



Australian Government
Refugee Review Tribunal

Country Advice

Vietnam

Vietnam – VNM39375 – Catholics –
Ho Chi Minh City – ex-Community Party –
Departure procedures

28 October 2011

1. What is the current government attitude to Catholics in Viet Nam? Are there reports of ordinary practitioners of Catholicism being harassed by the authorities?

Catholicism is a recognised religion in Vietnam. However, reports indicate that although the government generally tolerates Catholics, they are suspicious and hostile towards Catholics who act independently of the Community Party of Vietnam (CPV) or are seen to challenge its authority. A 2009 Reuters article explains that the CPV ‘keeps close tabs on religion and curtails the activities of adherents when they are deemed to cross into politics’.¹ In its *2011 World Report*, Human Rights Watch (HRW), reported that the ‘government bans any religious activity deemed to oppose “national interests”, harm national unity, cause public disorder, or “sow divisions”’.²

There were mixed reports on the level of state interference in Catholic religious practices. According to the US Department of State’s (US DOS) *International Religious Freedom Report 2010*, the ability of Catholic congregations to worship has ‘generally improved’ and ‘the government allowed registered religious groups to assign new clergy with limited restrictions’.³ It reports that ‘Catholic religious education, on weekends or evenings, is permitted in most areas and has increased in recent years’.⁴ Conversely, Catholic news agency *Asia News* reports that the government continues to interfere in Catholic practices, noting that the government supports ‘patriotic Catholics’ and urges Catholics to be ‘good citizens’ by practicing their religion in line with CPV requirements.⁵ Information in a US Congress Bill to impose sanctions on Vietnam states that ‘Catholics continue to face some restrictions on selection of clergy, the establishment of seminaries and seminary candidates, and restrictions on individual cases of travel and church registration’.⁶ The Bill does not appear to have been enacted.

¹ ‘Vatican talk about diplomatic relations’ 2009, *Reuters*, 8 December
<http://in.reuters.com/article/worldNews/idINIndia-44553020091208?sp=true> – Accessed 24 October 2011

² Human Right Watch 2011, *World Report 2011*, 24 January www.hrw.org/en/world-report-2011/vietnam
– Accessed 31 January 2011

³ US Department of State 2010, *International Religious Freedom Report 2010*, 17 November
<http://www.state.gov/g/drl/rls/irf/2010/148903.htm> – Accessed 28 October 2011

⁴ US Department of State 2010, *International Religious Freedom Report 2010*, 17 November
<http://www.state.gov/g/drl/rls/irf/2010/148903.htm> – Accessed 28 October 2011

⁵ Dang, J. 2010, ‘No sign of improvement for Vietnamese church life’, *Asia News IT*, 30 November
http://www.asianews.it/news_-en/No-sign-of-improvement-for-Vietnamese-Church-life-20128.html – Accessed on 19 July, 2011

⁶ U.S. House 111th Congress 2010, “H.R. 6433: Vietnam Human Rights Sanctions Act”, *GovTrack.us* (database of federal legislation), 18 November <http://www.govtrack.us/congress/bill.xpd?bill=h111-6433> – Accessed 28 October 2011

Government harassment of Catholics

Several recent reports were located of government harassment of Catholic activists and practitioners. In July 2011, Minority Rights Group reported that despite some progress, the government continues to restrict religious freedoms and harass activists and practitioners, including Catholics.⁷ In September 2011, HRW reported on the government's recent 'crackdown' on religious activists, including prominent Catholic. The report documents ongoing police monitoring and harassment of prominent Catholic leaders and bloggers, who have been charged with subversion under Article 79 of the Penal Code.⁸ According to HRW, these 'latest arrests demonstrate the Vietnam government's hostility toward people who seek to practice their faith freely, outside government constraints'.⁹

International human rights groups, the US Government and Catholic news agencies have reported on recent land ownership disputes between the Catholic Church and local government authorities.¹⁰ HRW reported that '[m]embers of officially recognized religious groups, including Roman Catholics,... face harassment, especially church leaders and lay people attempting to protect church property'.¹¹ During early 2010, there were two widely reported episodes of harassment of Catholic practitioners – one in Con Dau, Danang and another in Dong Chiem near Hanoi.

In January 2010, *Asia News* reported that 400 Catholic families were forced out of their homes to make way for a resort in Danang.¹² According to the article, 'hundreds of plain clothes police as well as police in riot gear with electric batons and gas masks were deployed around the parish of Con Dau to protect the demolition work'.¹³ HRW reported that following this, in May 2010 'police violently dispersed villagers conducting a funeral procession and protest march to a cemetery located on [the] disputed land'.¹⁴ The report says:

Police used truncheons and electric shock batons to beat people and arrested more than 60 persons. Most of those arrested were subsequently released, but seven were charged with opposing law enforcement officers and disturbing public order. Afterwards one of the villagers, Nguyen Thanh Nam, was interrogated and beaten by police on several occasions; he died in July from injuries suffered during a beating by civil defense forces.¹⁵

⁷ Minority Rights Group International 2011, *State of the world's minorities and indigenous peoples 2011 – Vietnam*, 6 July <http://www.unhcr.org/refworld/docid/4e16d3592c.html> – Accessed 11 July 2011

⁸ Human Rights Watch 2011, 'VIETNAM: Free religious activists immediately', 30 September <http://www.hrw.org/news/2011/09/30/viet-nam-free-religious-activists-immediately> – Accessed 18 October 2011

⁹ Human Rights Watch 2011, 'VIETNAM: Free religious activists immediately', 30 September <http://www.hrw.org/news/2011/09/30/viet-nam-free-religious-activists-immediately> – Accessed 18 October 2011

¹⁰ Human Right Watch 2011, *World Report 2011*, 24 January www.hrw.org/en/world-report-2011/vietnam – Accessed 31 January 2011; Amnesty International 2011, *Report 2011 – Vietnam*, 13

<http://www.unhcr.org/refworld/type,ANNUALREPORT,,,4dce152e63,0.html> – Accessed 28 October . For further background also see Human Rights Watch 2009, 'VIETNAM: Sharp Backsliding on Religious Freedom', 18 October <http://www.unhcr.org/refworld/docid/4add69001a.html> – Accessed 24 October 2011

¹¹ Human Right Watch 2011, *World Report 2011*, 24 January www.hrw.org/en/world-report-2011/vietnam – Accessed 31 January 2011

¹² 'Danang 400 Catholic families thrown out of their homes to build a resort' 2010, *Asia News*, 28 January <http://www.asianews.it/index.php?l=en&art=17472> – Accessed 29 January 2010

¹³ 'Danang 400 Catholic families thrown out of their homes to build a resort' 2010, *Asia News*, 28 January <http://www.asianews.it/index.php?l=en&art=17472> – Accessed 29 January 2010

¹⁴ Human Right Watch 2011, *World Report 2011*, 24 January www.hrw.org/en/world-report-2011/vietnam – Accessed 31 January 2011

¹⁵ Human Right Watch 2011, *World Report 2011*, 24 January www.hrw.org/en/world-report-2011/vietnam – Accessed 31 January 2011

In another high profile incident during January 2010, police removed an illegally erected cross in Dong Chiem. In response to a protest of several hundred local parishioners that followed, the police used tear gas to disperse the crowds and ‘beat approximately a dozen individuals’.¹⁶ The US DOS 2010 report provides further details on incidents of violence that followed. According to the report:

Two weeks following the original incident, a Catholic monk affiliated with the Redemptorist¹⁷ Thai Ha parish in Hanoi was beaten unconscious by police as he tried to enter the parish near where the cross was demolished. In February a group of nuns and other Catholics from Ho Chi Minh City making a pilgrimage to the parish were harassed by police and denied entry. Six Catholic parishioners involved in the original protest were detained and later released. The government alleged that the cross had been constructed without permission on land controlled by the military and was not removed upon request. The government claimed that no parishioners were injured in the demolition of the cross and that those who were detained had assaulted police.¹⁸

2. Deleted.

3. Are there reports of Catholic services being held in homes?

Catholic news sources report that in addition to holding services in government sanctioned churches, Catholics in Vietnam also conduct home services. Information on how authorities respond to Catholic house churches is mixed, with reports of government tolerance and harassment both found.

In October 2011, *Catholic News India*¹⁹ published an article on a Vietnamese priest who worked in remote areas, ‘offering pastoral care to people in their homes’.²⁰ According to the article, Father Quang visited the Catholic community of Sao, where he ‘baptized four adults, heard confessions from those who had not had the opportunity to go to confession for years, held rites for patients and celebrated Mass attended by 50 people in a local family’s home’.²¹ The article comments that as there is only one church in the district, the priest offered ‘religious rites’ in the homes of local Catholics. One local reported that the priest had ‘celebrated Mass at his house three times’.²² An image that accompanied the article is provided below:

¹⁶ US Department of State 2010, *International Religious Freedom Report 2010*, 17 November <http://www.state.gov/g/drl/rls/irf/2010/148903.htm> – Accessed 28 October 2011

¹⁷ The Redemptorists, formally known as the Congregation of the Most Holy Redeemer, are a Catholic missionary congregation founded in Italy in 1732 that currently operate in more than 77 countries worldwide.

¹⁸ US Department of State 2010, *International Religious Freedom Report 2010*, 17 November <http://www.state.gov/g/drl/rls/irf/2010/148903.htm> – Accessed 28 October 2011

¹⁹ *Cath News India* is a service of UCA News. UCA News is a news and information service of the Catholic Church in Asia.

²⁰ ‘Priest brings religion home’ 2011, *Catholic News India*, 20 October <http://www.cathnewsindia.com/2011/10/20/priest-brings-religion-home/> – Accessed 26 October 2011

²¹ ‘Priest brings religion home’ 2011, *Catholic News India*, 20 October <http://www.cathnewsindia.com/2011/10/20/priest-brings-religion-home/> – Accessed 26 October 2011

²² ‘Priest brings religion home’ 2011, *Catholic News India*, 20 October <http://www.cathnewsindia.com/2011/10/20/priest-brings-religion-home/> – Accessed 26 October 2011



Image 1. Father Michael Nguyen Tien Quang holds Mass in a house

A November 2010 article in *Asia News* refers to Catholic home services in the rural area of Kon Chro.²³ According to the article, the Bishop that held the services was threatened with arrest and ‘all owners of the houses were subsequently arrested and subjected to lengthy interrogations’.²⁴ Conversely, a 2009 article in the *Independent Catholic News* reported an easing of restrictions on Catholic home services. The article notes that in the past priests had not been allowed to visit local Catholics, ‘who earlier were not allowed even to gather and pray at each other’s homes’.²⁵ According to the article, one home in Lai Chau was used for Sunday gatherings and prayer since 2007. Several other home church services are mentioned in the article:

[Father] Binh traveled [sic] 200 kilometres to Noong Het village in Dien Bien town. **About 200 local Catholics crowded into a house belonging to one of them for the Mass he celebrated at 9pm.**

Francis Xavier Nguyen Ba Huan, the host, said local government authorities had always banned Christmas celebrations, but this year “they ignored our religious activities.” **Huan said local Catholics also erected a big crib at his house, where they prayed and sang Christmas hymns the previous night.** “We are very happy to publicly attend Christmas Mass at our village for the first time.” the father of three remarked. Dien Bien town has around 300 Catholics from families who moved here.

The following day, [Father] Binh went to Tua Chua district, Lai Chau province, and celebrated **Masses at two Catholic homes for about 100 people.** Joseph Nguyen Van Ha, a member of the Catholic community there, said that since

²³ Dang, J. 2010, ‘No sign of improvement for Vietnamese church life’, *Asia News IT*, 30 November http://www.asianews.it/news_en/No-sign-of-improvement-for-Vietnamese-Church-life-20128.html – Accessed on 19 July, 2011

²⁴ Dang, J. 2010, ‘No sign of improvement for Vietnamese church life’, *Asia News IT*, 30 November http://www.asianews.it/news_en/No-sign-of-improvement-for-Vietnamese-Church-life-20128.html – Accessed on 19 July, 2011

²⁵ ‘Vietnam: Catholics in remote area have first Christmas Mass in decades’ 2009, *Independent Catholic News*, 5 January <http://www.indcatholicnews.com/news.php?viewStory=932> – Accessed 26 October

December 2007, Father Binh has visited them four times and celebrated six Masses, including the recent Christmas Masses. Catholics moved to Tua Chua in the 1980s.

[Father] Binh then journeyed on to Noong Heo village, 220 kilometres from Tua Chua, and **celebrated Mass for 80 people at a Catholic home.**²⁶

4. Are there reports of the family members of ex-Communist Party members/union activists that have not been active since the 1970s, being harassed by the authorities?

No cases of government harassment of the family of long inactive former CPV/union activists were found. Reports were located of government harassment of the family members of *current* religious and political activists. Specifically, cases of police monitoring and intimidation of the family of activists were found.²⁷ No information was located, however, to indicate that this treatment extends to the family members of activists that have long been inactive.

5. Are departure checks conducted to detect those known to the authorities? If yes, do the authorities interview or prevent departure or take any other action against such people if they attempt to depart Viet Nam?

Sources indicate that the government conducts departure checks and has detained activists – including high profile religious figures – from travelling abroad. A 2011 HRW report refers to a category of people that are not allowed to leave Vietnam:

On July 10, the immigration police at the Ho Chi Minh City airport prevented Father Pham Trung Thanh, the leader of the Redemptorists in Vietnam, from leaving the country to attend a religious meeting in Singapore, stating that he belongs to “the category of those who have not been allowed to leave the country” (thuoc dien chua duoc xuat canh). The police did not provide any explanation of why he has been placed in this category. Two days later, immigration police at the Moc Bai border checkpoint in Tay Ninh prevented another Redemptorist leader, Father Dinh Huu Thoai, from leaving the country.²⁸

However, this does not indicate that all people of interest are prevented from leaving Vietnam. As noted in the same HRW report referred to above, some people of interest have been allowed to leave the country but have been arrested on return. For example, HRW notes that in July 2011 the ‘police arrested three Catholic activists at Tan Son Nhat airport in Ho Chi Minh City as they returned from abroad’.²⁹

²⁶ ‘Vietnam: Catholics in remote area have first Christmas Mass in decades’ 2009, *Independent Catholic News*, 5 January <http://www.indcatholicnews.com/news.php?viewStory=932> – Accessed 26 October

²⁷ ‘Vietnam Security Forces Threaten Family Members Of Christian Dissidents, Official Says’ 2007, *Bos News Life* on the Journal Chretien website, 26 March <http://www.journalchretien.net/7758-Vietnam-Security-Forces-Threaten-Family-Members-Of-Christian-Dissidents-Official-Says?lang=fr> – Accessed 28 October 2011; Thayer, C. 2005, ‘Comments for the Australian Refugee Review Tribunal’, Johns Hopkins University, Washington, D.C., 18 March; ‘Vietnam: Human Rights Defender Ms Pham Thanh Nghien in prison for over one year after attempting to stage a peaceful protest’ (undated), Front Line Defenders <http://www.frontlinedefenders.org/node/2293> – Accessed 28 October 2011

²⁸ Human Rights Watch 2011, ‘VIETNAM: Free religious activists immediately’, 30 September <http://www.hrw.org/news/2011/09/30/viet-nam-free-religious-activists-immediately> – Accessed 18 October 2011

²⁹ Human Rights Watch 2011, ‘VIETNAM: Free religious activists immediately’, 30 September <http://www.hrw.org/news/2011/09/30/viet-nam-free-religious-activists-immediately> – Accessed 18 October 2011

More broadly, the most recent US DOS report on human rights in Vietnam notes that the ‘constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government imposed some limits on freedom of movement for certain individuals’.³⁰ According to the report, political dissidents and activists are subject to travel restrictions.³¹ The US DOS in its *International Religious Freedom* report notes that ‘[t]he government allows travel for religious purposes, but religious leaders must have prior approval to go abroad for religious conferences and training courses’. According to the report, Catholic leaders are ‘generally able to travel abroad for study and for conferences’ and ‘regularly travel to the Vatican for consultations’.³²

³⁰ US Department of State 2011, *2010 Country Reports on Human Rights Practices*, 8 April www.state.gov/g/drl/rls/hrrpt/2010/eap/154408.htm – 22 July 2011

³¹ US Department of State 2011, *2010 Country Reports on Human Rights Practices*, 8 April www.state.gov/g/drl/rls/hrrpt/2010/eap/154408.htm – 22 July 2011

³² US Department of State 2010, *International Religious Freedom Report 2010*, 17 November <http://www.state.gov/g/drl/rls/irf/2010/148903.htm> – Accessed 28 October 2011

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- U.S. House 111th Congress 2010, “H.R. 6433: Vietnam Human Rights Sanctions Act”, *GovTrack.us* (database of federal legislation), 18 November <http://www.govtrack.us/congress/bill.xpd?bill=h111-6433> – Accessed 28 October 2011.
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Human Rights Watch 2011, 'VIETNAM: Free religious activists immediately', 30 September <http://www.hrw.org/news/2011/09/30/viet-nam-free-religious-activists-immediately> – Accessed 18 October 2011 (CISNET Vietnam CX273672)

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US Department of State 2010, *International Religious Freedom Report 2010*, 17 November <http://www.state.gov/g/drl/rls/irf/2010/148903.htm> – Accessed 28 October 2011.

US Department of State 2011, *2010 Country Reports on Human Rights Practices*, 8 April www.state.gov/g/drl/rls/hrrpt/2010/eap/154408.htm – Accessed 22 July 2011.