 87 of the Vietnamese Criminal Code. Police also threatened to sentence him with up to 20 years in prison for *"anti-State propaganda"* (Article 88 of the Criminal Code). Le Cong Cau is head of the UBCVs Buddhist Youth Movement *(Gia đình Phật tử Việt Nam)*, an unofficial educational movement which has over 500,000 members in Vietnam.

- During the interrogation, the Head of the Hue Provincial Security Police told Le Cong Cau that Vietnam would **never accept to legalize the UBCV**. This reveals the cynical duplicity of Vietnams religious policies, which on the one hand claim internationally to be moving towards religious freedom, but on the other categorically reject all religious groups that refuse the political dictates of the Communist Party of Vietnam;

- Monks, nuns and followers of over **20 UBCV provincial boards** set up to bring spiritual and humanitarian aid to poor people in the provinces are harassed, interrogated and prevented from carrying out educational and charitable activities, notably in the provinces of **Quang Nam-Danang**, **Thua Thien Hue**, **Binh Dinh**, **Khanh Hoa**, **Ba Ria-Vung Tau**, **Dong Nai**, **Hau**

Giang and **An Giang**;

- For the past three years, the Peoples Committee in Danang has strictly prohibited Vesak celebrations at the **Giac Minh Pagoda**, deploying hundreds of Police and security officials to block all entries to the building, forcibly obstructing and assaulting Buddhists who tried to take part, and prohibiting the monks from reading the traditional Vesak Message by UBCV Patriarch Thich Quang; In August 2012, Superior monk **Venerable Thich Thanh Quang**, head of the UBCV Youth Department, was brutally beaten by a gang of plain clothed security agents under the eyes of the Police, who made no attempt to intervene;

- The most tragic victim of Vietnams repression is the **UBCV Patriarch Thich Quang Do**, 85, currently under house arrest at the Thanh Minh Zen Monastery in Saigon and detained almost without interruption since 1982. Denied freedom of movement and citizenship rights, fforbidden even to preach in his Monastery and under constant Police surveillance, this revered dissident and Nobel Peace Prize nominee remains a symbol of the movement for democracy, and continues to challenge the government on religious freedom and human rights. In March, during a public debate on reforming the Vietnamese Constitution, Thich Quang Do urged the Communist Party to embark on a ***"Path of Peace" – a path of multi-party democracy which will lead our people to stability, development and happiness"***.

Alongside political repression, Vietnam also uses the law to restrict religious freedom. In January 2013, **"Decree No. 92"** on religious organizations and religious activities came into effect, replacing Decree No. 22, which was issued in 2005. Buddhist and Christian leaders alike have criticized the new Decree for its use of vague and ambiguous terminology, and for introducing new bureaucratic obstacles to the peaceful and lawful activities of religious believers. Although the new Decree reduces the timeframe in which the authorities must respond to applications for registration and introduces some measures to improve transparency, the Decree as a whole is aimed at increasing control and management rather than the protection of religious freedom.

At the same time, Vietnam invokes vaguely-worded "national security" provisions in the Criminal Code to criminalize the peaceful religious activities. Ordinance 44 authorizes the detention of religious and political dissidents under house arrest, in labour camps or in psychiatric hospitals without any due process of law.
Mr. Chairman,

Vietnam seeks to suppress the UBCV not only because it is a religious movement, but because it is one of the most vocal civil society movements in Vietnam. In this one-Party state, where there is no political opposition, no independent media, no free trade unions, the religious movements, in particular the UBCV, are the sole independent voices that the Party has failed to suppress. Religious freedom is thus the key to peaceful progress towards a pluralistic and vibrant society based on respect for human rights and the rule of law.

Recommendations for the Human Rights Dialogue

- The U.S.-Vietnam human rights dialogue as a viable policy tool. But it must not become an end in itself. At its Universal Periodic Review at the United Nations in 2009, Vietnam declared that its engagement in dialogue with the US, the EU and other countries “proved” that it respects human rights. This is surely not Americas view. The dialogue is only relevant if it leads to substantive progress. The United States should set benchmarks and a concrete time-frame for human rights improvements wherever possible, and ensure that Vietnam **does not use the human rights dialogue as shield to deflect international scrutiny from its egregious violations of religious freedom and human rights**.

For the upcoming dialogue, I urge you to press Vietnam to:

- release prisoners of conscience in prison or under house arrest for their nonviolent religious activities or convictions; release UBCV Patriarch Thich Quang Do as a matter of urgent priority and restore his full freedoms and rights;

- re-establish the legitimate status of the banned Unified Buddhist Church of Vietnam and all other non-recognized religions so they can contribute to the social and spiritual welfare of the Vietnamese people;

- rescind or review all legislation that restricts the exercise of religious freedom in contravention of Article 18 of the UN International Covenant on Civil and Political Rights;

- fix a date for the in-country visit by the **UN Special Rapporteur on Freedom of Religion or Belief** to which Vietnam has agreed; allow a visit by the UN Rapporteur on Freedom of Opinion and Expression, and Human Rights Defenders, as well as a follow-up visit by the UN Working Group on Arbitrary Detention to monitor the situation of human rights defenders and prisoners of

conscience in Vietnam.

Recommendations for U.S. Policy

- the U.S. should heed the recommendation of the US Commission on International Religious Freedom to **re-designate Vietnam as a Country of Particular Concern** for its egregious violations of religious freedom and related human rights;

- **the US Ambassador-at-large on International Religious Freedom should make an in-country visit to Vietnam** and meet with a wide range of stakeholders, including religious dissidents and members of non-recognized religious bodies as well as government and religious officials; in preparation for this trip, the Ambassador should **consult widely** with international experts and overseas-based civil society representatives of religious movements in Vietnam;

- religious freedom should be mainstreamed into legislation regarding the US-Vietnam trade relationship. In the absence of a “human rights clause” in bilateral trade agreements, the **Vietnam Human Rights Act** should be passed to link trade relations to the respect of religious freedoms and human rights;

- Vietnam rejected many concrete recommendations made by the United States at its Universal Periodic Review in May 2009, and it has failed to uphold its binding commitments to respect UN standards and norms. Therefore, I urge the United States **not to support Vietnams bid for membership of the UN Human Rights Council for 2014-2016 which will be voted at the UN General Assembly Meeting in New York in September 2013**.

Vo Van Ai
Washington D.C., April 11. 2013