

## **Vietnam: The Suppression of the Unified Buddhist Church**

### **Summary**

The Vietnamese government's recent detention of two prominent senior monks is the latest step in its campaign to suppress the Unified Buddhist Church, the main Buddhist organization in south and central Vietnam prior to unification of the country in 1975. With the detention of UBC leaders Thich Huyen Quang and Thich Quang Do on December 29, 1994 and January 5, 1995 respectively, nearly all of the church's senior leaders are now in detention or under house arrest. These cases of detention were immediately preceded by the arrests of several others, including the arrest of five Buddhists for efforts at organizing flood relief charity in the name of the Unified Buddhist Church.

The most recent cycle of confrontation with the Unified Buddhist Church dates from 1992, when Thich Huyen Quang renewed his protest at the government's 1981 dissolution of the church and demanded that it be allowed once again to function. The government's response was to search pagodas for copies of his demands and interrogate and in some cases arrest perceived supporters of the monk. Tensions have steadily escalated since then, erupting in both peaceful and violent public demonstrations that have met with firm suppression by the state. At present, at least two dozen Buddhists have been detained by Vietnam since 1992, thirteen of whom are known to still be in detention or under house arrest. The whereabouts of five Buddhists taken into police custody are unknown. Human Rights Watch/Asia is concerned that many of these prisoners are being held for expression of their political or religious beliefs, in violation of international law.

The unrest in the Buddhist community underscores the contradictions in Vietnam's policy towards freedom of religion. Although the government has taken a more open approach in the last few years, allowing greater freedom of worship, the restoration of pagodas and churches, and a renewed if limited involvement by religious orders in social work activities, it maintains strict control over virtually every aspect of religious life. What has precipitated government action against the Unified Buddhist Church are the calls by its senior leaders for the government to recognize the church, to allow it autonomy in managing its religious affairs, to return its properties confiscated after 1975, and to release religious and political prisoners. These demands have been framed in blunt language that is highly critical of the Communist Party, but they essentially represent complaints that are shared by other religions in Vietnam.

VIETNAM'S 1992 CONSTITUTION DOES NOT GUARANTEE "FREEDOM OF RELIGION" IN THE FULLEST SENSE, BUT RATHER "THE FREEDOM TO BELIEVE OR NOT TO BELIEVE IN A RELIGIOUS FAITH." (ARTICLE 70) THIS SAME ARTICLE IN THE

CONSTITUTION WARNS THAT "NO ONE CAN VIOLATE THE FREEDOM OF FAITH OR EXPLOIT IT IN A WAY THAT IS AT VARIANCE WITH THE LAW AND STATE POLICIES." DOMESTIC REGULATION ALSO REFLECTS THIS BASIC APPROACH. ARTICLE 5 OF A COUNCIL OF MINISTERS DECREE ON RELIGION (DECISION 69/HDBT) OF 1991 explicitly prohibits "all activities, under the cloak of religion, which undermine the independence of the country and the Government of the Socialist Republic of Vietnam or cause damage to the integrity and unity of the people, or interfere with civil obligations." Freedom of belief is protected, as well as all "lawful and beneficial" religious activities. But the government is vested near total control over these activities. The only religious activities that do not require governmental permission are those that are "usual," "scheduled" and registered" (Article 8). Permission is required for virtually anything else, including training seminars, meditation sessions, retreats, general meetings, conventions, major repairs, remodelling or construction of places of worship, charitable activities, operation of religious schools, ordinations, promotions and transfers of clergy, operation of monasteries, and any international activities (Articles 8 to 14 and 16 to 25).

These restrictions do not comport with Vietnam's obligations under the International Covenant on Civil and Political Rights, to which Vietnam acceded in 1982. Article 18 of the covenant guarantees freedom of thought, conscience and religion. It provides that the right includes "freedom, either individually or in community with others and in public or private, to manifest [one's] religion or belief in worship, observance, practice and teaching." Freedom of religion is subject only to those legal limitations that are "necessary" to protect public safety, order, health, morals, or the fundamental rights and freedoms of others.

Moreover, many of Vietnam's religious prisoners appear to be held not for common crimes or violent acts, but for peacefully expressing views which are inimical to the policies of the government and the Vietnamese Communist Party. One such view is that religious organizations should be free to determine their membership, training, and religious practices without government interference. Members of the Unified Buddhist Church have also criticized what they believe to be abuses by the Communist Party, including the arrest and of political and religious prisoners.

The government maintains that the Buddhists it has arrested are not detained for being monks, or for their religion, but as ordinary persons who committed common crimes. Authorities refer to accused monks by their secular rather than religious names, and require clerical defendants to appear in street clothes rather than their robes. Nevertheless, Vietnam's 1985 Criminal Code includes national security offenses which are often interpreted to punish simple acts of nonviolent dissent. Among the charges recently posted against religious prisoners have been "undermining the policy of unity" by "causing divisions between the religious and non-religious and separating religious followers from the people's government and social organizations" (Article 81(1)(c)) and "making, storing or circulating anti-socialist documents or cultural products" (Article 82(1)(c)). Detention for peaceful expression of views violates the individual's right to freedom of expression under the International Covenant on Civil and Political Rights (Article 18) and is inherently arbitrary (Article 9), regardless of whether local law is invoked to justify such detention.

This report examines the relationship between the Vietnamese government and the Unified Buddhist Church, looking first at its historical context and then discussing in turn the arrests, protests, and acts of detention that mark heightened conflict since the church leadership renewed its demand for autonomy in 1992. The Vietnamese government has not allowed foreign visitors to have direct contact with the UBC leadership. For this reason, the events described in this report are based on secondary sources, including sources in the Buddhist community, and public statements and film footage supplied by the Vietnamese government. We have endeavored to confirm the description of events from multiple sources wherever possible and to represent conflicting accounts.

The campaign against the Unified Buddhist Church is causing tensions throughout Vietnam's Buddhist community, as members of the state-supported Vietnam Buddhist Church come under pressure to hide their sympathies for the dissident monks or to denounce them. For their part, the leaders of the Unified Buddhist Church, isolated and embattled, have issued ever more detailed and blunt denunciations of the Communist Party's practices and policies, inviting head-on confrontation. In this atmosphere of increasingly desperate confrontation, tragic acts of protest such as self-immolation have taken place.

Human Rights Watch/Asia calls on the Vietnamese government to take steps to de-escalate the conflict and reopen a dialogue with all elements in the Buddhist community. To fulfil its commitments under international law, the government should release without delay all persons, including Buddhists, who have been detained because they peacefully expressed their religious or political views. The legal charges, specific grounds for detention, and place of detention should be made public in all cases where the government takes individuals into custody. Where there is no legal charge against an individual, that individual should be freed of all restrictions on movement and residence, and should be permitted to meet and associate with anyone he or she chooses.

The international community, and especially nations which provide substantial financial contributions to Vietnam's development and humanitarian needs such as flood relief, has a special responsibility to advocate peaceful resolution of this conflict, in a manner consistent with international law. Human Rights Watch/Asia calls on governments to urgently express concern over the recent detentions and arrests of Buddhists, both on a bilateral basis and through multilateral and international organizations.

### **The Unified Buddhist Church**

Buddhism, Vietnam's majority religion, has been closely tied to politics and national identity for centuries, but at no time more so than during the twentieth century struggle for Vietnam's independence. The Buddhist community of south and central Vietnam came to world attention in 1963, when it became the catalyst for mass demonstrations in the streets of Saigon, Hue and Da Nang that helped topple the government of President Ngo Dinh Diem. President Diem and his family had alienated the country's Buddhist majority over the previous decade by giving patronage and favors to Vietnam's Catholic minority. In 1963, when Buddhist organizations in Hue began to speak out against this favoritism, Diem responded by enforcing a ban on the display of any flags other than the national flag on the anniversary of the Buddha's birthday. On May 8, 1963, Buddhist flags were flown in Hue in defiance of the order, and government troops killed nine people when they opened fire on the celebrating crowds.<sup>1</sup> Two days later, ten thousand Buddhists took to the streets. Diem's government jailed leading monks and their supporters. Further protests and arrests throughout the summer culminated in the self-immolation of the Buddhist monk Thich Quang Duc on a Saigon street corner. These protests, among other factors, impelled the U.S. government to withdraw its support for the Diem government.

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<sup>1</sup>Marilyn B. Young, *The Vietnam Wars* (New York: Harper Perennial, 1991), p. 95.

The junta headed by Duong Van Minh that overthrew Diem freed jailed Buddhist leaders and allowed a Buddhist conference that Diem had banned to be held between December 1963 and January 1964.<sup>2</sup> The conference established the Unified Buddhist Church of Vietnam (Unified Buddhist Church) at the An Quang pagoda in Saigon, with the intention of uniting the religious, cultural, and secular affairs of all Vietnamese Buddhist sects.<sup>3</sup> Although a handful of more conservative and ascetic sects declined to join the group, the majority of southern and central Vietnamese Buddhists of both the Theravada and Mahayana traditions became members of the Unified Buddhist Church.<sup>4</sup>

Social activism was a hallmark of the Unified Buddhist Church from its inception, growing out of a reform movement earlier in the century which sought to modernize Buddhism by linking it to social development and national independence. From the Unified Buddhist Church's earliest days, however, there were divisions in the leadership over how to best to promote social change-- through demonstrations, or urban educational programs, or direct social action at the village level. Despite these disagreements, the Unified Buddhist Church established many social institutions, including the Van Hanh University in Saigon, Buddhist hospitals, orphanages, elementary and secondary schools, and the School of Youth for Social Service led by Thich Nhat Hanh.

As the war progressed, the Unified Buddhist Church's continued calls for peace and its position of neutrality brought it into conflict with a succession of South Vietnamese political leaders. In 1964, Gen. Nguyen Khanh banned the use of Buddhist symbols and outlawed "actions in support of neutralism."<sup>5</sup> In early 1966, Unified Buddhist Church leaders launched demonstrations denouncing government corruption, demanding the restoration of civilian rule, and calling on the U.S. government to withdraw its support for the government of Nguyen Cao Ky. Although soldiers in the vicinity of Hue and Da Nang refused orders to squelch these protests, Ky unleashed paratroopers against Buddhist demonstrators in May. In the succeeding months, Unified Buddhist Church members around the country were jailed, forced into exile, or in many cases disappeared or killed.<sup>6</sup> The Unified Buddhist Church continued its peace activities through the end of the war, but in the face of continued repression and intensifying war after 1968, its personnel and resources were taken up in providing emergency aid to casualties and refugees.

After 1975, the new communist government quickly took over the administration of the Unified Buddhist Church's properties and institutions, prompting protests and demonstrations by church members. In March 1977, after security personnel came to take control of the Buddhist-run Quach Tri Trang orphanage, the Unified Buddhist Church's executive council issued a public protest, and Buddhists carried out mass demonstrations through the streets of the city. The government responded to demands for greater religious freedom and the return of church property by arresting six members of the Unified Buddhist Church's

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<sup>2</sup>Ibid., p. 106.

<sup>3</sup>Pierre Gheddo, *The Cross and the Bo Tree* (New York: Sheed and Ward, 1970), pp. 267-269.

<sup>4</sup>Jonathan Watts, "Vietnamese Buddhism: Syncretic and Political Worlds," *Seeds of Peace (Bangkok)*, Vol. II, No. 1, January-April, 1995.

<sup>5</sup>James H. Forest, *The Unified Buddhist Church of Vietnam: Fifteen Years for Reconciliation* (Alkmaar, The Netherlands: International Fellowship of Reconciliation, 1978), p. 7.

<sup>6</sup> Ibid., pp. 8-11.

Executive Council on April 7 on charges of "having distorted government policies" and "having received documents from abroad that were distributed to their followers."<sup>7</sup>

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<sup>7</sup> Gareth Porter, *Vietnam: The Politics of Bureaucratic Socialism* (Ithaca: Cornell University Press, 1993), p. 181.  
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Two of the monks arrested were Thich Huyen Quang and Thich Quang Do, respectively the executive vice president and secretary general of the Unified Buddhist Church's Executive Council. Both had previously been imprisoned by the government of Ngo Dinh Diem. In response to their arrests, Thich Don Hau, who later became the supreme patriarch of the Unified Buddhist Church, resigned from positions the government had given him as a member of the National Assembly and the Fatherland Front.<sup>8</sup> Thich Huyen Quang and Thich Quang Do were tried and released from detention with suspended sentences in April 1978, after twenty months in detention.

In 1980, the government called on Buddhist monks to initiate meetings to unify all Buddhist organizations from the north and south. Thich Huyen Quang and Thich Quang Do opposed these meetings, and were publicly denounced by Thich Minh Chau, a member of the government-appointed unification committee, for trying to "sabotage the unity effort" and "openly defy the government and the Fatherland Front." At the congress, which was eventually held in November of 1981, the Vietnam Buddhist Church was established by government-selected delegates.<sup>9</sup> The Vietnam Buddhist Church's charter defined it as the sole representative of Vietnamese Buddhism in all of its relations both within and outside the country.<sup>10</sup> At the time of its creation, this church was also designated as an official mass organization affiliated with the Fatherland Front. Although the state-supported church had titular authority over all Buddhists in Vietnam, many of members of the Unified Buddhist Church leadership refused to recognize its authority. In February 1982, the government sent Thich Huyen Quang, Thich Quang Do, and at least four other Buddhist leaders into internal exile for their continued protests against the establishment of the Vietnam Buddhist Church. In July of that year, security police took over and closed the An Quang Pagoda, headquarters of the Unified Buddhist Church since its founding in 1964.

Little was heard from the Unified Buddhist Church leadership for the next decade, during which time the government imprisoned hundreds of thousands of persons without legal process for their affiliation with the old regime, and severely restricted the operations of churches, pagodas, and religious communities throughout the country. The demise of communism in the Soviet bloc, Vietnam's main source of international support, led to the new official policy of *doi moi* ("renovation"), which has come to encompass economic reforms, a determination to join the international community, and a greater emphasis on rule of law. In the wake of these reforms, and the promulgation of a new constitution in 1992, the government eased restrictions on religious worship services, and religious communities were permitted to resume a limited role in social work. At the same time, the government kept a tight rein on most other aspects of religion, through screening candidates for the clergy, controlling their movements, and punishing clerics whose statements offended the party or who organized unauthorized meetings.

In this environment of limited opening, members of the Unified Buddhist Church leadership began to call on the government to restore the church and allow it to resume religious and charitable activities as other churches were beginning to do. In October 1991, the acting supreme patriarch of the Unified Buddhist Church, Thich Don Hau, had issued a letter to overseas Buddhists calling on them to reunite their disparate

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<sup>8</sup>The Vietnam Fatherland Front is a mass membership organization established in 1955 to act as a link between the Communist Party and interest groups in society which include: associations of writers, artists, students, and other professionals, and organizations representing officially recognized religious groups. The front has committees at the national, provincial, district, and local level. The Fatherland Front is closely linked to the party. Central Committee members serve in key leadership posts and front committees at all levels are headed by party members. Ibid., pp. 87-94.

<sup>9</sup>Ibid., p. 181.

<sup>10</sup>"Dossier et Documents No. 3/92," *Eglises D'Asie* (Paris), supplement to *Eglises D'Asie* No. 151, March 1993.

groups under the church's 1964 charter. Thich Don Hau died in Hue on April 23 at the age of eighty-eight. According to Buddhist sources, his last will and testament named Thich Huyen Quang, who had been living in exile for a decade in Quang Ngai, as his successor. The supreme patriarch's two final acts were to spark renewed conflict between the Unified Buddhist Church and the government.

### **Confrontations with the Government, 1992-1993**

The death of Thich Don Hau marked the beginning of renewed activism to reestablish the Unified Buddhist Church. From the day of the supreme patriarch's funeral, confrontations escalated, culminating in 1993 in large public protests that were marked by violence in both the ancient Buddhist center of Hue and the coastal province of Ba Ria-Vung Tau.

#### *Thich Huyen Quang's Funeral Oration and the Government Response*

Although Thich Don Hau had specifically requested that his funeral take place in strict accordance with Buddhist tradition, on his death the government set about organizing the ceremony and posthumously bestowed upon him the Ho Chi Minh Medal. After a number of monks threatened to go on hunger strike if the funeral rites were not purely religious in content, the government relinquished some of the preparations to Buddhists. Thich Huyen Quang, who had initially been forbidden by local authorities in Quang Ngai province from attending the May 3, 1992 funeral, was allowed to travel to Hue after he conducted a one-day hunger strike. At the ceremony, Thich Nhat Lien, the former supreme patriarch's oldest living disciple, presented Thich Huyen Quang with the seal of the Institute of the Dharma, signifying the transfer of the church's highest authority.

During the ceremony at the Linh Mu pagoda, Thich Huyen Quang issued the first in a series of public protests against the repression of the Unified Buddhist Church. Although he had been forbidden from speaking publicly, he decried the state's establishment of the Vietnam Buddhist Church and called on the government to restore the property and authority of the Unified Buddhist Church. On June 24, 1992, Thich Huyen Quang released an open petition to government and party leaders, in which he demanded official recognition of the Unified Buddhist Church, the return of church property, and the release of church members in prison or under house arrest. Recordings of the funeral oration and copies of the petition found their way to pagodas throughout the country, prompting an official crackdown. Security police interrogated and arrested monks, nuns, and laypersons suspected of possessing or distributing the petition, and threatened Thich Huyen Quang with further penalties if he continued in his demands.

As Thich Huyen Quang's writings and speeches spread, the government attempted to shift attention from his demands to the legitimacy of the will that appointed him leader of the Unified Buddhist Church. On December 5, 1992, Thich Tri Tuu, abbot of the Linh Mu pagoda in Hue and a close disciple of the late Supreme Patriarch Thich Don Hau, released a statement protesting the government's efforts to force him to discredit the supreme patriarch's will. In it he related a meeting he was called to with the chairman of the Fatherland Front of Thua Thien-Hue province the previous day. He wrote that the chairman said, "I have heard from a reliable source in Ho Chi Minh City which alleges that the patriarch's last wills were not genuine -- they were fabricated by some monks." Thich Tri Tuu replied: "I confirm that the wills were truly our patriarch's last wishes; I vouch for that will with my own life."<sup>11</sup>

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<sup>11</sup>Reprinted in *Vietnam Journal* (Berkeley), Vol. II, No. 1, Spring-Summer 1993.



*The Protest and Arrests in Hue, May and June 1993*

Tensions between the government and the Unified Buddhist Church in Hue rose in early April 1993 as the first lunar calendar anniversary of Thich Don Hau's death approached. The Linh Mu pagoda in Hue, the site of Thich Don Hau's tomb, came under close surveillance from April 10 to 12.<sup>12</sup> Quang Ngai provincial officials prevented Thich Huyen Quang from attending the anniversary services.

On May 21, a layman sat down next to the tomb of Thich Don Hau and set himself alight. Local police quickly came on the scene and removed the man's corpse and possessions, including a letter he had left. The abbot of the pagoda, Thich Tri Tuu, asked police to return the body so that the monks could give the deceased Buddhist burial rites, and when the authorities refused, placed a plaque over the place where he had immolated himself which read: "Here, at 9:00 A.M. on May 21 a Buddhist follower burned himself to protect the Buddhist faith." The government denied that the man was a Buddhist.<sup>13</sup> Initial reports by a Hue radio station which described the immolation as the "desperate act of a drug addict with AIDS" were supplanted by state radio broadcasts of interviews with a man, purportedly the deceased's brother, who said that he had not been a Buddhist, had been severely depressed over family problems, and that the monks at Linh Mu had taken advantage of his depression to force him to immolate himself.<sup>14</sup>

On May 24, police summoned Thich Tri Tuu, head monk at the pagoda, for questioning. A group of Buddhists, fearing that he had been arrested, organized a sit-down protest in the street near the Hue Municipal Peoples Committee, where he had been taken. A police videotape of the protest, parts of which were aired on Vietnamese television, show that a huge crowd gathered, eventually blocking traffic in all directions of the main city traffic circle. When a government jeep carrying Venerable Tuu reached the intersection, the crowd engulfed the vehicle. Buddhist sources say that the protesting monks saw Venerable Tuu unconscious in the back of the jeep, and feared he had been hurt. The film shows that several monks placing their bodies in front of and on the hood of the jeep. Persons in the crowd opened the doors and removed Venerable Tuu, who appeared to have fainted. He was placed into a pedicab which departed through the crowd back to the Linh Mu pagoda. Later, one agitated young monk continued to stand on the jeep gesturing and talking to the crowd, until he was eventually pulled down by other persons. Laypeople turned the vehicle over and set it ablaze. A fire truck, which was present at the scene well before the crowd set the jeep on fire, did not succeed in halting the fire in time to salvage the jeep.

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<sup>12</sup>The Linh Mu pagoda is also the pagoda of Thich Quang Duc, whose 1963 self-immolation in protest of the Diem government is now celebrated as an act of patriotism.

<sup>13</sup>"Clarification of Hue 'Falsehoods' Issued," Hanoi *Vietnam News Agency* (VNA) in English, May 31, 1993, in *Foreign Broadcast Information Service*, FBIS-EAS-93-103, June 1, 1993.

<sup>14</sup>The government identified the man as Dao Quang Ho from the town of Long Xuyen in An Giang province. Long Xuyen is over 600 miles from Hue. "Dead Man Identified," Hanoi VNA in Vietnamese, June 6, 1993; "Man's Family Clarifies Case," Hanoi VNA in English, June 6, 1993, both in FBIS-EAS-93-107, June 7, 1993.

Security police eventually arrested six monks, including Thich Tri Tuu, and, according to Buddhist sources, at least fifty other people in conjunction with the confrontation. Thich Tri Tuu, Thich Hai Tang and Thich Hai Thinh were arrested on June 5 at the Linh Mu pagoda. On June 10, the government confirmed the arrest of the three monks, as well as nine individuals described as "extremists" for their alleged role in destroying the government jeep.<sup>15</sup> On July 19 another monk, Thich Hai Chanh, and two novice monks were arrested on charges of "instigating civil disorder and destroying state property" during the confrontation. Although the two junior monks were later released on bail, Venerable Chanh would face trial on charges of "public disorder" along with Thich Tri Tuu, Thich Hai Tang, and Thich Hai Thinh in November.

In the months leading up to the trial, government sources attempted to discredit the monks arrested in Hue. Vu Quang, head of the government's Religious Affairs Committee, described them as "liars who had lost all prestige in the eyes of the people by using false testimony, forgery, and violence," and implied that they were responsible for the death of the man who immolated himself at the pagoda.<sup>16</sup> Vu Quang also told reporters that the government was investigating the question of whether the immolation at the pagoda was "a murder or a suicide," and said that Thich Tri Tuu "must take responsibility for the death since it occurred at his pagoda."<sup>17</sup>

On November 15, 1993, the Hue defendants were convicted on charges of "causing public disorder" in a one-day closed trial. Thich Tri Tuu, who appeared to have been either in police custody or unconscious throughout the protest, was charged with being the "leader of the riot."<sup>18</sup> He was sentenced to four years' imprisonment, the same term that was given to the man who allegedly destroyed the jeep, Nguyen Van Minh, who also received a heavy fine (approximately U.S. \$22,000). Thich Hai Tang, who was accused in government statements of having "played a major role in aggravating the situation," also received a four-year sentence.<sup>19</sup> Thich Hai Thinh and Thich Hai Chanh were both sentenced to three years' imprisonment. Four laymen, who were described in official statements as "provocateurs," were also sentenced to terms of between six and twenty-four months on public disorder charges.

In late January, 1994, Thich Tri Tuu, Thich Hai Tang, Thich Hai Thinh and Thich Hai Chanh were transferred from Thua Phu prison in Hue to Ba Sao prison camp at Phu Ly, Nam Ha province. In late April, in response to a hunger strike that the four commenced upon being denied an appeal against their sentence, prison authorities transferred them from section A in the camp, which holds political prisoners, to section B, reserved for common criminals. Since the hunger strike in April, Thich Hai Tang is reportedly in weakened health, and suffering from a stomach problem.

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<sup>15</sup>"Official: Dissident Monks 'Liars'," *Hong Kong Agence France Press* (AFP) June 10, 1993, in FBIS-EAS-110, June 10, 1993.

<sup>16</sup>*Ibid.*; "Shame of Feuding Monks," *South China Morning Post* (Hong Kong), June 11, 1993.

<sup>17</sup>"Government Denies Senior Buddhist Monk Arrested," *Hong Kong AFP*, May 25, 1993, in FBIS-EAS-93-099, May 25, 1993.

<sup>18</sup>"Hanoi Reports Sentencing" *Hanoi VNA in Vietnamese*, November 15, 1993, in FBIS-EAS-219, November 16, 1993.

<sup>19</sup>*Ibid.*

### *The Protest and Arrests at the Son Linh Pagoda, July 1993*

Another violent confrontation occurred on July 9, when police surrounded the Son Linh pagoda in Ba Ria-Vung Tau province and arrested a number of monks, including the abbot of the pagoda, Thich Hanh Duc. Thich Hanh Duc was appointed by the Vietnam Buddhist Church to be abbot of the Son Linh pagoda in 1982. In July 1992, the Fatherland Front and provincial People's Committee issued an eviction order against him and other monks at the pagoda after he publicly read Thich Huyen Quang's funeral oration and expressed his support for the restoration of the Unified Buddhist Church. In February 1993, the provincial committee of the Vietnam Buddhist Church accused him of "violating the principles of Vietnamese Buddhism," and expelled him from the church. The July 1993 conflict began after local People's Committee authorities entered the pagoda to carry out the eviction order. The move seems to have been precipitated by Venerable Duc's increasingly vocal support of the Unified Buddhist Church after the May arrests in Hue and his public challenges to the validity of the eviction order.

Buddhist dissidents and Vietnamese officials offer widely differing versions of what happened at the pagoda on July 9. The government claims that Thich Hanh Duc's supporters had taken one of the authorities hostage.<sup>20</sup> According to a Buddhist source, the official was unable to leave because a crowd that had gathered outside the pagoda made it difficult to enter or leave the temple grounds. Buddhists claim that a melee ensued when security forces tried to enter the pagoda by force, using tear gas and beating members of the crowd with batons.<sup>21</sup> Religious Affairs Committee head Vu Quang accused members of the crowd of attacking police, and Buddhists in the temple of stockpiling weapons and explosives.<sup>22</sup> During the confrontation, Thich Hanh Duc and an unspecified number of protesters were arrested. In an article published in a Ba Ria Vung Tau gazette four days later, local officials accused Thich Hanh Duc of breaking the law by organizing "provocative" demonstrations and disseminating "shameful documents opposing Vietnam's government."<sup>23</sup>

On January 5, 1994, a tribunal in Ba Ria Vung Tau convicted Thich Hanh Duc for disturbing the public order in what Buddhist sources maintain was a closed trial. According to a March 17 government statement, he was sentenced to three years' imprisonment for "crimes against on-duty officials" on charges of "conducting activities against the law" and "handing out documents hostile to the socialist government of Vietnam."<sup>24</sup> Thien Tho, a lay Buddhist arrested at the protest, received a sentence of eighteen month's house arrest on the same charges.

On July 30, 1994, after numerous delays, Thich Hanh Duc received an appeal trial at which his January conviction and three-year sentence were reconfirmed. He is now being held at Phuoc Co prison in Ba Ria-Vung Tau.

### **Escalating Tensions in 1994**

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<sup>20</sup>Murray Hiebert, "No Middle Path Here," *The Far Eastern Economic Review*, August 5, 1993.

<sup>21</sup>Ibid.

<sup>22</sup>"Vietnamese Followers in Clash with VN Police," *The Bangkok Nation*, July 25, 1993.

<sup>23</sup>Ibid.; Hiebert, "No Middle Path Here," *op. cit.*

<sup>24</sup>"Spokeswoman Denies Monk Ill, Under Detention," Hong Kong AFP, March 18, 1994, in FBIS-EAS-94-053, March 18, 1994.

In 1994, open dissent against the government's policies on religion appeared among monks who were not self-declared members of the Unified Buddhist Church, leading to the arrest of three monks. The efforts of the Unified Buddhist Church to resume a traditional social work role by organizing flood relief ended in the arrest of five more Buddhists. The government's campaign against the Unified Buddhist Church culminated in the detention of Thich Huyen Quang at the end of the year and the detention of Thich Quang Do in January 1995.

### *Protest in Ho Chi Minh City*

On August 7, another monk was arrested after leading a protest in Ho Chi Minh City. Thich Giac Nguyen, the head monk at the Long An pagoda in Tra Vinh province, was last seen when he was taken from the Phap Hoa pagoda in Ho Chi Minh City in a government car. From August 3 to 5, Venerable Nguyen and a small group of followers had carried out a sit-down protest against government interference in church affairs in front of People's Committee offices located in the former Ho Chi Minh City town hall. On August 18, the Vietnamese government confirmed his detention, claiming that he had been arrested for "committing numerous dissident acts," and was being held for questioning.<sup>25</sup> No information has been available about Thich Giac Nguyen since October, 1994, at which time he was being detained at an unspecified location in Tra Vinh province.

### *Crackdown on Flood Relief Efforts*

Five more Buddhists were arrested in early November for their efforts to organize a flood relief mission in the name of the Unified Buddhist Church. The Unified Buddhist Church organized the collection of money, blankets and medical supplies to distribute to victims of severe flooding in the Mekong Delta, in particular to families in Dong Thap, one of the Mekong provinces most heavily affected. The government also sent out an appeal to the international community for aid for flood victims on October 7. On December 5, the International Federation of the Red Cross announced that twenty-one organizations from sixteen countries had donated US\$ 1.9 million to aid victims of the floods.<sup>26</sup> Among the countries which provided aid were Australia, Britain, France, Norway, and the United States.

The government quickly set about trying to stop the Unified Buddhist Church's planned mission. Police arrested Thich Long Tri, the church-appointed chair of the flood relief effort, on October 29, shortly after he arrived in Ho Chi Minh City from Quang Nam province to begin preparations for the mission. Police returned him to his pagoda of residence in Hoi An, near Da Nang, the following day.

The church selected Thich Khong Tanh to lead the relief effort after Thich Long Tri's arrest. Thich Khong Tanh, the head monk at the Lien Tri pagoda in the Ho Chi Minh City suburb of Thu Duc, had been arrested on October 2, 1992 for making the fifteen-mile journey into Ho Chi Minh City without a permit. He was placed in detention on charges of "undermining the policy of unity," and "circulating anti-communist propaganda" after police searched his room at the Lien Tri pagoda and confiscated copies of Thich Huyen

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<sup>25</sup>"Dissident Monk Arrested in Tra Vinh Province," Hong Kong AFP, August 19, 1994, in FBIS-EAS-94-161, August 19, 1994.

<sup>26</sup>*Indochina Digest* (Washington, D.C.), Vol. VII, No. 49, December 9, 1994.

Quang's writings. Thich Khong Tanh was eventually released from detention in October 1993. On October 30, 1994 he handed the head of a visiting delegation of the United Nations Working Group on Arbitrary Detention a report he had drafted on violations of human rights and religious freedom, and letters from church leaders Thich Huyen Quang and Thich Quang Do calling on the U.N. to press for the release of religious prisoners in Vietnam.

On November 5 and 6, 1994, public security police in Ho Chi Minh city arrested Thich Khong Tanh and four other Buddhists for their involvement in planning the relief mission. On November 5, police arrested the monk Thich Tri Luc and Buddhist lay believers Nhat Thuong and Dong Ngoc. Both Thich Tri Luc and Nhat Thuong had previously been arrested with Thich Khong Tanh in 1992; they were released from detention in early 1993, but kept under close surveillance. Police took Thich Khong Tanh and Thich Nhat Ban into custody on November 6. Three days later a Vietnamese Foreign Ministry spokesman called reports of the arrests false, and denied that such arrests could have occurred as a result of Unified Buddhist Church plans to distribute flood relief, as all aid efforts were organized by the Fatherland Front.<sup>27</sup> However, an article in the November 12 issue of the official *Saigon Giai Phong* newspaper seemed to contradict his statement that the Unified Buddhist Church was not involved in relief activities. The article accused church members of "lying to the people" by telling them they intended, without the permission of the state, to rescue flood victims, when in fact their intention was to "sow disunity and insecurity in Vietnamese society."<sup>28</sup> In the week after the arrests, police from the District Eight Police Headquarters in Ho Chi Minh City reportedly subjected Thich Nguyen Ly, abbot of the temple where much of the relief material was being stored, to daily interrogations, eventually entering the temple by force on November 10 and seizing the relief supplies.

As of mid February, the five Buddhist arrested in November remained detained at the 3C Ton Duc detention center in Ho Chi Minh City: the Vietnamese government still denies that they were arrested.

#### *Protests and Arrests at the Bao Quoc Pagoda*

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<sup>27</sup>"Government Denies Reports of Buddhist Arrests," Hong Kong AFP, November 9, 1994, in FBIS-EAS-94-217, November 9, 1994.

<sup>28</sup>"Ve Viec Mang Dang Danh Nghia 'Giao Hoi Phat Giao Viet Nam Thong Nhat' Gay Chia Re Phat Giao, Chia Re Khoi Doan Ket Toan Dan," *Saigon Giai Phong*, November 12, 1994.

On November 27, a group of nuns and monks protested the opening of a religious school in Hue. The protesters brought a petition from members of the state-sponsored church objecting the school's discriminatory admissions policy and the political content of its curriculum. The Vietnamese government claims that the protesters forced entry into the Bao Quoc pagoda, where the school is located, and injured people at the scene.<sup>29</sup> A credible source in Vietnam reported that a violent scuffle did occur between a group of novice monks attending the opening ceremony and members of the group protesting against it. According to this source, two novice monks from the group delivering the petition threw rocks into the opposing crowd, but allegedly did so at the instigation of an undercover security officer who was disguised as a monk in the crowd.<sup>30</sup>

Although the government has not directly denied the policies at issue in the protest, it has attempted to divert attention to the fight which occurred and paint the entire incident as an internal church dispute. Footage of fighting monks has been shown on Vietnamese television. A local police official told reporters that the incident represented a "dispute between Buddhists in the province," and an official from the government's Religious Affairs Board said that the "intruders" had claimed the opening of the school was not appropriate, but that "their demands were not clear."<sup>31</sup> On December 6, the Thua Thien-Hue Provincial Public Security Office announced its decision to file criminal charges for "the instigation of a public disturbance" in connection with the protest at the school.<sup>32</sup> A Human Rights Watch/Asia source reports that police in Hue arrested two novice monks, Thich Thai Hung of the Phuoc Duyen pagoda and Thich Hanh Duc of the Linh Quang pagoda, in the weeks following the protest. According to this source, these are the same young monks who threw rocks during the demonstration on November 27.

### *The Detention of Thich Huyen Quang*

As Thich Huyen Quang continued his calls for the restoration of the Unified Buddhist Church, issuing at least seven more public statements in the year after the release of his June 1992 petition, the government stepped up efforts to isolate him and de-legitimize his status as the leader of the church. On August 4, 1993, the People's Committee of Quang Ngai province presented a letter to Thich Huyen Quang forbidding him from carrying out any activities in the name of the Unified Buddhist Church and ordering him to relinquish the seal of the Institute of the Dharma, which had been presented to him at the funeral of the former supreme patriarch.<sup>33</sup> Two days later, the official Voice of Vietnam Radio reported that leaders of the state-sponsored church had held meetings in Hanoi and Quang Ngai to protest Thich Huyen Quang's "unlawful acts," and show support for the ban on his activities.<sup>34</sup> Thich Huyen Quang released a statement in October denying the legitimacy

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<sup>29</sup>"Vietnam Police to Probe Buddhist Incident in Hue," *Reuters*, December 7, 1994.

<sup>30</sup>Interview, February 8, 1994.

<sup>31</sup>Ibid.; "Probe Launched into 27 Nov Buddhist Protest in Hue," Hong Kong AFP, December 7, 1994 (FBIS transcribed text).

<sup>32</sup>"Charges Filed in 27th November 'Public Disturbance' in Hue," *Nhan Dan*, December 7, 1994, BBC Monitoring Service, January 5, 1995.

<sup>33</sup>"Government Letter Reprimands Monk Huyen Quang," Hanoi Voice of Vietnam Network in Vietnamese, August 4, 1993 in FBIS-EAS-93-148 August 4, 1993.

<sup>34</sup>"Hanoi Buddhist Church Criticizes Monk," Hanoi VNA in English August 6, 1993, "Quang Ngai Buddhists

of the ban, and a declaration in November calling on the government once again to recognize the Unified Buddhist Church, and urging Communist Party leaders to institute democratic reform.

Government efforts to isolate Thich Huyen Quang continued through 1994. On March 17, 1994, in response to reports published abroad that Venerable Quang was ill and being denied medical attention, the Foreign Ministry issued a statement that he was continuing normal religious affairs at his temple and was not under house arrest.<sup>35</sup> In May, Unified Buddhist Church representatives in Australia released a public reply from the senior monk in which he wrote that he remained in custody and under strict surveillance at the Hoi Phuoc pagoda, as he had for the previous thirteen years. After the arrest of Buddhists in Ho Chi Minh City on November 5 and 6, police tightened the security cordon around the Hoi Phuoc pagoda, denying him access to any visitors. On December 27, he began a hunger strike to protest the continued detention of the monks in Ho Chi Minh City and the tightening of security around his pagoda.

On December 29 police in Quang Ngai province took Thich Huyen Quang from the Hoi Phuoc pagoda and moved him to an isolated village temple in a mountainous area where he is now being detained. On January 25, the Foreign Ministry released a statement which denied that Thich Huyen Quang had "disappeared," saying that he had been moved at the request of other monks in his pagoda for whom he "often caused inconvenience."<sup>36</sup> This statement is at odds with reports from a variety of sources that there has been a steady effort since 1992 on the part of the Vietnamese government to remove or transfer monks from the Hoi Phuoc pagoda, and to carry out surveillance through informers or plainclothes security police. Thich Huyen Quang is now being held under close surveillance at Quang Phuoc temple, twenty kilometers outside of Quang Ngai city. He has been denied any outside contact since his arrest.

### *The Arrest of Thich Quang Do*

After a decade in internal exile, Thich Quang Do returned to the Tanh Minh pagoda in Ho Chi Minh City in 1992 on his own initiative. Tanh Minh was his pagoda of residence before he was sent into internal exile in Thai Binh province in 1982. He had not received the permission to move from local officials in Thai Binh province, but neither did the government act to block his return.

Thich Quang Do assumed a higher profile in 1994 and renewed his calls for the restoration of the Unified Buddhist Church. In August 1994, apparently angered by the government's call for national mourning on the death of North Korean leader Kim Il Sung, he sent a letter to Communist Party General Secretary Do Muoi asking why Vietnam was honoring the Korean leader, and not Buddhist martyrs. Attached to this letter was a forty-four-page critique of government policy towards Buddhism.<sup>37</sup> On October 14, Thich Quang Do sent a letter to church members in which he relayed Thich Huyen Quang's wishes that the church set up representative boards and resume normal activities to demonstrate that it was a true and traditional Buddhist organization. The letter instructed all church temples and offices to hang signs stating

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<sup>35</sup>"Spokeswoman Denies Monk Ill, Under Detention," *op. cit.*

<sup>36</sup>"SRV: Spokesman Details Cases of Dissident Buddhist Monks," Voice of Vietnam Network in Vietnamese, January 25, 1995, FBIS translated text.

<sup>37</sup>This was the same text that Thich Khong Tanh handed to the visiting U.N. Working Group on Arbitrary Detention delegation in November.



their affiliation with the Unified Buddhist Church. According to sources in Vietnam, on November 3 Ho Chi Minh City authorities tore down a sign that Thich Quang Do had hung outside the Tanh Minh pagoda. After the arrest of members of the church's flood relief mission on November 5 and 6, Thich Quang Do issued a protest, and the Tanh Minh pagoda came under intensified surveillance.

Thich Quang Do was taken into police custody on January 4. In a January 25 Foreign Ministry statement, a government spokesman said that Thich Quang Do had been arrested and would face trial for "inciting disturbances" and "violating Vietnamese law."<sup>38</sup> The spokesman did not specify what these disturbances were, or what article of Vietnamese law they violated, although an earlier government statement said that he was being investigated "for implication in violation of public disorder."<sup>39</sup> Approximately a week before his detention, police in Ho Chi Minh City confiscated from a photocopy shop a lengthy text written by Thich Quang Do that described in detail his persecution over the years by the Vietnamese government.

It is unclear where in Ho Chi Minh City Thich Quang Do is now being held. With his arrest in January, virtually all of the senior leaders of the Unified Buddhist Church are now in detention or under house arrest.

## **V. Recommendations**

Human Rights Watch/Asia calls on the government of Vietnam to:

- Immediately release all persons, including Buddhists, who have been detained for peacefully expressing their religious or political views.
- Confirm the location of those Buddhists being held in police custody, the legal charges under which they are being held, and the specific grounds for their detention. The government should make this information available concerning Buddhist monks Thich Quang Do, Thich Khong Tanh, Thich Tri Luc, Thich Nhat Ban, and Thich Giac Nguyen, and lay Buddhists Dong Ngoc and Nhat Thuong. Where there is no legal charge against an individual, that individual should be freed of all restrictions on movement and residence, and should be permitted to meet and associate with anyone he or she chooses.
- Permit immediate medical access to detainees and prisoners with health problems, including Thich Huyen Quang, who requires medication and treatment for high blood pressure, and Thich Hai Tang, who suffers from an undiagnosed stomach problem.

Additionally, Human Rights Watch/Asia calls on the international community to:

- Urge Vietnam, in both private and public fora, to release religious prisoners and to specify any criminal charges against members of religious organizations who are being held for common crimes.

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<sup>38</sup>"SRV: Spokesman Details Cases of Dissident Buddhist Monks," *op. cit.*

<sup>39</sup>"Legislators Appeal for Release of Top Buddhists," AFP, January 19, 1995.

- Urge the government of Vietnam to open a dialogue with leaders of the Unified Buddhist Church to reduce tensions and lessen the likelihood of violent confrontations.

## **Partial List of Buddhist Monks Believed to be Detained or Under House Arrest in Vietnam**

*The following is a list of Buddhist Monks and lay practitioners mentioned in this report who are currently in detention or under house arrest in Vietnam. It does not purport to be a complete list, as it focuses primarily on those individuals detained since 1992. Buddhist groups claim that at least a dozen other monks and dozens of lay Buddhists detained between 1977 and 1992 are still in detention. A comprehensive report on political and religious prisoners in Vietnam will be issued by Human Rights Watch/Asia later this year.*

*(Religious names are used in this list, with secular names in parenthesis).*

**Dong Ngoc** (Nguyen Thi Em), a lay Buddhist, was arrested at her home in Ho Chi Minh City on November 5, 1994 for her involvement in a Unified Buddhist Church organized flood relief effort. At last report, she was being held at the 3C Ton Duc Thang detention center in Ho Chi Minh City.

**Nhat Thuong** (Pham Van Xua), a lay Buddhist, was arrested at his home in Ho Chi Minh City on November 5, 1994 for his involvement in a Unified Buddhist Church organized flood relief effort. He was previously arrested in October 1992 with Thich Tri Luc and Thich Khong Tanh and detained for seven months on charges of "undermining the policy of unity" by "circulating anti-communist propaganda." At last report, he was being detained at the 3C Ton Duc Thang detention center in Ho Chi Minh City.

**Thich Giac Nguyen** (Vo Van Sy), a member of the Vietnam Buddhist Church and abbot of the Long An pagoda in Tra Vinh province, has been detained at an unknown location in his home province since August 7, 1994. Police arrested him after he led a small three-day protest in Ho Chi Minh City against restrictions on religious freedom. According to a government statement, he was detained for committing "numerous dissident acts."

**Thich Hai Chanh** (Nguyen Chon Tam) is serving a three-year sentence on public disorder charges at Ba Sao prison camp, Nam Ha, Phu Ly province in conjunction with the May 1993 protests in Hue.

**Thich Hai Tang** (Nguyen Dinh Hoa) is serving a four-year sentence on public disorder charges at the Ba Sao prison camp, Nam Ha, Phu Ly province in conjunction with the May 1993 protests in Hue. Born in 1958, Thich Hai Tang served as the Superior Monk at the Long An pagoda in Quang Tri province before his arrest. Thich Hai Tang has reportedly developed an undiagnosed stomach problem in prison.

**Thich Hai Thinh** (Le Phu Thinh) is serving a three-year sentence on public disorder charges at Ba Sao prison camp, Nam Ha, Phu Ly province in conjunction with the May 1993 protests in Hue. Thich Hai Thinh was accused of inciting "extremists" in the crowd during the protest: he allegedly jumped on the roof of the People's Committee car during the confrontation and shouted insults at the government authorities.

**Thich Hanh Duc** (Vo Hanh Duc), appointed by the state-sponsored church to be abbot of the Son Linh pagoda in 1982, has been in detention at an unspecified location in Ba Ria-Vung Tau since an unsuccessful July 1994 appeal against a three-year sentence on public disorder charges. Thich Hanh Duc's last known location was Phuoc Co prison in Ba Ria-Vung Tau, where he has been held since his January 5, 1994 trial for involvement in a confrontation at the Son Linh pagoda the previous year.

**Thich Huyen Quang** (Le Dinh Nhan), the seventy-seven year old acting Supreme Patriarch of the Unified Buddhist Church, is being detained at the Quang Phuoc temple, in Nghia Hanh district of Quang Ngai

province. Thich Huyen Quang was previously arrested in 1977 and again in 1982, when he was sent into internal exile at the Hoi Phuoc pagoda in Quang Ngai province for protesting the establishment of the state-sponsored Vietnam Buddhist Church. Police moved him to the isolated temple in Nghia Hanh on December 29, 1994 after he began a hunger-strike to protest the detention of a group of Buddhists in Ho Chi Minh City. Since the security cordon around Hoi Phuoc pagoda was tightened in November 1994, Thich Huyen Quang has been denied visitors and doctors, and has been unable to receive medicine for his high blood pressure.

**Thich Khong Tanh** (Phan Ngoc An), formerly the head monk at the Lien Tri pagoda in Thu Duc, was detained on November 6, 1994 for his role as chairman of a Unified Buddhist Church flood relief effort. He was previously arrested by Ho Chi Minh City security police on October 2, 1992 for leaving his pagoda without a permit to travel the fifteen kilometers into the city. He was charged with "undermining the policy of unity" and "circulating anti-socialist propaganda" after police searched his room at the Lien Tri pagoda and confiscated letters by Thich Huyen Quang. Thich Khong Tanh had reportedly also been arrested in 1976 and imprisoned for ten years for writing a letter to the Prime Minister protesting the government's abolishment of a long-standing policy which exempted Buddhist monks from military conscription. At last report, he was being held at the 3C Ton Duc Thang detention center in Ho Chi Minh City.

**Thich Nhat Ban** was arrested with Thich Khong Tanh on November 6, 1994 for his involvement in a Unified Buddhist Church planned flood relief effort. At last report, he was being held at the 3C Ton Duc Thang detention center in Ho Chi Minh City.

**Thich Quang Do**, sixty-eight year old writer, historian, and General Secretary of the Unified Buddhist Church, is being detained at an unknown location in Ho Chi Minh City "for implication in violation of public disorder." He was previously arrested in April 1977, along with Thich Huyen Quang and four other church leaders for protesting the government's confiscation of church properties. He was re-arrested in February 1982 and forced into internal exile at the Thien Vien pagoda in his native village of Vu Doai in Thai Binh province. In mid-1992, after a decade in exile, he returned to the Thanh Minh pagoda in Ho Chi Minh City and eventually resumed his calls for the reestablishment of the Unified Buddhist Church. Police took him into custody at the Thanh Minh pagoda on January 4, 1994.

**Thich Tri Luc**, was arrested at the Phap Van temple in Ho Chi Minh City on November 6, 1994 for his involvement in a Unified Buddhist Church organized flood relief effort. He was previously arrested with Thich Khong Tanh on October 2, 1992. He is now being detained at the 3C Ton Duc Thang detention center in Ho Chi Minh City.

**Thich Tri Tuu** (Le Quong Vinh), the head monk of the Linh Mu pagoda in Hue and a close disciple of former church patriarch Thich Don Hau, is serving a four year sentence on public disorder charges at Ba Sao prison camp, Nam Ha, Phu Ly province in conjunction with the May 1993 protests in Hue. At his November 15, 1993 trial, Thich Tri Tuu was charged with "leading the riot" in Hue.

*Human Rights Watch/Asia (formerly Asia Watch)*

*Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Gara LaMarche is the associate director; Juan E. Mendez is general counsel; and Susan Osnos is the communications director. Robert L. Bernstein is the chair of the executive committee and Adrian W. DeWind is vice chair. Its Asia division was established in 1985 to monitor and promote the observance of internationally recognized human rights in Asia. Sidney Jones is the executive director; Mike Jendrzeczyk is the Washington director; Robin Munro is the Hong Kong director; Zunetta Liddell, Dinah PoKempner, Patricia Gossman and Jeannine Guthrie are research associates; Mark Girouard and Shu-Ju Ada Cheng are Luce fellows; Diana Tai-Feng Cheng and Jennifer Hyman are associates; Mickey Spiegel is a research consultant.*