



Australian Government

Refugee Review Tribunal

Country Advice

Vietnam

Vietnam – VNM38054 – Hoa Hao
Buddhists – Hoa Hao Central Buddhist
Church – Hoa Hao Administrative Council
– Registration of Religious Groups –
Societal Discrimination – Government
Repression – Confiscation of Properties –
An Giang Province

3 February 2011

1. Please provide background information on the Hoa Hao branch of Buddhism, including its history, establishment, core tenets, and philosophy.

Phat Giao Hoa Hao (known simply as Hoa Hao) was established on 4 July 1939 by Buddhist reformer Huynh Phu So in the southern Vietnamese province of An Giang.¹

Hoa Hao Buddhism is described by *Encyclopaedia Britannica Online* as “an amalgam of Buddhism, ancestor worship, animistic rites, elements of Confucian doctrine, and indigenous Vietnamese practices”. Huynh Phu So preached a Buddhist reform and a return to the more simplified version of Theravada Buddhism. His teachings emphasised “austerity...simple worship, and personal salvation”.² Hoa Hao Buddhism strongly emphasises compliance with the ‘Four Debts of Gratitude’, which includes respect for parents and ancestors, service to the country, service to humanity, and respect for the ‘Three Treasures’ – Buddha, Buddhist laws, and the Buddhist priesthood.³

¹ ‘Hoa Hao’ 2011, *Encyclopaedia Britannica Online*, 25 January
<http://www.britannica.com/EBchecked/topic/268373/Hoa-Hao> – Accessed 25 January 2011 – Attachment 1;

‘Huynh Phu So’ 2011, *Encyclopaedia Britannica Online*, 25 January
<http://www.britannica.com/EBchecked/topic/277816/Huynh-Phu-So> – Accessed 25 January 2011 – Attachment 2; ‘Hoa Hao Buddhists in Vietnam’ 2005, Action for Democracy in Viet Nam (Queme) website, 10 August – Attachment 3; Immigration and Refugee Board of Canada 2001, *VNM37830.E – Vietnam: Information on the teachings of the Hoa Hao (Hoa Hoa) sect of Buddhism and treatment of its followers by the authorities*, 28 September – Attachment 4

² ‘Huynh Phu So’ 2011, *Encyclopaedia Britannica Online*, 25 January
<http://www.britannica.com/EBchecked/topic/277816/Huynh-Phu-So> – Accessed 25 January 2011 – Attachment 2

³ Immigration and Refugee Board of Canada 2001, *VNM37830.E – Vietnam: Information on the teachings of the Hoa Hao (Hoa Hoa) sect of Buddhism and treatment of its followers by the authorities*, 28 September – Attachment 4; Hornemann, M. 2004, ‘VIETNAM: State interference in indigenous religions’, *Forum 18 News Service*, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5; ‘Biography of Prophet Huynh Phu So’ 2006, Hoa Hao Buddhism website, 2 October <http://hoahaobuddhism.org/unicode/index.html> – Accessed 25 January 2011 – Attachment 6

The Hoa Hao Buddhism website explains that the religion is a form of Buddhism for peasants, particularly farmers, which advocates for religious practices to be carried out within the home rather than in temples. Hoa Hao followers are thus encouraged to lead a normal agricultural life with their families whilst observing Buddhist teachings. The reforms of modernised Buddhism to more simplified practices include discouragement of superstitious practices and rituals in order “to show the essence of Buddhism in accordance with genuine Buddha’s teachings”. In line with this philosophy, altars within the home are simple, and no food is used in worshipping Buddha, with only fresh water, flowers and incense permitted to represent purity. Hoa Hao Buddhists worship twice a day within the home, although attend pagodas on Holy anniversaries.⁴

Founder Huynh Phu So has been described as “an anti-French, anticommunist military and political activist”. Disagreement with French colonialists and communist government forces “made the Hoa Hao sect an aggressive religio-political-military cult”,⁵ which became a significant political opposition force prior to the Vietnamese communist victory in 1975.⁶

2. How does Hoa Hao Buddhism differ from other branches of Buddhism?

Buddhism in Vietnam originated from both China in the north (Mahayana Buddhism) and India in the south (Theravada Buddhism). Hoa Hao Buddhism is identified as a reformed version of Theravada Buddhism.⁷ Hoa Hao founder Huynh Phu So believed that existing Buddhism was “no longer applicable to current realities”. So accused Buddhist monks of “deviating from orthodox Buddhist doctrines through their licentious behaviour and ostentatious temple displays” and called for more simplified practices.⁸ Hoa Hao Buddhism thus emphasises “individual prayer, simplicity, and social justice over icon veneration or elaborate ceremonies”. In contrast, Mahayana Buddhist practices involve “colourful statues and well prepared offerings”.⁹

Nevertheless, Hoa Hao teachings share a commonality with other branches of Buddhism in the emphasis on the ‘Four Debts of Gratitude’, by which followers express gratitude to ancestors and parents, the country, fellow human beings, and the ‘Three Treasures of

⁴ ‘Biography of Prophet Huynh Phu So’ 2006, Hoa Hao Buddhism website, 2 October <http://hoahaobuddhism.org/unicode/index.html> – Accessed 25 January 2011 – Attachment 6

⁵ ‘Huynh Phu So’ 2011, *Encyclopaedia Britannica Online*, 25 January <http://www.britannica.com/EBchecked/topic/277816/Huynh-Phu-So> – Accessed 25 January 2011 – Attachment 2

⁶ ‘Hoa Hao’ 2011, *Encyclopaedia Britannica Online*, 25 January <http://www.britannica.com/EBchecked/topic/268373/Hoa-Hao> – Accessed 25 January 2011 – Attachment 1

⁷ ‘Religion’ (undated), Vietnam Online website <http://www.vietnamonline.com/guide/overview/religion.html> – Accessed 28 January 2011 – Attachment 7; Cima, R. J. ed. 1987, ‘Religion’, in *Vietnam: A Country Study*, Washington: GPO for the Library of Congress, US Library of Congress Country Studies website <http://countrystudies.us/vietnam/42.htm> – Accessed 28 January 2011 – Attachment 8

⁸ Hornemann, M. 2004, ‘VIETNAM: State interference in indigenous religions’, *Forum 18 News Service*, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5

⁹ Cima, R. J. ed. 1987, ‘Religion’, in *Vietnam: A Country Study*, Washington: GPO for the Library of Congress, US Library of Congress Country Studies website <http://countrystudies.us/vietnam/42.htm> – Accessed 28 January 2011 – Attachment 8

Buddhism’ – Buddha, Buddhist doctrines, and the Buddhist priesthood.¹⁰ Hoa Hao Buddhism has also been associated with Confucianism and Taoism.¹¹

3. Please provide information on the demographics of Hoa Hao Buddhism in Vietnam, including total numbers, percentages, location, and predominance.

The Vietnamese government estimates that there are 1.3 million Hoa Hao Buddhists in the country, although expatriate Hoa Hao groups estimate up to 3 million followers. They are predominantly located in the Mekong Delta region, particularly in the provinces of An Giang and Dong Thap. According to the US Department of State, the official Hoa Hao Buddhist organisation, the Hoa Hao Administrative Council, constitutes 1.5 to 3 per cent of the Vietnamese population. However, a small number of Hoa Hao Buddhists belong to separate, unregistered, divisions such as the Pure Hoa Hao Church and the Traditional Hoa Hao Church.¹²

4. Please provide information on the Ancestral Temple.

The Hoa Hao Ancestral Temple (To Dinh Phat Giao Hoa Hao in Vietnamese), located in An Giang province, is the birthplace of the church’s founder, Prophet Huynh Phu So. It is considered to be the Holy Ground by Hoa Hao followers, who gather at the site for religious ceremonies and to demonstrate their commitment to the Prophet.¹³ Many Hoa Hao Buddhists consider the Ancestral Temple to remain the property of Prophet So’s family.¹⁴

5. In what sense are there official as compared to unofficial religious groups in Vietnam? Was Hoa Hao Buddhism officially recognised in Vietnam in 1999?

The Vietnamese government officially recognises a total of 34 registered organisations from 11 religions, including Buddhism, Catholicism, Protestantism, Hoa Hao, Cao Dai, Baha’i, Islam, Pure Land Buddhist Home Practice, the Four Gratuities, Threefold Southern Tradition, and Threefold Enlightened Truth Path. Separate divisions within each group, and all religious activities, must also be registered by the government, and participation in unregistered groups is actively discouraged.¹⁵

¹⁰ Hornemann, M. 2004, ‘VIETNAM: State interference in indigenous religions’, *Forum 18 News Service*, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5

¹¹ ‘Biography of Prophet Huynh Phu So’ 2006, Hoa Hao Buddhism website, 2 October <http://hoahaobuddhism.org/unicode/index.html> – Accessed 25 January 2011 – Attachment 6

¹² US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section I – Attachment 9

¹³ Central Council of Administrators, Hoa Hao Buddhist Church 2000, ‘State Department’s 1999 Vietnam Country Report on Human Rights Practices Gives Inaccurate Coverage of Events Relating to the Hoa Hao Buddhist Church’, Vietnam Human Rights Network website, 6 March <http://www.vietnamhumanrights.net/english/documents/hh000306.htm> – Accessed 28 January 2011 – Attachment 10; ‘Welcome to Hoa Hao Buddhism’ 2006, Hoa Hao Buddhism website, 2 October <http://hoahaobuddhism.org/unicode/index.html> – Accessed 25 January 2011 – Attachment 11

¹⁴ Hornemann, M. 2005, ‘VIETNAM: Three fundamental causes of persecution remain’, *Forum 18 News Service*, 14 July http://www.forum18.org/Archive.php?article_id=607&pdf=Y – Accessed 31 January 2011 – Attachment 12

¹⁵ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9

The official Hoa Hao body, the Hoa Hao Administrative Council, was established and recognised by the government in 1999. The government-appointed council has been criticised by a number of Hoa Hao leaders as “subservient to the government”. Many Hoa Hao followers have resisted official pressure to join the recognised group, some aligning with dissenting factions such as the Traditional Hoa Hao Church and the Pure Hoa Hao Church, which are not recognised by the government.¹⁶ Hoa Hao Buddhists who refuse to affiliate with the government-recognised organisation have experienced intimidation and harassment, and face greater restrictions on engaging in religious activities.¹⁷

6. Please provide information on the Hoa Hao Central Buddhist Church (HHCBC).

The Hoa Hao Central Buddhist Church (HHCBC) is an independent, unregistered Hoa Hao religious body.¹⁸ Leaders of the HHCBC refuse to affiliate with the official, government-approved Hoa Hao Administrative Council. As a result, members of the HHCBC have experienced harassment and repression by the Vietnamese government, particularly in An Giang province and the wider Mekong Delta region.¹⁹

7. Please provide information on the Hoa Hao Administrative Council, including when and why it was formed, its purpose, and its major achievements.

The 11-member Hoa Hao Administrative Council (HHAC) was formed by the Vietnamese government in May 1999 following a Hoa Hao congress in An Giang. The council was established as the official organisation for Hoa Hao Buddhists, and constituted “the first official recognition by the Vietnamese government of the Hoa Hao religion”. The purpose of the HHAC is “to oversee the administrative affairs of the religion”.²⁰ In 2005, the HHAC was expanded and renamed as the Executive Committee of Hoa Hao Buddhism.²¹

The committee has been openly criticised by many Hoa Hao leaders and overseas Hoa Hao groups as being “subservient to the government” and comprised of government officials rather than church representatives.²² Hoa Hao leaders have instead called for

¹⁶ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9; ‘Vietnam: Religious Freedom Denied’ 2008, Human Rights Watch website, 8 May <http://www.hrw.org/en/news/2008/05/07/vietnam-religious-freedom-denied> – Accessed 28 January 2011 – Attachment 13

¹⁷ UK Home Office 2009, *Operational Guidance Note – Vietnam*, 9 June, pp.9-10 – Attachment 14; ‘Freedom of Religion: Country Studies – Vietnam’ 2010, Democracy Web website <http://www.democracyweb.org/religion/vietnam.php> – Accessed 31 January 2011 – Attachment 15

¹⁸ US Department of State 2005, *International Religious Freedom Report for 2005 – Vietnam*, 8 November, Section II – Attachment 16

¹⁹ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, pp.190-191 – Attachment 17

²⁰ Amnesty International 2001, ‘Socialist Republic of Viet Nam: Religious Intolerance – Recent Arrests of Buddhists’, ASA 41/001/2001, 1 February, Refworld website, <http://www.unhcr.org/refworld/docid/3b83b70bd.html> – Accessed 28 January 2011 – Attachment 18; US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9; DIMA Country Information Service 1999, *Country Information Report No. 311/99 – Vietnam: Human Rights Update*, (sourced from DFAT advice of 24 August 1999), 27 August – Attachment 19; Hornemann, M. 2004, ‘VIETNAM: State interference in indigenous religions’, *Forum 18 News Service*, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5

²¹ US Department of State 2005, *International Religious Freedom Report for 2005 – Vietnam*, 8 November, Section II – Attachment 16

²² Amnesty International 2001, ‘Socialist Republic of Viet Nam: Religious Intolerance – Recent Arrests of Buddhists’, ASA 41/001/2001, 1 February, Refworld website, <http://www.unhcr.org/refworld/docid/3b83b70bd.html> – Accessed 28 January 2011 – Attachment 18; US

official recognition of the Hoa Hao Central Buddhist Church (HHCBC).²³ *Forum 18 News Service* reports that in June 2004, the HHAC “arbitrarily replaced the charter of the religious community with a new one and changed the regulations governing the Hoa Hao Ancestral Temple”.²⁴

According to the Hoa Hao Buddhism website, a system of Administrative Committees set up at the hamlet, village, district and province levels oversee the Hoa Hao community. Administrators are elected by representatives in the level below them, with representatives at the hamlet level elected by local Hoa Hao followers. At the top of this system is the Central Council of Administrators, which has 23 members who are elected by the lower level Administration Committees.²⁵

8. Is there any information about the Hoa Hao Buddhists splitting into 2 groups following suppression of the religion, and were leaders detained?

Following the end of the Vietnam War in 1975, many Hoa Hao leaders and followers became the target of the communist government’s reprisals due to their perceived anti-communist beliefs, and were sent without trial for varying periods of ‘re-education’.²⁶

In 1999, the objection of many Hoa Hao leaders to the establishment of the Hoa Hao Administrative Council led to the formation of two smaller dissenting groups, the Traditional Hoa Hao Church and the Pure Hoa Hao Church. These groups, along with the Hoa Hao Central Buddhist Church, are not recognised by the government.²⁷

Forum 18 News Service reports that since 1999, requests by Hoa Hao leaders for approval of a management organisation aside from the HHAC have been repeatedly rejected, and have resulted in several Hoa Hao followers being imprisoned.²⁸ Hoa Hao leader Le Quang Liem was released from prison in 2004 after serving two years of house arrest for issuing a letter demanding that the government grant religious freedom to unrecognised Hoa Hao Buddhist groups.²⁹ Prior to his arrest, Liem had been interrogated on a number of

Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9

²³ US Department of State 2005, *International Religious Freedom Report for 2005 – Vietnam*, 8 November, Section II – Attachment 16

²⁴ Hornemann, M. 2005, ‘VIETNAM: Three fundamental causes of persecution remain’, *Forum 18 News Service*, 14 July http://www.forum18.org/Archive.php?article_id=607&pdf=Y – Accessed 31 January 2011 – Attachment 12

²⁵ ‘Biography of Prophet Huynh Phu So’ 2006, Hoa Hao Buddhism website, 2 October <http://hoahaobuddhism.org/unicode/index.html> – Accessed 25 January 2011 – Attachment 6

²⁶ Amnesty International 2001, ‘Socialist Republic of Viet Nam: Religious Intolerance – Recent Arrests of Buddhists’, ASA 41/001/2001, 1 February, Refworld website, <http://www.unhcr.org/refworld/docid/3b83b70bd.html> – Accessed 28 January 2011 – Attachment 18

²⁷ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9; US Department of State 2005, *International Religious Freedom Report for 2005 – Vietnam*, 8 November, Section II – Attachment 16

²⁸ Hornemann, M. 2005, ‘VIETNAM: Three fundamental causes of persecution remain’, *Forum 18 News Service*, 14 July http://www.forum18.org/Archive.php?article_id=607&pdf=Y – Accessed 31 January 2011 – Attachment 12; Hornemann, M. 2004, ‘VIETNAM: State interference in indigenous religions’, *Forum 18 News Service*, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5

²⁹ Hornemann, M. 2005, ‘VIETNAM: Three fundamental causes of persecution remain’, *Forum 18 News Service*, 14 July http://www.forum18.org/Archive.php?article_id=607&pdf=Y – Accessed 31 January 2011 – Attachment 12; Hornemann, M. 2004, ‘VIETNAM: State interference in indigenous religions’, *Forum 18 News*

occasions, placed under government surveillance, and had his telephone line disconnected. The surveillance increased following Liem's announcement of the restoration of the unregistered Central Hoa Hao Buddhist Association.³⁰

Human Rights Watch reports that in 2000, Hoa Hao members "came under increased pressure, with at least twelve in detention or prison" half way through the year. Followers in An Giang province fought with, and were detained by, local police on a number of occasions in 1999 and 2000, particularly on religious anniversaries.³¹ A number of HHCBC leaders were also detained around this time, including third-ranking officer Ha Hai, who received a 5 year prison sentence in 2001 on charges of abusing 'democratic rights'. Hoa Hao follower Nguyen Van Lia received a 3 year prison sentence in 2003 for organising a service to commemorate the disappearance of Prophet Huynh Phu So.³²

9. Is the Hoa Hao Buddhist branch seen as a political opposition force to the ruling regime in Vietnam?

The Hoa Hao was prominent as a religious and political independent opposition to both French colonialists and the nationalist Viet Minh movement led by Ho Chi Minh in the 1940s.³³ Despite mutual support for independence from French colonial rule, the relationship between the Hoa Hao and the Vietnamese communists was strained due to the alleged massacre of Hoa Hao followers by the Viet Minh in 1945. The Hoa Hao also accused the communists of abducting and killing Prophet Huynh Phu So in 1947.³⁴

In the 1950s, the Hoa Hao began armed opposition to the US-backed Vietnamese government, and became a dominant "social, political, and military force" throughout the Mekong Delta, particularly in the provinces of An Giang and Dong Thap. It remained a powerful force in the southern region until the communist victory in the Vietnam War in 1975, when its armed militias and local-level administrative committees were dissolved.³⁵

Although no longer a significant political force, the Hoa Hao's history of armed opposition to communist forces has led to significant restrictions on their religious and

Service, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5

³⁰ Immigration and Refugee Board of Canada 2001, *VNM37830.E – Vietnam: Information on the teachings of the Hoa Hao (Hoa Hoa) sect of Buddhism and treatment of its followers by the authorities*, 28 September – Attachment 4

³¹ Immigration and Refugee Board of Canada 2001, *VNM37830.E – Vietnam: Information on the teachings of the Hoa Hao (Hoa Hoa) sect of Buddhism and treatment of its followers by the authorities*, 28 September – Attachment 4

³² US Department of State 2004, *International Religious Freedom Report for 2004 – Vietnam*, September, Section II – Attachment 21

³³ 'Hoa Hao' 2011, *Encyclopaedia Britannica Online*, 25 January

<http://www.britannica.com/EBchecked/topic/268373/Hoa-Hao> – Accessed 25 January 2011 – Attachment 1

³⁴ Hornemann, M. 2004, 'VIETNAM: State interference in indigenous religions', *Forum 18 News Service*, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5; Amnesty International 2001, 'Socialist Republic of Viet Nam: Religious Intolerance – Recent Arrests of Buddhists', ASA 41/001/2001, 1 February, Refworld website,

<http://www.unhcr.org/refworld/docid/3b83b70bd.html> – Accessed 28 January 2011 – Attachment 18

³⁵ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section I – Attachment 9; 'Hoa Hao' 2011, *Encyclopaedia Britannica Online*, 25 January

<http://www.britannica.com/EBchecked/topic/268373/Hoa-Hao> – Accessed 25 January 2011 – Attachment 1; Amnesty International 2001, 'Socialist Republic of Viet Nam: Religious Intolerance – Recent Arrests of Buddhists', ASA 41/001/2001, 1 February, Refworld website,

<http://www.unhcr.org/refworld/docid/3b83b70bd.html> – Accessed 28 January 2011 – Attachment 18

political activities since 1975.³⁶ In particular, the Vietnamese government's continued refusal to grant official recognition to unregistered Hoa Hao Buddhist groups is "reportedly due to their past and current support of opponents of the government".³⁷

Forum 18 News Service reported in 2004 that Hoa Hao members "have maintained a confrontational approach toward the state", criticising the government for allegedly failing to return confiscated items, refusing them permission to publicly display religious symbols, and denying publication of Prophet So's writings.³⁸ Furthermore, the activities of these unregistered Hoa Hao groups are often perceived by the government as having political motives.³⁹ In March 2010, the leaders of unrecognised Hoa Hao groups were publicly criticised for opposing the government.⁴⁰

10. Do Hoa Hao Buddhists experience any societal discrimination as a result of their religion?

No specific cases of societal discrimination against Hoa Hao Buddhists based on their religious affiliation were located. The US Department of State reports that throughout 2010, "[t]here were few reported instances of societal discrimination or violence based on religious affiliation, belief, or practice". The few cases of societal discrimination on religious grounds mentioned in the report do not relate to Hoa Hao Buddhists.⁴¹

11. Please provide current information on whether Hoa Hao Buddhists have been arrested, detained, or otherwise mistreated by the ruling regime in Vietnam.

Hoa Hao Buddhist members are generally treated with suspicion due to their political activities prior to 1975. As such, they are subject to arrest, surveillance, and harassment.⁴² Hoa Hao groups have reported continuing government control over their activities, administration, and internal affairs. Hoa Hao Buddhists affiliated with unrecognised religious groups, particularly in An Giang province, have experienced intimidation, harassment, restrictions on movement, property destruction, forced renunciations of faith, and imprisonment, especially if their activities are perceived as political activism. Although in recent years such incidents have reportedly decreased, at least one unrecognised faction of Hoa Hao Buddhists continues to experience significant repression.⁴³

³⁶ US Department of State 2008, *International Religious Freedom Report for 2008 – Vietnam*, 19 September, Section II – Attachment 22; DIMA Country Information Service 1999, *Country Information Report No. 311/99 – Vietnam: Human Rights Update*, (sourced from DFAT advice of 24 August 1999), 27 August – Attachment 19

³⁷ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Introduction – Attachment 9

³⁸ Hornemann, M. 2004, 'VIETNAM: State interference in indigenous religions', *Forum 18 News Service*, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5

³⁹ UK Home Office 2009, *Operational Guidance Note – Vietnam*, 9 June, pp.9-10 – Attachment 14

⁴⁰ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9

⁴¹ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section III – Attachment 9

⁴² Amnesty International 2010, 'Amnesty International testimony on religious and human rights situation in Vietnam', Tom Lantos Human Rights Commission: United State Congress website, 18 August http://tlhrc.house.gov/docs/transcripts/2010_08_18_Vietnam/Testimonies/T_Kumar_Amnesty_Testimony.pdf – Accessed 28 January 2011 – Attachment 23

⁴³ UK Home Office 2009, *Operational Guidance Note – Vietnam*, 9 June, pp.9-10 – Attachment 14; 'Freedom of Religion: Country Studies – Vietnam' 2010, Democracy Web website <http://www.democracyweb.org/religion/vietnam.php> – Accessed 31 January 2011 – Attachment 15; Freedom

For example, in March 2010, six followers of the Pure Hoa Hao Church reported being fined and assaulted by police in Dong Thap province for conducting religious services. Pure Hoa Hao followers also experienced active discouragement by local police in An Giang, Vinh Long, Dong Thap, and Can Tho from attending religious ceremonies and visiting temples in 2010.⁴⁴ Members of the Hoa Hao Central Buddhist Church in the Mekong Delta region also experience “significant official repression”, including confiscation and destruction of properties, arrests, and police dispersement of religious ceremonies.⁴⁵

Human Rights Watch reported in January 2011 that some Hoa Hao Buddhists are “currently in prison for their religious or political beliefs – or a combination of the two”.⁴⁶ The US Commission on International Religious Freedom similarly reported in May 2010 that at least 12 Hoa Hao members had been arrested and sentenced for peaceful protest against religious repression, including members of the Hoa Hao Central Buddhist Church who were arrested for distributing the writings of Prophet So.⁴⁷ In April 2009, a HHCBC leader in Dong Thap was fined for “illegal evangelizing” after setting up a religious altar at her home. In 2008, police searched the home of another HHCBC leader in the Mekong Delta region, confiscating properties and fining him for pirating videotapes containing Hoa Hao teachings.⁴⁸

12. Is there information on what the local police attitude is towards followers of Hoa Hao? Is there information that government authorities from Ho Chi Minh City will harm/mistreat followers, please provide information on the distinction between the local and the national authorities which might take an interest in the religion.

The Vietnamese government requires that all religious groups and religious activities are registered with the national authorities. Recognised religious groups are largely overseen and administered by the national government. However, due to inconsistent oversight between localities, often resulting from ignorance of national policy or varied local interpretations, some religious activities are subject to the discretion of local officials. Some religious leaders reported being advised by local officials “that national laws did not apply to their jurisdictions”.⁴⁹

Levels of harassment and ill-treatment of religious groups can, therefore, vary between provinces and region, depending on the attitudes of local officials.⁵⁰ In An Giang and Dong Thap provinces, Hoa Hao Buddhists have reported being assaulted by police,

House 2010, *Countries at the Crossroads 2010: Vietnam*, Freedom House website <http://freedomhouse.org/uploads/ccr/country-7949-9.pdf> – Accessed 31 January 2011 – Attachment 24; ‘End chokehold on dissent before party congress’ 2011, Human Rights Watch website, 11 January – Attachment 25; US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, pp.185, 189-190 – Attachment 17

⁴⁴ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9

⁴⁵ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, p.190 – Attachment 17

⁴⁶ Human Rights Watch 2011, ‘World Report 2011 – Vietnam’, January – Attachment 26

⁴⁷ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, pp.185, 190-191 – Attachment 17

⁴⁸ US Department of State 2009, *International Religious Freedom Report for 2009 – Vietnam*, 17 November, Section II – Attachment 27

⁴⁹ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9; UK Home Office 2009, *Operational Guidance Note – Vietnam*, 9 June, pp.9-10 – Attachment 14

⁵⁰ UK Home Office 2009, *Operational Guidance Note – Vietnam*, 9 June, pp.9-10 – Attachment 14

discouraged from worshipping and visiting religious temples, having their movements restricted by police, and discouraged from celebrating religious anniversaries.⁵¹ In September 2000, six Hoa Hao followers were sentenced to up to three years imprisonment “after denouncing abuses of power by local officials in An Giang province in a letter to the Vietnamese government”. The followers were charged with “having abused their right to democratic freedoms, disturbing social order and opposing public authorities”.⁵²

The attitude towards unregistered religious groups appears to be consistent between both national and local authorities. In urban areas including Hanoi and Ho Chi Minh City, religious groups recognised by the government have reported decreasing restrictions on their activities in recent years. However, unregistered groups continue to face detention and assault by the authorities, as well as property destruction.⁵³ In addition, after two leaders of unregistered Hoa Hao groups in the Mekong Delta region were denounced in the national state-run media for inciting unrest in March 2010, local officials in Can Tho, Dang Thanh Dinh, and Dang Van Nghia similarly issued public denouncements.⁵⁴

13. Is there information on authorities seizing or confiscating Hoa Hao properties since the end of the Vietnam War?

At the end of the Vietnam War in 1975, the government reportedly confiscated more than 5000 Hoa Hao Buddhist properties, including a university, a hospital and a religious centre in An Giang province.⁵⁵ Religious groups have no legal claim to land or properties confiscated by the government, although some provincial authorities have returned confiscated properties. According to the government-recognised Vietnam Buddhist Sangha, around 30 per cent of confiscated Buddhist properties in Ho Chi Minh City had been returned by 2005, and 5 to 10 per cent of properties in southern regions had been returned.⁵⁶

Nevertheless, *Forum 18 News Service* reported in 2004 that Hoa Hao members have accused the government of failing to return confiscated items.⁵⁷ In addition, reports of confiscation and destruction of Hoa Hao properties continued in 2010, particularly in the Mekong Delta region.⁵⁸ The US Commission on International Religious Freedom reported

⁵¹ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9

⁵² Immigration and Refugee Board of Canada 2001, *VNM36745.E – Vietnam: The Hoa Hao religion: type, structure, leaders, number of members, and the treatment of members by the government (January 2000 – May 2001)*, 23 May – Attachment 28

⁵³ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, pp.185-186 – Attachment 17

⁵⁴ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9

⁵⁵ Amnesty International 2001, ‘Socialist Republic of Viet Nam: Religious Intolerance – Recent Arrests of Buddhists’, ASA 41/001/2001, 1 February, Refworld website, <http://www.unhcr.org/refworld/docid/3b83b70bd.html> – Accessed 28 January 2011 – Attachment 18

⁵⁶ US Department of State 2005, *International Religious Freedom Report for 2005 – Vietnam*, 8 November, Section II – Attachment 16

⁵⁷ Hornemann, M. 2004, ‘VIETNAM: State interference in indigenous religions’, *Forum 18 News Service*, 28 July http://www.forum18.org/Archive.php?article_id=378&pdf=Y – Accessed 31 January 2011 – Attachment 5

⁵⁸ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, pp.184-185, 189-191 – Attachment 17

in 2010 that in Hanoi, tensions between the government and some religious communities over long-standing property disputes have led to societal violence.⁵⁹

14. Is there information to confirm or deny that a government document dated 18 February 1979 laid out a 15-year campaign to exterminate the Hoa Hao Buddhist religion?

A 2008 obituary for a Vietnamese Buddhist leader published in *The Guardian* claims that following the communist victory in the Vietnam War in 1975, the government “tried to destroy Vietnamese Buddhism altogether”.⁶⁰ A public statement issued by the Hoa Hao Buddhist Church’s Central Council of Administrators in 2000 claims that “[a]n intercepted government document dated Feb. 18, 1979 laid out the 15-year campaign to exterminate the Hoa Hao Buddhist Church”. The document reportedly indicated that it would take “3 to 5 years to destroy the ‘anti-revolutionary’ Hoa Hao organization” and a further “8 to 10 years...to stem out all ‘superstitious’ practices among Hoa Hao followers”.⁶¹

An undated translation of a letter sent by Hoa Hao leader Le Quang Liem to US Representative and Congressman Ed Royce states that a “report of the Central Religion Commission (of the Vietnamese Communist Government), dated February 18, 1979 and the April 16, 1979 Directive of the Central Committee of the Vietnamese Communist Party...agreed on the plan to completely delete the HHBC [Hoa Hao Buddhist Church] within 15 years”. The letter claims that the reasons behind the plan to destroy the HHBC include the religion’s strong anti-communist history.⁶²

15. Is there information to show that the Vietnamese authorities banned the celebration of the Founder’s Day Festival (the founder being Huynh Phu So) in 1999 or so?

The Founder’s Day Festival commemorates the founding of Hoa Hao Buddhism, and is held on “the 18th day of the 5th Lunar month (July 4, 1939)”.⁶³ The 60th anniversary celebration of the foundation of Hoa Hao was held in 1999 after receiving permission from the government, although some reports suggest that the government had initially attempted to ban the event.⁶⁴

⁵⁹ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, pp.190-191 – Attachment 17

⁶⁰ Blomfield, S. 2008, ‘Thich Huyen Quang’, *The Guardian*, 3 September

<http://www.guardian.co.uk/world/2008/sep/03/buddhism> – Accessed 29 January 2010 – Attachment 20

⁶¹ Central Council of Administrators, Hoa Hao Buddhist Church 2000, ‘State Department’s 1999 Vietnam Country Report on Human Rights Practices Gives Inaccurate Coverage of Events Relating to the Hoa Hao Buddhist Church’, Vietnam Human Rights Network website, 6 March

<http://www.vietnamhumanrights.net/english/documents/hh000306.htm> – Accessed 28 January 2011 – Attachment 10

⁶² ‘Hanoi Government’s Plan to Exterminate Hoa Hao Buddhism’ (undated), Free Vietnam Alliance website <http://www.fva.org/0200/story06.htm> – Accessed 28 January 2011 – Attachment 29

⁶³ ‘Welcome to Hoa Hao Buddhism’ 2006, Hoa Hao Buddhism website, 2 October

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⁶⁴ Immigration and Refugee Board of Canada 2001, VNM37830.E – *Vietnam: Information on the teachings of the Hoa Hao (Hoa Hoa) sect of Buddhism and treatment of its followers by the authorities*, 28 September – Attachment 4; Central Council of Administrators, Hoa Hao Buddhist Church 2000, ‘State Department’s 1999 Vietnam Country Report on Human Rights Practices Gives Inaccurate Coverage of Events Relating to the Hoa Hao Buddhist Church’, Vietnam Human Rights Network website, 6 March

<http://www.vietnamhumanrights.net/english/documents/hh000306.htm> – Accessed 28 January 2011 – Attachment 10

Other religious ceremonies were banned by the Vietnamese government around this time, including the 80th birthday celebration of Hoa Hao founder Huynh Phu So, which was due to be held on 1 January 2000, and the 53rd anniversary of the abduction and assassination of Huynh Phu So by government forces on 30 March 2000. On both days, local police in An Giang province allegedly assaulted and arrested a number of Hoa Hao Buddhists.⁶⁵

In 2010, the Founder's Day Festival, the founder's birthday celebrations, and the commemoration of the founder's death all occurred without incident.⁶⁶

16. Please provide information on the celebration of the 60th anniversary of the foundation of the Hoa Hao at the Ancestral Temple in 1999, whether it was sought to be banned but attracted 1 million attendees.

Following official recognition of the Hoa Hao religion in 1999, the Vietnamese government granted permission for Hoa Hao Buddhists to celebrate the 60th anniversary of the founding of the religion. The event was the first of its kind to be granted government permission in 24 years. Although only 150,000 attendees were expected, the event attracted one million followers to the Ancestral Temple in An Giang province.⁶⁷

However, the Hoa Hao Buddhist Church's Central Council of Administrators claims that a government-appointed Committee of Hoa Hao Representatives had initially demanded that Hoa Hao leaders discontinue plans for the celebration, banned the use of the dark brown Hoa Hao flag at the event, attempted to restrict the celebration to a brief ceremony at a local temple, and banned gatherings of more than 50 people at the Ancestral Temple. Authorities in An Giang also announced that visitors to the Ancestral Temple must obtain

⁶⁵ Overseas Hoa Hao Buddhist Association Inc. 2001, 'Overview: Religious Freedom for Vietnam', National Hoa Hao Buddhist Association website, 7 February http://www.pghh.com/reference/02072001_pghh_overview.doc – Accessed 28 January 2011 – Attachment 30; Central Council of Administrators, Hoa Hao Buddhist Church 2000, 'State Department's 1999 Vietnam Country Report on Human Rights Practices Gives Inaccurate Coverage of Events Relating to the Hoa Hao Buddhist Church', Vietnam Human Rights Network website, 6 March

<http://www.vietnamhumanrights.net/english/documents/hh000306.htm> – Accessed 28 January 2011 – Attachment 10; Human Rights Watch 2000, *Vietnam: The Silencing of Dissent*, 1 May – Attachment 31

⁶⁶ US Department of State 2010, *International Religious Freedom Report for 2010 – Vietnam*, 17 November, Section II – Attachment 9; 'Hoa Hao Buddhists celebrate their founder's birth anniversary' 2010, VOV News website, 9 January <http://english.vovnews.vn/Home/Hoa-Hao-Buddhists-celebrate-their-founders-birth-anniversary/20101/111581.vov> – Accessed 25 January 2011 – Attachment 32

⁶⁷ Immigration and Refugee Board of Canada 2001, *VNM37830.E – Vietnam: Information on the teachings of the Hoa Hao (Hoa Hoa) sect of Buddhism and treatment of its followers by the authorities*, 28 September – Attachment 4; DIMA Country Information Service 1999, *Country Information Report No. 311/99 – Vietnam: Human Rights Update*, (sourced from DFAT advice of 24 August 1999), 27 August – Attachment 19; Overseas Hoa Hao Buddhist Association Inc. 2001, 'Overview: Religious Freedom for Vietnam', National Hoa Hao Buddhist Association website, 7 February http://www.pghh.com/reference/02072001_pghh_overview.doc – Accessed 28 January 2011 – Attachment 30; Amnesty International 2001, 'Socialist Republic of Viet Nam: Religious Intolerance – Recent Arrests of Buddhists', ASA 41/001/2001, 1 February, Refworld website, <http://www.unhcr.org/refworld/docid/3b83b70bd.html> – Accessed 28 January 2011 – Attachment 18; Central Council of Administrators, Hoa Hao Buddhist Church 2000, 'State Department's 1999 Vietnam Country Report on Human Rights Practices Gives Inaccurate Coverage of Events Relating to the Hoa Hao Buddhist Church', Vietnam Human Rights Network website, 6 March

<http://www.vietnamhumanrights.net/english/documents/hh000306.htm> – Accessed 28 January 2011 – Attachment 10; 'Suppression of Hoa Hao Buddhism in Vietnam' (undated), Free Vietnam Alliance website <http://www.fva.org/0799/story05.htm> – Accessed 28 January 2011 – Attachment 33

government-issued temporary residence permits. Despite these restrictions, one million Hoa Hao followers attended the celebration at the Ancestral Temple on 1 July 1999.⁶⁸

17. Is there information on two Hoa Hao Buddhists self-immolating in 2005?

Human Rights Watch reports that two Hoa Hao Buddhists self-immolated on 5 August 2005 in protest against religious repression and the detentions of Hoa Hao leaders.⁶⁹ The victims were 37 year old Tran Van Ut, who self-immolated in Dong Thap province, and 34 year old Vo Van Buu, who self-immolated in An Giang province.⁷⁰ Funerals for the victims that were attended by thousands of Hoa Hao followers were dispersed by the police using tear gas and water cannons.⁷¹

Le Dzung, a spokesman for Vietnam's Ministry of Foreign Affairs, strongly denied reports that the Hoa Hao Buddhists self-immolated as a protest against religious repression, stating that no one in Vietnam had been arrested or detained for religious reasons. Dzung claimed, rather, that "a number of extremists abusing the Hoa Hao Buddhist sect" have been arrested for violating the law, engaging in extremist acts, and causing social disorder.⁷² The Ministry called the self-immolation of Tran Van Ut "an extremist act of destroying himself".⁷³

18. Is there any information of a court in the Mekong Delta province of Dong Thap sentencing four Hoa Hao followers to between 4 and 6 years imprisonment for creating public disorder? Is so, please provide information on this.

The US Department of State reports that "[i]n May 2007 a court in the Mekong Delta province of Dong Thap sentenced four Hoa Hao followers to between 4 and 6 years in prison for 'creating public disorder' under article 245 of the 1999 Penal Code". The arrests were made after the four participated in a hunger strike in June 2006 to protest government repression of the Hoa Hao religion, particularly the imprisonment of fellow Hoa Hao members in 2005.⁷⁴

Human Rights Watch similarly reports that "[f]our Hoa Hao Buddhists in Dong Thap province were sentenced to prison in 2007 on charges of causing 'public disorder' after participating in a hunger strike to protest the imprisonment of other Hoa Hao members in

⁶⁸ Central Council of Administrators, Hoa Hao Buddhist Church 2000, 'State Department's 1999 Vietnam Country Report on Human Rights Practices Gives Inaccurate Coverage of Events Relating to the Hoa Hao Buddhist Church', Vietnam Human Rights Network website, 6 March

<http://www.vietnamhumanrights.net/english/documents/hh000306.htm> – Accessed 28 January 2011 – Attachment 10

⁶⁹ Human Rights Watch 2006, 'World Report 2006 – Vietnam', January, p.321 – Attachment 34

⁷⁰ 'Hoa Hao Buddhists in Vietnam' 2005, Action for Democracy in Viet Nam (Queme) website, 10 August – Attachment 35

⁷¹ Human Rights Watch 2006, 'World Report 2006 – Vietnam', January, p.321 – Attachment 34

⁷² 'Politic: Vietnam Rejects Rumors about Hoa Hao Buddhists' 2005, *Vietnam News Brief Service*, 15 August – Attachment 36

⁷³ Human Rights Watch 2006, 'World Report 2006 – Vietnam', January, p.321 – Attachment 34

⁷⁴ US Department of State 2007, *International Religious Freedom Report for 2007 – Vietnam*, 14 September, Section II – Attachment 37

2005 and 2006”.⁷⁵ The four were among a total of nine Buddhists sentenced to prison in May 2007 for two to six years on charges of creating public disorder.⁷⁶

19. Is there information of a hunger strike in 2006 which relates to the Hoa Hao religion?

A hunger strike was held by Hoa Hao Buddhists in June 2006 to protest against religious repression, including the arrests and detentions of Hoa Hao members. Four of the hunger strike participants were arrested and sentenced to 4 to 6 years in prison for ‘creating public disorder’, as outlined in the response to Question 18.⁷⁷

A similar hunger strike was held by Hoa Hao Buddhists in June 2005 to protest against the government’s lack of action taken over a complaint that 500 Hoa Hao followers were “terrorized and oppressed” by the authorities in An Giang province.⁷⁸ In addition, the US Commission on International Religious Freedom reported in May 2010 that “[a]t least 12 Hoa Hao were arrested and sentenced for protesting religious freedom restrictions, including four who were sentenced to four years in prison for staging a peaceful hunger strike”.⁷⁹

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⁷⁶ ‘Vietnam: Religious Freedom Denied’ 2008, Human Rights Watch website, 8 May <http://www.hrw.org/en/news/2008/05/07/vietnam-religious-freedom-denied> – Accessed 28 January 2011 – Attachment 13

⁷⁷ US Department of State 2007, *International Religious Freedom Report for 2007 – Vietnam*, 14 September, Section II – Attachment 37; Richardson, S. 2007, ‘Testimony on the Human Rights Situation in Vietnam’, Human Rights Watch website, 6 November <http://www.hrw.org/en/news/2007/11/05/testimony-human-rights-situation-vietnam> – Accessed 28 January 2011 – Attachment 38

⁷⁸ Human Rights Watch 2006, ‘World Report 2006 – Vietnam’, January, p.321 – Attachment 34

⁷⁹ US Commission on International Religious Freedom 2010, *Annual Report 2010*, May, p.191 – Attachment 17

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