

COMMUNIST ENTRENCHMENT AND RELIGIOUS PERSECUTION IN CHINA AND VIETNAM

HEARING BEFORE THE SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS OF THE COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED SEVENTH CONGRESS

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COMMUNIST ENTRENCHMENT AND RELIGIOUS PERSECUTION IN CHINA AND VIETNAM

WEDNESDAY, FEBRUARY 13, 2002

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS AND HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 1:20 p.m. in Room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen, [Chairwoman of the Subcommittee] presiding.

Ms. ROS-LEHTINEN. Thank you so much, all of you, for your patience in awaiting the vote. I always say it is wonderful when democracy gets in the way of our work here in our Subcommittee. Speaking of democracy and human rights, that is what brings us here today.

After the deplorable acts of September 11, President Bush established a nexus between terror and democratic principles. He rightly underscored that it was not simply the United States, a powerful nation, which had been attacked. It was the ideas and the beliefs that we represent, the freedoms that define us throughout the world. We were the targets of the attacks.

Conversely, the President illustrated the correlation that exists between the behavior of these states, the treatment of their own population, and their actions worldwide. Therefore, after unveiling the atrocities committed by the Taliban against women, religious and ethnic minorities and its people in general, it became abundantly clear that a regime which had no regard for the lives nor for the basic human rights of its own people could not possibly place any significance on the lives of Americans thousands of miles away.

From the ashes of the World Trade Center and the Pentagon emerged a stronger, more determined United States, a country with a reinvigorated vision of our own global commitment and our role as the vanguard of democratic principles and freedoms.

Religious freedom has always been at the core of American life since the inception of our society. Its place as the first of the ten freedoms enumerated in the Bill of Rights is a reflection of our founding fathers' assessment of it as the cornerstone of liberty. It is, therefore, not surprising that the United States Congress placed such an emphasis on the passage and enactment of the International Religious Freedom Act which delineates U.S. policy, ac-

tions and advocacy on behalf of individuals persecuted on account of their religious or spiritual beliefs.

The application of the act to the terrible conditions found in China and Vietnam will be a critical part of our discussion today, discussions that are going to be guided by the testimony that we will hear of the U.S. Commissioner of International Religious Freedom, a body that was created by the law which was passed in 1998.

However, freedom of religion and conscience are not concepts exclusive to the U.S. psyche. These are universal rights endowed to all human beings. The importance of safeguarding against religious oppression and defending those who are persecuted for their beliefs and spiritual conviction—that is, the need for today’s hearing and related action—is manifested in the preamble of the Universal Declaration of Human Rights. The preamble states,

“Disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind.”

The Subcommittee and the United States Congress cannot be idle as Uighur Muslims are killed by members of China’s military police. We must give a voice to the increasing numbers of Falun Gong practitioners who are arrested, who are sent to labor camps, who are beaten and tortured because they refuse to renounce their beliefs.

It is this Subcommittee’s responsibility to serve as the conduit for the presentation of evidence about the persecution, horrific torture and deaths of worshipers from Tibet, particularly monks and nuns, and for their courage to practice their faith. It is our duty to highlight how Chinese officials have destroyed, closed or confiscated approximately 3,000 churches, temples and shrines, and these are of all faiths, in recent years.

We cannot turn a blind eye to recent reports obtained by Freedom House detailing the arrest and the severe beatings of at least 25 South China Christian Church followers and the torture of other members with electric prods. These deplorable and inhumane acts are part of a systematic and coordinated policy by China’s Communist regime to smash and destroy those unauthorized religions by whatever means necessary.

We will hear testimony today from Freedom House detailing the contents of top secret Chinese government documents which provide chilling evidence of secret orders to persecute a wide range of religious and spiritual groups inside China.

Two years ago, Freedom House obtained similar documents about the horrific practices designed and implemented by the Vietnamese authorities to severely suppress religious freedom. The similarities in the official documents of these two Communist regimes and the methods they employ, combined with the frightening parallels in their internal conditions regarding religious worship, requires a joint examination of the religious persecution in the two countries.

As has been noted in numerous reports on China and Vietnam, religious freedom is severely repressed in the manner common to Communist countries; that is, through registration requirements, restricting religious practice to government approved organizations

and leaders, through monitoring and infiltration, through propaganda discrediting the nature of the various religions and through coercive and violent forms of control.

Both countries, according to the State Department's International Religious Freedom Report, Human Rights Watch, Amnesty International and many others, have taken major steps backwards, particularly in the realm of religious freedom and tolerance.

In Vietnam, the terrifying abuses against the Montagnard people of the Central Highlands has been the subject of numerous human rights reports and recent articles. They chronicle how Vietnamese authorities have destroyed their church buildings, have burned their house/churches and have forced them to drink a mixture of liquor, goat's blood, raw chicken liver and raw pig intestine all in an attempt to force them to renounce God and to promise not to tell others about Christianity.

Members of the Unified Buddhist Church of Vietnam and the Hoa Hao Buddhists—sorry about the mispronunciation—have disappeared threatened. They have been persecuted, and they have been targeted for arrest. The Unified Buddhist Church's top patriarch remains under house arrest. Another spiritual leader of the Unified Buddhist Church died while under house arrest just in January of this year. He had spent 9 years in one of Vietnam's squalid jail cells under trumped up charges of trying to overthrow the Communist regime in Hanoi.

In March of last year, two to four million Hoa Hao Buddhists were forcibly prevented to assemble on their sacred ground. Key leaders were arrested, their houses surrounded by police. Other devotees were reportedly detained on their way to the site.

The preamble of the Universal Declaration of Human Rights talks about a world where people enjoy freedom from fear and persecution. Unfortunately, for the Hmong Christians in Vietnam this is only a dream. They must also endure the most horrific forms of suppression of their religious liberties.

To summarize the disdain demonstrated by Vietnamese authorities toward fundamental freedoms guaranteed to its people as human beings, I must mention the arrest of dissidents on the eve of the debate on the House Floor of the Vietnam Human Rights Act and would like to end my statement with the case of the Roman Catholic priest, Father Thaddeus Van Ly. He was sentenced in October of 2001 to 15 years in prison for undermining national unity and public slandering of the Vietnamese Communist Party. His crime? He gave written testimony to the U.S. Congress about religious persecution in Vietnam.

Thus, as President Bush prepares to embark on his tour of Asian countries, including meetings and a press conference with the Chinese leader, we ask him and his advisers to listen to the testimony which will be presented here today and use it as a catalyst. Let the U.S. send the message throughout China and throughout the East Asian region of the world that this country proudly stands with the oppressed and will continue to fight for their right to practice their religion and their beliefs.

I am very proud to present the Ranking Member of our Subcommittee, my good friend Congresswoman Cynthia McKinney of Georgia.

[The prepared statement of Ms. Ros-Lehtinen follows:]

PREPARED STATEMENT OF THE HONORABLE ILEANA ROS-LEHTINEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA, AND CHAIRWOMAN, SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

After the deplorable attacks of September 11th, President Bush established a nexus between terror and democratic principles. He rightly underscored that, it was *not* simply the United States, a powerful nation, which had been attacked. It was the ideas and beliefs that it represents—the *freedoms that it defends throughout the world*—which were the targets of the attacks.

Conversely, the President illustrated the correlation that exists between the behavior of these states—their treatment of their own population—and their actions worldwide.

Therefore, after unveiling the atrocities committed by the Taliban against women, religious and ethnic minorities, and its people in general, it became abundantly clear that a regime which had *no* regard for *the lives* nor for the *basic human rights of its own* people, could not possibly place *any* significance on the lives of Americans, thousands of miles away.

And from the ashes of the World Trade Center and the Pentagon emerged a *stronger*, more determined United States—a country with a *reinvigorated* vision of its global commitment and role as the *vanguard* of democratic principles and freedoms.

Religious freedom has always been at the core of American life since the inception of our society. Its place as the first of ten freedoms enumerated in the Bill of Rights is a reflection of our Founding Father's assessment of it as the cornerstone of liberty.

It is therefore not surprising that the U.S. Congress placed such emphasis on the passage and enactment of the International Religious Freedom Act, which delineates U.S. policy, actions, and advocacy on behalf of individuals persecuted on account of their religious and spiritual beliefs.

The application of the Act to the *pernicious* conditions found in China and Vietnam will be a crucial part of our discussions today—discussions which will be guided by the testimony of the U.S. Commission on International Religious Freedom, a body created by the 1998 law.

However, freedom of religion and conscience, are not concepts *exclusive* to the U.S. psyche. These are *universal* rights endowed to *all* human beings.

The importance of safeguarding against religious oppression and defending those who are persecuted for their beliefs and spiritual conviction—that is, the need for today's hearing and related action—is manifested in the preamble of the Universal Declaration of Human Rights.

The preamble states that: "*disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind.*"

This Subcommittee and the U.S. Congress cannot be idle as *Uighur Muslims* are killed by members of China's military police. We must give a voice to the increasing numbers of *Falun Gong practitioners* who are arrested, sent to labor camps, beaten, and tortured because they refuse to renounce their beliefs.

It is this Subcommittee's responsibility to serve as a conduit for the presentation of evidence about the persecution, horrific torture, and deaths of *Tibetan worshipers*, particularly monks and nuns, for the courage to practice their faith.

It is our duty to highlight how Chinese officials have destroyed, closed or confiscated approximately 3,000 churches, temples and shrines (*Christian, Buddhist and Daoist*) in recent years.

We cannot turn a blind eye to recent reports obtained by Freedom House detailing the arrests and severe beatings of at least 25 *South China Christian Church* followers and the torture of other members with electric prods.

These *deplorable and inhumane* acts are part of a systematic and coordinated policy by China's Communist regime to "smash" and "destroy" these "unauthorized religions" by *whatever means necessary*.

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The similarities in the official documents of these two Communist regimes and the methods they employ, combined with the frightening parallels in their internal

conditions regarding religious worship, *required* a joint examination of the religious persecution in the two countries.

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In Vietnam, the terrifying abuses against the *Montagnard* people of the Central Highlands, have been the subject of numerous human rights reports and recent articles.

These chronicle how Vietnamese authorities destroy Montagnard church buildings, burn their house-churches, and force them to drink a mixture of liquor, goat's blood, raw chicken liver, and raw pig's intestine—all in an attempt to force them to renounce God and promise not to tell others about Christianity.

Members of the *Unified Buddhist Church of Vietnam* and the *Hoa Hao* Buddhists have been disappeared, threatened, persecuted, and targeted for arrest.

The Unified Buddhist Church's top patriarch remains under house arrest. Another senior spiritual leader of the Unified Buddhist Church died while under house arrest in January of this year. He had spent *nine years* in one of Vietnam's squalid jail cells under trumped up charges of trying to overthrow the Communist regime in Hanoi.

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He was sentenced in October 2001 to *15 years in prison* for "undermining national unity" and "public slandering" of the Vietnamese Communist Party. His crime: *giving written testimony to the U.S. Congress about religious persecution in Vietnam*.

Thus, as President Bush prepares to embark on his tour of Asian countries, including meetings and a press conference with Chinese leader, Jiang (yahn) Zemin (zeh-mihn), we ask him and his advisers to listen to the testimony which will be presented here today and use it as a catalyst.

Let the U.S. send a message throughout China and throughout the East Asian region and the world, that this country *proudly* stands with *the oppressed* and will continue to *fight for their right to practice their religion and beliefs*.

Ms. MCKINNEY. Thank you, Madam Chair. Let me apologize in advance for the failure to pronounce correctly some of the names, but I would hope that there would be not one hesitation at all to correct us so that we can make these mistakes only once.

I would like to thank the Chairwoman for convening this important hearing on religious freedom in China and Vietnam. The right to worship or not to worship as one sees fit is among the most fundamental rights an individual or group can have.

The American people feel strongly about religious freedom, as do I. We must be vigilant in defending that right for all people in all countries, including our own. At the same time, however, we must recognize our own role in tolerating, excusing or facilitating human rights abuses, including attacks on religious freedom, particularly in the wake of September 11.

The war on terrorism seems to have inspired a wave of abuses of human rights around the world. Governments around the world have seized the war on terrorism as an opportunity to justify massive human rights abuses against their own or neighboring peoples.

On January 16, Human Rights Watch warned that “the anti-terrorist campaign led by the United States is inspiring opportunistic attacks on civil liberties around the world.” Two days later, Amnesty International issued a report entitled “Rights At Risk” warning that the global war on terrorism risked “degenerating into a dirty war of torture, detentions and executions.”

These reports are a wake up call to the free world. The United States must be careful not to give the world’s war criminals and despots a green light to carry out mass arrests, illegal detentions, torture, military attacks on civilians, restrictions on religious liberty and other abuses with impunity.

Under the pretext of combating terror, for example, Chinese authorities have initiated another round of repression against ethnic and religious minorities, particularly the Uighur Muslims of the Xinjiang province. During the last several years, thousands of Uighurs have already been detained, imprisoned and tortured, but since October Chinese officials have launched a new wave of repression justifying their latest crackdown as an extension on the war on “terrorism” and “religious extremism.”

Meanwhile, representatives from Amnesty International say that evidence of Uighur ties to al-Qaeda or other terrorist networks is “scanty.” Chinese authorities have also stepped up repression of Tibetan Buddhists, Christians, practitioners of Falun Gong and other groups.

The religious freedom situation in Vietnam is similarly bleak. Vietnamese authorities continue to impose severe restrictions on Buddhists, Christians, Hoa Hao, Cao Dai and others while banning “unrecognized” religious groups from operating altogether. Recent detentions and arrests of prominent religious leaders such as Thich Huyen Quang and Thich Quang Do of the Unified Baptist Church of Vietnam and the sentencing of Father Thaddeus Nguyen Van Ly to 15 years in prison following his written testimony to the Commission last year are especially worrisome.

We must find ways to encourage other countries to respect human rights and religious freedom and not allow them to use the security pretext to oppress religious, ethnic and other dissidents, but we cannot do that unless we live up to the same standards we hold out to others. America must lead by example.

Today, the United States risks losing its moral authority as an advocate of human rights and religious freedom because of our own recent behavior. Recent mass arrests of Muslim men, including religious leaders, the closing of several Islamic charities, the use of inflammatory and inciteful rhetoric by some in the media and by public officials may lead others to question our own commitment to religious freedom.

When a nationally syndicated columnist writes about Muslims that we: “Should invade their countries, kill their leaders and convert them to Christianity.” Or when the Chairman of the House Subcommittee on Terrorism and Homeland Security quips at a town hall meeting down in Georgia that the best way to combat

terrorism is to “just turn [the sheriff] loose and have him arrest every Muslim that crosses the state line.” Or when the highest ranking law enforcement official in the country, the Attorney General himself, makes religiously intolerant remarks about Muslims, that cannot do much to inspire religious tolerance at home or abroad, and it certainly does not help us make the case that we are the world’s premiere voice for religious freedom.

We should bear in mind that everything Americans say and do is broadcast all over the world and translated into all languages. We ought to ensure that what is being broadcast is an accurate reflection of our own cultural and religious diversity and, most importantly, of our values as Americans.

Thank you, Madam Chair, and I appreciate hearing from each of our esteemed panelists. I would like to take this special opportunity to extend a personal welcome to Mr. Dan Day-Tu Hoang who is here today from Georgia’s 4th congressional district.

Thank you, Madam Chair.

[The prepared statement of Ms. McKinney follows:]

PREPARED STATEMENT OF THE HONORABLE CYNTHIA A. MCKINNEY, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Thank you Madame Chair for convening this important hearing on religious freedom in China and Vietnam. The right to worship, or not to worship, as one sees fit is among the most fundamental rights any individual or group can have. The American people feel strongly about religious freedom—as do I. We must be vigilant in defending that right for all people in all countries, including our own.

At the same time, however, we must recognize our own role in tolerating, excusing, or facilitating human rights abuses—including attacks on religious freedom—particularly in the wake of September 11.

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These reports are a wake-up call to the free world. The United States must be careful not to give the world’s war criminals and despots a green light to carry out mass arrests, illegal detentions, torture, military attacks on civilians, restrictions on religious liberty, and other abuses with impunity.

Under the pretext of combating terror, for example, Chinese authorities have initiated another round of repression against ethnic and religious minorities, particularly the Uigher Muslims of the Xinjiang province. During the last several years, thousands of Uighers have already been detained, imprisoned, and tortured. But since October, Chinese officials have launched a new wave of repression on Uighers, justifying their latest crackdown as an extension of the war on “terrorism” and “religious extremism.” Meanwhile representatives from Amnesty International say that evidence of Uigher ties to al-Qaida or other terrorist networks is “scanty.” Chinese authorities have also stepped up repression of Tibetan Buddhists, Christians, practitioners of Falun Gong, and other groups.

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We must find ways to encourage other countries to respect human rights and religious freedom and not allow them to use the security pretext to oppress religious, ethnic, and other dissidents.

But we cannot do that unless we live up to the same standards we hold others to. America must lead by example. Today, the United States risks losing its moral authority as an advocate of human rights and religious freedom because of its own recent behavior. Recent mass arrests of Muslim men, including religious leaders; the closing of several Islamic charities; and the use of inflammatory and inciteful rhetoric by some in the media and by public officials may lead others to question our own commitment to religious freedom.

When a nationally syndicated columnist writes about Muslims that: “We should invade their countries, kill their leaders and convert them to Christianity.” Or when the chairman of the House Subcommittee on Terrorism and Homeland Security quips that the way to combat terrorism is to “just turn [the sheriff] loose and have him arrest every Muslim that crosses the state line.” Or when the highest-ranking law enforcement official in the country—the Attorney General himself—makes religiously intolerant remarks about Muslims, that can’t do much to inspire religious tolerance at home or abroad, and certainly doesn’t help us make the case that we are the world’s premier voice for religious freedom.

We should bear in mind that everything Americans say and do is broadcast all over the world and translated into all languages. We ought to ensure that what is being broadcast is an accurate reflection of our cultural and religious diversity and, most importantly, of our values as Americans.

Thank you, Madame Chair. I looking forward to hearing from each of our esteemed panelists.

Ms. ROS-LEHTINEN. Thank you, Congresswoman McKinney.

Mr. Tancredo of California? Thank you.

Today we would like to welcome a panel of witnesses that will put forth not only an analysis of the religious persecution that takes place in China and Vietnam, but they will also offer a portrait of the abuse that religious practitioners endure under rigid Communist regimes.

Our first panel today is composed of Commissioner Michael K. Young from the U.S. Commission on International Religious Freedom, which he chairs. Chairman Young is also the dean of the George Washington University School of Law, as well as having taught at Columbia University’s Law School. In addition to being a prolific scholar on Asian legal systems, Commissioner Young also served in various posts under the first Bush Administration.

We welcome you here, Chairman Young, and we look forward to your testimony and your recommendations, and we will enter it in full in the record. If you could briefly summarize your statement, we would appreciate it.

Thank you, Commissioner.

STATEMENT OF THE HONORABLE MICHAEL K. YOUNG, COMMISSIONER, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Mr. YOUNG. Madam Chairperson, thank you very much for inviting me today to this very important hearing. Congresswoman McKinney, Congressman Tancredo, thank you for the opportunity to be here.

In light of your eloquent statement, as well as Congresswoman McKinney’s eloquent statement, I will shorten my remarks some, as you mentioned. Many of the things—

Ms. ROS-LEHTINEN. Tom’s was internally eloquent communicated through my dental fillings.

Mr. YOUNG. Thank you. You did highlight many of the abuses about which we have been very concerned. We want to start by thanking the Commission and commending the Commission for holding this hearing. I think it is timely and very important.

The widespread and serious abuses of the right to freedom of religion and belief in China are well documented by our Commission, by the State Department, and by religious and other non-governmental organizations. In October of 2001, for the third straight year, the Secretary of State concluded that the Chinese Government severely and systematically violated freedom of religion and belief and, therefore, once again named China as a country of particular concern under the International Religious Freedom Act passed by this Congress.

The Commission concludes that the Chinese Government's respect for freedom of religion and belief has deteriorated even further in the past year. The Government of China has committed numerous serious violations against members of many of China's religious and spiritual communities, including Evangelical Christians, Roman Catholics, Tibetan Buddhists, Uighur Muslims, as well as the Falun Gong and other groups that the government has labeled evil cults.

In the wake of being granted permanent normal trade relations status by the United States and then successfully bidding to host the 2008 Olympics, the government has even further tightened its control over religion in China.

At China's December 2001, National Religious Affairs Conference, President Jiang Zemin stated, and I quote,

"Religion must never be allowed when it opposes the direction of the party or the socialist system or destroys national reunification or ethnic unity."

The government put this doctrine into very clear practice just last month when it intensified its crackdown on the religious association and practices of the Uighur Muslims.

Immediately after the Religious Affairs Conference, China further demonstrated its resolve to tighten its control of religious organizations and their activities by handing out a death sentence to Pastor Gong Shengliang of the underground Protestant South China Church. Other church members were given sentences up to life imprisonment. Their major crime? Using a so-called evil cult to undermine the enforcement of the law.

Last month, the same law was used to indict Mr. Li, a Hong Kong businessman, for allegedly smuggling Bibles to an underground Protestant church. Mr. Li was released last weekend in advance of President Bush's state visit.

The Chinese Government also continues to deny foreign diplomats and human rights monitors, including UN representatives, access to the boy designated by the Dalai Lama to be the 11th Panchen Lama. He has not been seen since 1995.

Muslim Uighur businesswoman Rebiya Kadeer remains in jail serving an 8-year sentence for harming national security. Her crime? Sending her husband in the United States clippings from a Chinese newspaper that were then used in a broadcast on Radio Free Asia.

The Commission has adopted a new set of recommendations for the U.S. Government that fall under four headings. It is this Commission's conclusion that in order to protect freedom of thought, conscience, religion, and belief, the Chinese Government must take

effective steps in the following four critical areas. We release those findings today at this Committee hearing, and they have also been communicated to the President and to the Secretary of State.

Our four points are relatively simple. First, China must end its current crackdown on religious and spiritual groups. This has obviously heightened. It has been a targeted activity, and it must end. China must also reform its repressive legal framework that it uses to control religion, as well as establish an effective mechanism to hold officials accountable for religious freedom and related human rights violations.

Third, China must reaffirm the universality of religious freedom and China's international obligations, and ratify the International Covenant on Civil and Political Rights. Finally, China must take concrete, demonstrable, practical, measurable steps to foster a culture of respect for human rights.

The Commission is making this full set of new policy recommendations public for the first time at this hearing. In the interest of time I will not review those, but I do ask that a full copy of those be entered into the record.

Do let me focus on just a couple of—

Ms. ROS-LEHTINEN. Without objection.

Mr. YOUNG. Thank you. Allow me to focus on just a couple of key points from those recommendations.

It is very clear that the Chinese Government has used torture, detention, intimidation, surveillance, discrimination and a broad range of unconscionable practices against an untold number of persons simply because they practice their religion or belief. This must stop. The United States should use every diplomatic opportunity to urge the Chinese to cease these abuses and should integrate this effort into all aspects of bilateral cooperation and dialogue, including security and counterterrorism.

In addition, the President should insure that religious freedom is a prominent agenda item for all state visits in either direction. Indeed, after President Bush publicly expressed his concern for the Hong Kong businessman accused of smuggling Bibles, the charges against him were reduced, and he was sentenced to a term much less than he had originally been charged with.

Before any state visit to China, the President should also receive assurances that he will have the opportunity to address a Chinese audience on human rights in a live and uncensored broadcast. President Reagan's similar address to Russian students at Moscow State University in 1988 was a stirring, memorable moment among Russians and galvanized their people, as well as educating them about why the United States is concerned about their human rights, as well as about human rights around the world. We wrote the President on January 31 of this year, to urge him to seek precisely those assurances.

The U.S. should also emphasize to the Chinese Government the positive contributions that religion and believers can make to Chinese society, as well as the need to permit both faith-based and secular organizations to provide humanitarian and social services freely within China. This we think is a very important point and benefits the Chinese people enormously, and we urge that this be

a major point of our dialogue between the United States and China.

The Commission welcomes the resumption of the human rights dialogue between China and the United States. We believe, however, that such a mechanism should not only communicate U.S. concerns about human rights in China; it must establish measurable goals and practicable steps for improvement. Mere dialogue should not be the end in itself.

The U.S. should also work multilaterally to foster human rights improvements in China. As a key component of this effort, we should continue to propose and promote a resolution to censure China at annual meetings of the U.N. Commission on Human Rights. We recently wrote to that effect to Secretary Powell stating that it was extremely important that the United States serve as an active member of the U.N. Commission on Human Rights, as the U.S. stands virtually alone in its striving to focus world attention on specific violations of human rights.

Further, the U.S. Government should seek to establish a diplomatic presence in Tibet and Xinjiang to demonstrate our concern and to monitor religious freedom and other human rights in those areas. I should note, thanks to the work of the International Relations Committee, the House has adopted language calling for a branch consular office in Lhasa as part of the Foreign Relations Authorization Act, which is awaiting action by the Senate. We applaud that recommendation.

The U.S. Government's China policy should also include a number of practical steps to promote religious freedom and other human rights. These include support and, as appropriate, funding for human rights advocates within China, as well as those outside China who are promoting the rule of law, legal reform and democracy. The U.S. Government should make sure that Tibetans and other ethnic minorities, as well as representatives of religious communities and other non-governmental organizations, are included in exchange programs with China.

Madam Chairperson, it is U.S. policy to oppose violations of religious freedom and human rights throughout the world, not just in China. Through enhanced public diplomacy, the United States should directly and frankly explain to the Chinese people this message and the reasons for our concern. Such efforts should include an expansion of Radio Free Asia and Voice of America broadcasts throughout China.

In addition, since the U.S. permits Chinese media, including the official Chinese Central Television company, access to American markets access that is expanding considerably—we should insure that U.S. media, including broadcast companies, are allowed a similar presence in Chinese markets. We think this is a very important point as well.

In addition, the U.S. Government should insure that U.S. companies doing business in China do not engage in practices that would facilitate violations of freedom of religion or other human rights, such as disclosing employees' religious beliefs, spiritual activities, or affiliations to Chinese authorities.

Now that the PNTR status has eliminated the annual review of human rights in China, the work of this Subcommittee in holding

these kinds of hearings and continuing such reviews on an ongoing basis takes on even greater importance. The Commission on International Religious Freedom stands ready to join with you and cooperate with you in this effort, as well as to applaud you for this hearing.

Let me turn to Vietnam for just a few moments if I may. The Commission has closely followed the situation there for quite some time. In both 2000 and 2001, we noted that the Government of Vietnam had committed grave violations of religious freedom, and we urged the State Department to monitor carefully the conditions there.

In February, 2001, we held a public hearing on Vietnam here in Washington at which several overseas representatives of Vietnamese religious communities testified, as well as experts on U.S.-Vietnam relations. Also, in May of 2001, we issued a set of recommendations to the U.S. Government in our annual report.

A delegation from our Commission soon will be conducting a fact-finding mission to Vietnam at the invitation of the Vietnamese Government. We have sought this since December of 2000 and believe it will afford us an opportunity for additional firsthand information and direct dialogue with that government, and we look forward to that visit.

It is fair to say from all information available to us religious freedom conditions in Vietnam have deteriorated since the release of our report in May. In particular, several leading religious figures have been imprisoned or placed under house arrest, as you mentioned.

In October, Vietnamese authorities sentenced Father Ly to 15 years for undermining national unity. Father Ly has been a persistent critic of the Vietnamese Government's failure to protect religious freedom, and he provided written testimony to the Commission for its Vietnam hearing. Shortly thereafter, he was arrested. The government took this action against Father Ly despite protests by several Members of Congress, the Administration and our Commission.

The Vietnamese Government has also recently detained or imprisoned several leaders of religious groups that are not officially recognized, including many that you mentioned: The Venerable Quang and the Venerable Do of the United Buddhist Church of Vietnam, the Rev. Quang of the Mennonite Church in Ho Chi Minh City and Mr. Liem of the Hoa Hao Buddhist Church.

In addition, serious reports continue to emerge from ethnic minority regions in Vietnam where the government has severely restricted access. A government sponsored reunification campaign appears to continue against the ethnic Hmong Christians in the northwestern provinces, as well as the Montagnards in the Central Highlands. Montagnards who have fled to Cambodia to escape unrest in their home provinces have reportedly been subject to ill treatment upon their repatriation to Vietnam.

While conversations between the Vietnamese Government and leaders of the Catholic church have led to some improvements, which we acknowledge, there remain a number of issues, such as admission of men to seminaries and licensing of priests, that indi-

cate an unnecessary degree of control by the government of church activity.

Finally, while the government early last year did recognize the Evangelical Church of Vietnam in the south, again a measure we applaud, we have yet to see substantial evidence of that organization's independence from the state.

That kind of behavior does not help the Vietnamese Government make its case that it deserves international loans or additional trade benefits from the United States while it fails to uphold its international human rights commitments. I would note that Father Ly was sentenced not 2 weeks after the U.S.-Vietnam Bilateral Trade Agreement was ratified.

In light of these actions that the Vietnamese Government has taken in the past several months, it remains imperative for our government to send the message that the protection of human rights, including religious freedom, is a continuing priority for the United States. In this regard, the Commission praised the House for passing the Vietnam Human Rights Act in September of 2001. The act not only expresses Congress' concern over violations of religious freedom by the Vietnamese Government, but it would implement several Commission policy recommendations. We support the bill and urge the Senate to pass it.

In addition, the Commission made several other recommendations in our May, 2001, report, and with your permission I would request that these also be made a part of the hearing record.

Ms. ROS-LEHTINEN. Without objection.

Mr. YOUNG. Thank you. Madam Chairperson, violations of religious freedom continue in both Vietnam and China, but we continue to hope that U.S. policy actions will precipitate a positive change in behavior by the governments of both those countries. Hearings like this one can only help focus the attention of the Administration and the general public on these grave issues and put these governments on notice that their abuses will not be overlooked.

I appreciate the opportunity to testify before you today and assure you that the U.S. Commission on International Religious Freedom, consistent with the statutory mandates, stands ready to work with you and your colleagues to encourage religious freedom in these countries and throughout the world.

I would be happy with that to answer any questions that you might have.

[The prepared statement of Mr. Young follows:]

PREPARED STATEMENT OF THE HONORABLE MICHAEL K. YOUNG, COMMISSIONER, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Thank you, Madame Chairman for the opportunity to testify before this subcommittee on religious persecution in China and Vietnam, and I commend you and the members of the subcommittee for holding this important hearing.

CHINA

The widespread and serious abuses of the right to freedom of religion and belief in China are well documented by our Commission, the State Department, and religious and other nongovernmental organizations. In October 2001, for the third straight year, the Secretary of State concluded that the Chinese government severely and systematically violates freedom of religion and belief, and therefore named China once again a "country of particular concern" under the International

Religious Freedom Act of 1998. The Commission concludes that the Chinese government's respect for freedom of religion and belief has deteriorated in the past year. The Government of China has committed numerous serious violations against members of many of China's religious and spiritual communities, including Evangelical Christians, Roman Catholics, Tibetan Buddhists, Uighur Muslims, as well as the Falun Gong and other groups that the government has labeled "evil cults."

In the wake of being granted Permanent Normal Trade Relations status by the United States and successfully bidding to host the 2008 Olympics, the government has tightened its control over religion in China. At China's December 2001 national religious-affairs conference, President Jiang Zemin stated, "Religion must never be allowed when it opposes the direction of the party or the socialist system, or destroys national reunification or ethnic unity." The government put this doctrine into practice just last month, when it intensified its crackdown on the religious association and practices of Uighur Muslims in Xinjiang.

Immediately after the religious-affairs conference, China further demonstrated its resolve to tighten its control of religious organizations and their activities by handing down a death sentence to Pastor Gong Shengliang of the underground Protestant South China Church. Other church members were given sentences up to life imprisonment. Their major crime? Using a so-called "evil cult" to "undermine the enforcement of the law." Last month, the same law was used to indict Li Guangqiang, a Hong Kong businessman, for allegedly smuggling Bibles to another underground Protestant group. Mr. Li was released last weekend in advance of President Bush's state visit next week.

The Chinese government also continues to deny foreign diplomats and human rights monitors, including UN representatives, access to the boy designated by the Dalai Lama to be the 11th Panchen Lama. He has not been seen since 1995.

Muslim Uighur businesswoman Rebiya Kadeer remains in jail serving an eight-year sentence for "harming national security." Her crime: sending her husband in the U.S. clippings from Chinese newspapers, on which he commented over Radio Free Asia.

The Commission has adopted a new set of specific recommendations for the U.S. government that fall under four headings. It is this Commission's conclusion that, in order to protect freedom of thought, conscience, religion, and belief, the Chinese government must take effective steps in the following four critical areas. U.S. policy should encourage such steps and effectively respond, whether they are or are not taken.

(1) China must end its current crackdown on religious and spiritual groups.

(2) China must reform its repressive legal framework and establish an effective mechanism to hold officials accountable for religious-freedom and related human rights violations.

(3) China must affirm the universality of religious freedom and China's international obligations and must ratify the International Covenant on Civil and Political Rights.

(4) China must foster a culture of respect for human rights.

The Commission is making its full set of new policy recommendations public for the first time at this hearing. In the interest of time, I won't review all of them now, but I respectfully request, Madame Chairman, that the full set of recommendations be included in the formal hearing record. I will focus on a few key points.

The Chinese government has used torture, detention, intimidating surveillance, discrimination, and other unconscionable practices against an untold number of persons simply because they openly practice their religion or belief. This must stop. The U.S. should use every diplomatic opportunity to urge the Chinese to cease these abuses and should integrate this effort into all aspects of bilateral cooperation and dialogue, including security and counterterrorism. In addition, the President should ensure that religious freedom is a prominent agenda item for state visits in either direction—indeed, after President Bush publicly expressed his concern for the Hong Kong businessman accused of smuggling Bibles, the charges against him were reduced and he was sentenced to a term much less than was originally sought. Before any state visit to China, the President should also receive assurances that he will have the opportunity to address a Chinese audience on human rights in a live and uncensored broadcast. President Reagan's similar address to Russian students at Moscow State University in 1988 was popular and memorable among Russians. The Commission wrote to the White House on January 31 to urge that the President obtain assurances from the Chinese government before he goes to China this week that he be given such a speaking opportunity.

The U.S. should emphasize to the Chinese government the positive contributions that religion and believers can make to Chinese society, as well as the need to per-

mit both faith-based and secular organizations to provide humanitarian and social services freely within China.

The Commission welcomes the resumption of the bilateral human rights dialogue. We believe, however, that such a mechanism should not only communicate U.S. concerns about human rights violations in China. It must also establish measurable goals and practical steps for improvement. Mere dialogue should not be an end in itself.

The U.S. should also work *multilaterally* to foster human rights improvements in China. As a key component of this effort, we should continue to propose and promote a resolution to censure China at annual meetings of the UN Commission on Human Rights. We recently wrote to Secretary Powell, stating that it was extremely important that the United States serve as an active member of the UN Commission on Human Rights as the U.S. stands virtually alone in striving to focus world attention on specific violations of human rights. Furthermore, the U.S. government should seek to establish a diplomatic presence in Tibet and Xinjiang to demonstrate our concern and to monitor religious freedom and other human rights. I should note that, thanks to the work of the International Relations Committee, the House has adopted language calling for a branch consular office in Lhasa as part of the Foreign Relations Authorization Act, which is awaiting action by the Senate.

The U.S. government's China policy should include a number of practical steps to promote religious freedom and other human rights. These include support and, as appropriate, funding for human rights advocates within China, as well as those, wherever found, who are promoting the rule of law, legal reform, and democracy there. The U.S. government should make sure that Tibetan and other ethnic minorities, as well as representatives of religious communities and other nongovernmental organizations, are included in exchange programs with China.

Madame Chairman, it is U.S. policy to oppose violations of religious freedom and other human rights throughout the world, not just in China. Through enhanced public diplomacy, the United States should directly and frankly explain to the Chinese people this message and the reasons for our concern. Such efforts should include the expansion of Radio Free Asia and Voice of America broadcasts throughout China. Since the U.S. permits Chinese media, including the official Chinese Central Television company, access to American markets, we should ensure that U.S. media, including broadcasting companies, are allowed a similar presence in Chinese markets. Also, the U.S. government should ensure that U.S. companies doing business in China do not engage in practices that would facilitate violations of religious freedom and other human rights, such as disclosing employees' religious or spiritual activities or affiliations to Chinese officials.

Now that PNTR status has eliminated the annual review of human rights in China, the work of this subcommittee in holding these kinds of hearings and continuing such reviews on an ongoing basis takes on even greater importance. The Commission on International Religious Freedom stands ready to join with you and cooperate in this effort.

VIETNAM

Moving now to Vietnam, the Commission has closely followed the situation there for quite some time. In both 2000 and 2001, we noted that the government of Vietnam had committed grave violations of religious freedom, and we urged the State Department to monitor carefully the conditions there. In February of 2001, we held a public hearing on Vietnam here in Washington, at which several overseas representatives of Vietnamese religious communities testified, as well as experts on U.S.-Vietnam relations. Also, in May 2001, we issued a set of recommendations for the U.S. government in a chapter of our annual report. A delegation from our Commission soon will be conducting a fact-finding mission to Vietnam at the invitation of its government—which we have sought since December of 2000. This visit hopefully will afford us additional first hand information and direct dialogue with that government.

Religious-freedom conditions in Vietnam have deteriorated since the release of our report in May. In particular, several leading religious figures have been imprisoned or placed under house arrest. In October, Vietnamese authorities sentenced Father Thaddeus Nguyen Van Ly to 15 years in prison for “undermining national unity.” Father Ly has been a persistent critic of the Vietnamese government's failure to protect religious freedom, and he provided written testimony to the Commission for its Vietnam hearing. As you know, the government took action against Father Ly despite protests by several members of Congress, the Administration and our Commission.

The Vietnamese government has also recently detained or imprisoned several leaders of religious groups that are not officially recognized, including The Venerable Thich Huyen Quang and The Venerable Thich Quang Do of the United Buddhist Church of Vietnam, The Rev. Nguyen Hong Quang of the Mennonite Church in Ho Chi Minh City, and Mr. Le Quang Liem of the Hoa Hao Buddhist Church. In addition, serious reports continue to emerge from ethnic minority regions of Vietnam, where the government has severely restricted access. A government-sponsored renunciation campaign appears to continue against ethnic Hmong Christians in the northwestern provinces as well as Montagnards in the Central Highlands. Montagnards who have fled to Cambodia to escape unrest in their home provinces have reportedly been subjected to ill-treatment upon their repatriation to Vietnam. While conversations between the Vietnamese government and leaders of the Catholic Church have led to some improvements, there remain a number of issues, such as admission of men to seminaries and licensing of priests, that indicate an unnecessary control by the government of Church activity. Finally, while the government early last year did recognize the Evangelical Church of Vietnam in the south, we have yet to see substantial evidence of that organization's independence from the state.

This kind of behavior does not help the Vietnamese government make its case that it deserves international loans or additional trade benefits from the United States while it fails to uphold its international human rights commitments. I would note that Father Ly was sentenced not two weeks after the U.S.-Vietnam Bilateral Trade Agreement (BTA) was ratified. In light of the actions that the Vietnamese government has taken in the past several months, it remains imperative for our government to send the message that the protection of human rights, including religious freedom, is a continuing priority for the United States.

In this regard, the Commission praised the House for passing the Vietnam Human Rights Act (H.R. 2833) in September 2001. The Act not only expresses Congress's concern over violations of religious freedom by the Vietnamese government, it would implement several Commission policy recommendations. We support the bill and urge the Senate to pass it. In addition, the Commission made several other recommendations in our May 2001 report, and with your permission I would request that those also be made a part of the hearing record.

Madame Chairman, violations of religious freedom continue in both Vietnam and China, but we continue to hope that U.S. policy actions will precipitate a positive change in behavior by the governments of both these countries. Hearings like this one can only help focus the attention of the administration and the general public on these grave issues and put these governments on notice that their abuses will not be overlooked. I appreciate the opportunity to testify before you today and assure you that the U.S. Commission on International Religious Freedom, consistent with its statutory mandate, stands ready to work with you to encourage religious freedom in these countries and throughout the world.

I would be happy to answer any questions that you may have.

Ms. ROS-LEHTINEN. Thank you so much, Chairman Young. Could you please elaborate on the process by which you evaluate the statute of religious freedom and nominate specific countries to be designated by the State Department as countries of particular concern?

In the case of China and Vietnam, what have been the determining factors throughout the years in recommending China for such a designation, but not Vietnam? You were alluding to it in your testimony.

Mr. YOUNG. Madam Chairperson, thank you. This process is, it is fair to say, not an exact science, but what the Commission does is reviews information that we are able to secure certainly from the State Department in its report. We also have some, although in our judgement too limited, access to reporting cables from the State Department consulates and embassies.

We then look at information from human rights organizations and religious organizations. We hold hearings. We invite specialists, as well as those intimately familiar with these countries, to

come in and to brief us. In the end, we collate that information and try to measure it against a standard provided in the statute.

What the statute calls for is designation of a country if it is engaged in systematic, ongoing, egregious violations of religious freedom, and then it lists some possible examples.

Ms. ROS-LEHTINEN. So you believe that in the case of Vietnam it is not systematic, it is not egregious, and it is not government sanctioned?

Mr. YOUNG. I think it is fair to say that we think it is close to the line, and I have said so publicly in our reports, and that it bears watching. We did not think it had, at least in the 3 years we have looked at it, risen to the level of China's problem, but it is very serious, and we have said so. It bears serious watching, and we have said that.

We also feel like we would like an opportunity to engage the Vietnamese in Vietnam and see for ourselves, but I think the fact that we have not designated it in precisely the same category as China should be taken as a signal of our lack of enormous concern over it in this country. As I say, in the last year in particular it seems to have deteriorated even further.

It is also fair to say there has been some small, modest, positive improvement in Vietnam that I think we really have not seen in the case of China, and that has also given us a sense that engaging in a sustained dialogue with the Vietnamese is a very important step in this process.

Ms. ROS-LEHTINEN. Thank you. In the recommendations that were released by the Commission today regarding U.S. policy toward the Chinese regime, you list, for example, that the U.S. Government should urge the Chinese to

“halt the harassment, the surveillance, arrest, detention of persons on account of their manifestations of religion or belief and of use of practices such as detention, torture and ill treatment in prisons, labor camps, psychiatric facilities, et cetera.”

In your testimony you state that, “Mere dialogue should not be an end in itself.” Would you agree that without the use of strong, definitive measures toward both China and Vietnam that the U.S. will not be successful in our efforts on behalf of religious freedom?

Do you believe that the International Religious Freedom Act needs to be more dutifully implemented with regard to China and Vietnam? Please specify which presidential action should be applied in these cases.

Mr. YOUNG. Well, we have not as a Commission recommended any specific presidential action from that particular list. I think it is fair to say we, for the last 3 years, have urged that it be designated as a country of particular concern, and indeed the State Department has designated that.

Under the statute, in the absence of a waiver the President is required to impose some sort of sanction. We were notified by the Clinton Administration about sanctions. We have not yet been notified by the Bush Administration. In the event they do not waive the sanctions, they are required to do something.

The sanctions are those that are coterminous with the sanctions under the Tiananmen Square events, which are the prohibitions on

the sale of crowd control materials for the police. This seems to us an extraordinarily modest way of signaling our displeasure with that country.

I do think that it is essential to get the attention of the Chinese, so they know that the United States does indeed take these very, very seriously.

Ms. ROS-LEHTINEN. Ms. McKinney?

Ms. MCKINNEY. Thank you, Madam Chair.

Mr. Young, you said that dialogue is important, and I agree that dialogue is important, but we have to be sure that we are saying the right thing in the dialogue.

Now, recently we had an incident where the Chinese President ordered a plane, and when the plane was delivered it had bugs in it, including a bug in the presidential bed. What do you think that does to the quality of the dialogue that we can have with the Chinese as we want to talk about human rights in the President's visit?

Mr. YOUNG. Well, that is a very good question. I think it is fair to say that it probably does not help the dialogue. At the same time, our concern has been that as we institute these dialogues that those issues that are important to the American people, that are important to Congress, also be part of the dialogue.

We have recommended that representatives of the Commission be invited to go with the President on the trip—he takes many businessmen—which certainly signals the importance of our relationship. He takes—

Ms. MCKINNEY. Has the Administration responded to that request?

Mr. YOUNG. They have not yet.

Ms. MCKINNEY. You should keep us informed of that.

Mr. YOUNG. We will do that. Thank you. I appreciate that.

Also, when they have the bilateral human rights dialogue between China and the United States we would very much like Commission members to be included in that as well. Freedom of religion needs to be a central part of that dialogue. We believe in thinking about the role of American businesses that human rights needs to be an important part of that.

In cultural exchanges, in all these areas, we need to reward those individuals within China, who are championing the cause which are important to the Chinese people. Conversely, those individuals who are not should not be the object of exchanges and cultural activities and so forth.

American businesses should be required to be consistent with our values when doing business anywhere in the world, but especially in China. Those are at least major elements of the dialogue that we would like to see make human rights central to our interaction at all different levels.

Ms. MCKINNEY. I have a piece of legislation, which we call the Corporate Code. I will make sure that we get a copy of it over to you. I would like to hear your reaction to our corporate responsibility piece of legislation because I, too, believe that American corporations ought to behave in a way that is consistent with American values, and certainly respect for human rights is an important American value.

How would you characterize China's treatment of the Uighur Muslims?

Mr. YOUNG. We would at the moment characterize it as very bad. It is difficult to get adequate access there to be entirely clear, but there seems to be very credible, reliable evidence that there have been a large number of arrests and imprisonments of Uighur Muslims. I mentioned a few individual cases, such as Rebiya Kadeer, who have garnered international attention, but she is merely illustrative of a large number of people that have been arrested.

The Chinese Government asserts that there is a separatist insurgency movement out of that part of the country. That indeed may be correct. Certainly we do not fault the Chinese for their own appropriate actions with respect to terrorism. At the same time, it is very hard to argue I think at this stage that the sweep is not much too broad; that religion is being used as a surrogate for terrorist activity. This is a very oppressed part of China right now.

Ms. MCKINNEY. What would you say about the reports that we have in this country of a sweep of some 300,000 men of Arab-American descent, some who are citizens, some who are legal residents here, but who are experiencing similar treatment?

Mr. YOUNG. Congresswoman McKinney, I would say that it seems to me appropriate with what we have said in the context of our countries we ought to be consistent. We have in the context of Afghanistan, for example, deplored the round up of a large number of Muslim men often merely for carrying religious literature of such an innocuous nature as the Koran.

We have stated our objections to the President. In our recommendations regarding China we have highlighted the problem of the Uighur Muslims and the inappropriateness of simply sweeping up large groups of people because of their particular identification with a religion. It would be shameful to not apply the same standards in the United States.

Ms. MCKINNEY. Thank you, Mr. Young. Thank you, Madam Chair.

Ms. ROS-LEHTINEN. Thank you, Ms. McKinney.

There are many kinds of religious persecution that is going on in China and Vietnam to the detaining of certain individuals because of their possible ties to terrorist organizations. I have not heard of anyone saying that they had been beaten, that all of these horrendous acts had been committed against them. I just want to clarify my view on that to my dear friend, Ms. McKinney.

Mr. Tancredo?

Mr. TANCREDO. Thank you, Madam Chairman.

Along those lines, I want to take just a moment to express my appreciation to the President of the United States for his outstanding leadership in this area and his often heard remarks to the people of the United States cautioning them against overreacting to people of the Muslims states, people from the Middle East who are here in the United States here legally and here doing nothing harming this country, that could be characterized as harmful to the country.

It is to his credit that he has so often spoken out against that kind of activity and cautioned us against it. It is also to the credit of the people of the United States that they have expressed a de-

gree of tolerance probably unheard of in any other part of the world under similar circumstances.

The fact is that we do not see any violent reaction on the part of the general people to people from the Middle East or people of Islamic faith. We do not see communities rising up with pitchforks and torches and storming mosques or in any other way terrorizing in a systemic way people of the Islamic faith or people from the Middle East.

There have been countless thousands of incidents of outreach on the part of millions of Americans to the Middle Eastern community. There have been countless instances of compassion; far, far more instances of compassion and tolerance shown toward Muslims in American than any other kind of actions of intolerance or discrimination. It is to our credit as a nation that we behave in such a way.

To try to draw comparisons to constantly torture ourselves to come up with these bizarre comparisons between the United States, our culture and the rest of the world in some sort of vain attempt to rationalize our own distorted view of America is not worthy, I think, of people in this body.

At any rate, Commissioner Young, could you please just comment upon one thing? The fact is that during the debate here in this Congress on PNTR many of our colleagues, many people who supported PNTR, indicated that with its passage we could look forward to within a very short period of time some indication of a change of heart in China on a variety of fronts, one being, of course, religious intolerance.

They suggested that opening up China through the activity of trade with the west and the United States in particular would force some sort of metamorphosis on the Chinese Government that would make them—I do not know—break out in a fit of Jeffersonian democracy.

Is it fair to say, Commissioner Young, that from your point of view, from the Commission's point of view, that that has not occurred, especially with regard to religious tolerance?

Mr. YOUNG. Mr. Tancredo, yes. I would like to respond to that, although I wonder if I could just clarify my remarks earlier to Congresswoman McKinney to make clear what I meant because I think I agree with you on almost every level.

We, too, as a Commission have actually applauded President Bush in our China report for speaking out on freedom of religion in particular, which seems to be an issue which he has raised directly with the Chinese on more than one occasion. We think there is much more to be done, but we do applaud him even on that, certainly as well as the other things that you have identified.

Secondly, by suggesting that we have objected to the treatment of the Uighur Muslims and the Muslims in Afghanistan and that we would object to similar treatment in the United States, I really do mean to suggest similar treatment. That is to say if people are being picked up in the United States solely because of their religious belief. We are making no judgement at all as to what has actually happened in the United States.

Moreover, I think you are absolutely right. We would not equate the treatment in an Afghan prison with the treatment that one re-

ceives in detention in the United States. I just want to be clear that we did not mean anything different as I was laying that out.

Yes, I take your point exactly. We testified with respect to PNTR suggesting that the year had been a bad one and that while we—

Mr. TANCREDO. I recall.

Mr. YOUNG [continuing]. Were not objecting in principle to PNTR, but international merit badges matter to the Chinese. This was one that mattered to them very much and this was a very bad year to award it to them, in light of behavior in which they had engaged and which we were assured, as everyone else was, that the Chinese would change. Well, change they did.

Mr. TANCREDO. They got worse.

Mr. YOUNG. They got worse. We have pointed that out.

Mr. TANCREDO. It should teach us a lesson, I would think.

Mr. YOUNG. One would think. They also said not to expect changes soon, so we were surprised when the changes did occur soon. But they did all occur in a negative direction.

Mr. TANCREDO. You know, somewhat a tiny bit more philosophical question I would pose to you, I suppose, is the degree to which you think they ever could change.

Let me preface this by saying that the intolerance that this regime and every other similar type of regime around the world historically has shown toward religious expression, and this is certainly not unique to China and Vietnam, Communists in Russia. People all over the world, dictators all over the world, fear the free expression of religious conviction, so maybe they are right to do so. Maybe that expression of religious conviction in some way threatens their hold on the minds of their people.

With that possibility in mind, what makes us think that the Chinese, the present regime, would ever change? Regardless of what we promise or think or propose, if they see that any sort of liberalization of their policy would lead to their own demise, why would we think that we have any hope to actually change the situation in China without changing the regime in China?

Mr. YOUNG. That is a very good and important and complex question. I cannot hope to answer it in a comprehensive or probably even intelligent way, but let me offer just a couple of thoughts if I may.

Number one, I think there is some inherent threat in religion to totalitarian regimes, because religion is generally premised on the notion that there is an allegiance which one may have—which one must have—to something higher than the state.

Now, that is part of the reason it becomes such a wonderful principle. It feeds into the notion of a limited government that allows people to identify their own method of living their lives consistent with respect and the dignity of their fellow citizens. So there is that level at which it is potentially a threat on the one hand.

On the other hand, first, at the theoretical level the great Lockean principle that a government actually earns more allegiance by providing people more freedom has been demonstrated with such inclusiveness in so many different places and ways that you would think even the Chinese would figure this out at some point.

Second, I do not think that is so unrealistic because one of the things that I see as I look at China is some substantial difference between Beijing and the provinces.

Our recommendation that Safe Face and other organizations be permitted to provide humanitarian services and so forth is actually reflective of what the local authorities not only seem to tolerate, but to welcome. At the same time the central government is repressing religion, the local mayor, and we can cite instance after instance of this, is giving an award to a religious organization for running an orphanage or providing medical care.

Those on the ground who deal with the people see this and see that these organizations are not threats to the Chinese way of life. They are not threats to a fundamentally stable, orderly society in the throes of aggressive economic development. Beijing does not see it.

Can the regime change? Well, if some of the local mayors could become President perhaps it could be done without a regime change. I do not know that, but I do know the Chinese themselves see it.

Mr. TANCREDO. Thank you, Mr. Young, for your very insightful comments. I sincerely appreciate it. I know it is a very complex issue, but I think your observations are very profound.

Ms. ROS-LEHTINEN. Thank you.

We are very please to have with us Congressman Pitts from Pennsylvania, who has really been a goodwill ambassador for our Committee traveling to hot spots and horrible areas of the world where people have been very much abused. We welcome your opening statement that you might have, Joe, or questions.

Mr. PITTS. Thank you, Madam Chairman. I will submit my opening statement for the record, but I would just like to thank you for holding this very important hearing.

It is very timely in light of the upcoming visit of the President to Asia and his meetings with the Chinese leadership, as well as the recent release this week from the Committee for the Investigation for Persecution of Religion in China, which documents government documents which have provided chilling evidence of secret orders to persecute a wide range of religious groups in China. Of course, with these policy recommendations from the Commission on International Religious Freedom, it is very, very timely.

Thank you, Mr. Young, for your testimony. I have a couple of questions. All credible sources, including the Commission and the State Department, concur that the situation in both China and Vietnam has worsened in the last few years. To what do you attribute the crackdown in these countries? Has the U.S. policy contributed to or ameliorated the intensification of religious suppression?

Mr. YOUNG. Mr. Pitts, that is a very good question. I would profess no capacity to get inside the minds of Chinese leaders or Vietnamese leaders, but I would speculate as follows:

It is interesting that in both cases it seemed to follow some rather positive action on the part of the United States, such as the passage of PNTR with China and the passage of the bilateral trade agreement in the case of Vietnam. That is an unsettling development.

I am a passionate free trader. I teach trade. I have written about trade. One has the hope somewhere that expanding these kinds of interactions leads to improvement. The Chinese and the Vietnamese at the moment seem determined to prove us wrong, and that is problematic. One may speculate that once the spotlight is turned a bit off them they feel they can get away with more.

The other possibility, a somewhat more optimistic possibility, is that in fact these regimes feel increasingly threatened and they are losing their control, that their repressive measures are not working and they sense that. The tides of history are turning against them. I am not sure, but I think the reality of what you observe is important.

Mr. PITTS. Now, the Commission repeatedly recommends that China be determined by the Department of State as a country of particular concern. The act establishing the International Religious Freedom Commission lists several actions which the President can take in case——

Ms. ROS-LEHTINEN. Congressman Pitts, if I may interrupt you? Unfortunately, our lead witness has to go teach a class. I had mentioned that he is a scholar in addition to everything else he is doing.

I wanted to see if you could get your question in and Chris Smith and Congressman Burton, and then maybe he could give us the written answers——

Mr. PITTS. Okay.

Ms. ROS-LEHTINEN [continuing]. Because we have a very important vote right now.

Mr. PITTS. All right, Madam Chairman.

Ms. ROS-LEHTINEN. Thank you.

Mr. PITTS. I just would like your recommendations as to what presidential action should be applied in the China case.

Mr. YOUNG. Mr. Pitts, I will be delighted to submit that. We have released today our report regarding China. It contains some specific recommendations, not of a sanction sort, although we think the failure of the Chinese to respond to these certainly should warrant some action on the part of the United States.

Mr. PITTS. Thank you.

Ms. ROS-LEHTINEN. Congressman Smith?

Mr. SMITH. Thank you very much, Madam Chair.

Thank you, Mr. Young, for your very fine testimony. I apologize for being late. I was chairing a hearing on veterans, which precluded me from being here.

You know the history of this legislation and how it was vigorously opposed by the previous Administration, claiming it would set up a hierarchy of human rights. Madeleine Albright stood right where you are and testified. We said that was a bogus argument then because obviously, you know, in the past we have emphasized different human rights, but it does not mean you diminish your respect for advocacy for others, namely apartheid when we fought that, the Jackson-Vanik amendment with regards to the Soviet Jewry.

It is a very good tradition to say sometimes there are human rights abuses that need to be raised to a very high level. Certainly

the work you are doing in the Commission is so valuable to this, and I want to just commend you and thank you for it.

A couple of specific questions, very brief. I met with Madam Picard in Paris recently during the OSCE Parliamentary Assembly. She is the prime sponsor of the anti-cult law, so-called. The concern I have is that the Chinese and other despotic countries with tyrannical regimes will cling to using that kind of forum to further repress the Falun Gong, the underground Catholic church and Protestant church and Buddhists and others.

Is that your concern as well that this could be misused? It is already bad enough that mature democracies like France and Austria are using it to exclude people with whom they disagree with. My 2 hour meeting with her was very discouraging as to her jaundiced view about religion and people of faith. Then we see the Chinese picking up on it and running with that anti-cult mentality.

Mr. YOUNG. Mr. Smith, this is a mutual admiration society. We watch with great admiration what you and all of your colleagues on this Committee do for human rights. We appreciate that, as well as, as I had mentioned earlier, the opportunity to testify here.

Yes, we are very concerned about it. In fact, we had a group of specialists on European registration laws spend about 4 hours with the Commission just a few weeks ago. Dr. Land and I will actually be traveling to Europe to meet in Brussels for precisely that reason.

Whatever concerns one has about its application in Belgium and Austria and Germany, and one does have legitimate concerns even on that score, when it is imported into a country without the traditions of liberty, without the independent court system and the competent bureaucracy that those western European countries have, it is a disaster.

Hong Kong has talked about adopting a similar law. China has talked about it. A number of countries in eastern Europe, as well as in central Asia, have talked about it. It is a very, very disturbing trend, and we are examining it.

Mr. SMITH. Thank you.

Ms. ROS-LEHTINEN. Chairman Burton?

Mr. BURTON. I know that we have to get down to the Floor to vote, so I will be very brief.

I believe that bullies or tyrants only understand one thing, and that is strength. China bullies its people. I think when we rewarded them with most favored nation trading status and we did not really demand much in return and we started recognizing Vietnam, even though we had not had a complete report on our MIAs and POWs that have never been accounted for, those were signals to both of them that they did not need to pay much attention to what we have demanded in the past, and they could get away literally with bloody murder.

There are still ten million people in Communist gulags making tennis shoes and everything else, slave labor people, in China. We keep our eyes closed to that. Chris knows that. A number of us do. They are still selling body parts from prisoners. They take them alive. Some of them are killed. They take their kidneys and their other vital organs, and they sell them on the world market. They actually perform the operations right there at the prison some-

times, in addition to the religious persecution you are talking about.

Now, you are in a position, Mr. Young, Commissioner Young, to use some very strong influence on what happens here in the United States in our dealings with China and Vietnam. What I hope you will do, and you do not have to respond to this today, but what I hope you will do in your position is when you write reports mention these things and mention your experiences.

Tell this Administration and every Administration that the only way to deal with tyrannical regimes and bullies in the world is from a position of strength. We should have learned that from 9–11. Although China is a very strong power and Vietnam is a pretty independent country now, there are things we can do economically and in trade and other things to put pressure on them to bring about positive change. If we do not do it, who will?

You have a very important job, a very strong charge. I hope that you will think about the things that I have just said because you might be able to influence this Administration and our State Department and others to put a little pressure on China and Vietnam to bring about positive change in these areas.

I thank you for being here.

Mr. YOUNG. Thank you. Thank you very much.

Mr. BURTON. Thank you, Madam Chairwoman.

Ms. ROS-LEHTINEN. Thank you. We have a vote. You are dismissed, Commissioner Young. We will be then reconvening with our second panel. Thank you.

Mr. YOUNG. Thank you.

Ms. ROS-LEHTINEN. The Subcommittee is in recess.

Mr. YOUNG. Thank you, and thank you very much for the privilege. Thank you.

Ms. ROS-LEHTINEN. Thank you.

[Recess.]

Ms. ROS-LEHTINEN. Our second panel will begin with the testimony of Paul Marshall. Dr. Marshall is a senior fellow at the Center for Religious Freedom at Freedom House. Dr. Marshall has lectured before U.S. and foreign government entities on the topic of religious persecution around the world, as well as having written and edited scores of books and booklets on the subject. We welcome you, Paul, today.

Following is Mr. John Ackerly. He is the President of the International Campaign for Tibet. Mr. Ackerly received his law degree from American University and has worked with the Freedom of Information Clearinghouse and McTiery Bailey, a Mississippi based law firm. He has done work with the International Committee of Lawyers for Tibet, the International Human Rights Law Group and the Lawyers Committee for Civil Rights Under Law. We look forward to your testimony and welcome you back to our Subcommittee. It is interesting how many sentences you can make out of human rights and law. You did a good job there.

Our next panelist is—I am going to do my best—Ms. Ningfang Chen. How did I do? Pretty well. I have a hard name also to me for everyone else, too.

Ms. MCKINNEY. Yes. Your name is very hard.

Ms. ROS-LEHTINEN. My name is very hard. Blame my husband for that.

A Falun Gong practitioner whose belief led her and her family down a path of harassment and persecution. Once a prominent musician in China, her compelling testimony will serve here today as a mere example of the inescapable treatment of abuse all religious practitioners and human rights defenders endure under the Chinese Communist regime. She is accompanied by her daughter, Ying Chen, who will be translating for her. Welcome, and thank you for sharing your family's personal story with us here today.

Our next witness was scheduled to be Mr. Vo Van Ai, Founder and President of CUME, Action for Democracy in Vietnam and spokesperson for United Buddhist Church of Vietnam and an advocate for religious freedom and a victim of Vietnam's religious persecution since the age of 11. Unfortunately, as he was to depart Paris where his organization is based, he fell ill and had to be rushed into open heart surgery. Our thoughts and our prayers are with him as he undergoes such a serious procedure.

In his stead, we welcome Ms. Penelope Faulkner, Mr. Vo Van Ai's colleague for over 20 years and Vice-President of both CUME and Vietnam Committee on Human Rights. We welcome you, and we thank you for traveling such a distance to be with us today in his place.

Lastly, we are joined by Mr. Dan Duy-Tu Hoang, Vice-President of the Vietnamese-American Public Affairs Committee, VPAC, a national grassroots organization both focusing on voter education and issue advocacy. Mr. Hoang was born in Vietnam and came to the U.S. as a refugee in 1975 after the fall of Saigon.

Thank you, all of you witnesses, very much for being with us here today. We are going to ask that you keep your remarks brief, and we will enter your entire testimony into the record.

Dr. Marshall, we will begin with you. If I could have someone with the clock for the 5 minute warning? Thank you.

STATEMENT OF PAUL MARSHALL, SENIOR FELLOW, CENTER FOR RELIGIOUS FREEDOM, FREEDOM HOUSE

Mr. MARSHALL. Thank you, Madam Chairman, for this opportunity to testify. We would commend you and all the Members of the Subcommittee for these hearings. I will summarize my written testimony and respectfully request that the full text be put into the record.

Freedom House's Center for Religious Freedom is alarmed at the increasing repression of the major religious groups in China—Protestants and Roman Catholic Christians, Tibetan Buddhists, Falun Gong, Uighur Muslims. Currently, some dozen Catholic Bishops are in prison or under house arrest in China. Bishop Su Zheming has disappeared since October, 1997.

Secret Chinese Government documents released this week by the Committee for an Investigation on Persecution of Religion in China show that China's government at the highest level aims to repress religious expression outside its control, and it is using systematic and harsher criminal penalties to do so. Hu Jin-tao, the designated successor of President Jiang Zemin, is quoted in the documents as endorsing this drive.

As a result, normal religious activity is criminalized. As the December, 2001, death sentences against Pastor Gong Shengliang and others attest, the directives outlined in these documents are being carried out with ruthless determination. Other documents list Falun Gong, several Christian churches and the Unification Church as evil cults which must be smashed.

They also indicate that Beijing feels it may be losing its battle to control religious expression. They note, and I quote, "inner circles" of the Communist party and government officials have secretly joined banned churches.

Documents also have an extremely crude understanding of religion. Part of this is because China is an officially atheist state, but it arrogates to itself the authority to define what is religious orthodoxy for many religions to determine their dogma and designate their religious leaders.

In the documents, even praying for world peace and having ecumenical relations are described as dangerous activities. Several of the documents repeatedly refer to using secret agents to infiltrate what it calls cults, but also unregistered Catholic churches, businesses, joint ventures and colleges and universities within China. We would urge President Bush on his visit to China next week to speak out both forcefully and publicly on these matters.

In 2001, while Vietnam sought to gain full normalization of relations with the United States, it intensified its persecution against non-approved religions. There is a section in my written testimony dealing with Buddhism. Since my esteemed friend Penelope Faulkner is here, I will pass over that section, and I think she will well deal with it.

In terms of Roman Catholics in Vietnam, we have alluded several times to the courageous Father Thaddeus Ly sentenced to 15 years in prison for speaking the truth about religious repression in China to the U.S. Government. It is important to remember that what happens to Father Ly is not an isolated case.

The Vietnamese Government has an ongoing policy of restricting the number of entrants and graduates from seminaries and also the number of priests which can be ordained. This has created an acute shortage of priests within Vietnam and is a means of suppressing Catholic religious expression.

In the last year, while Vietnam has legalized the Evangelical Church of Vietnam, it has brutally attacked other Protestant groups, especially amongst tribal peoples. In early 2001, thousands of Christian ethnic Montagnard tribespeople demonstrated about land and religious freedom. The authorities reacted by deploying troops, helicopters and riot police to brutally quell the protests. Hundreds of Montagnards have fled to Cambodia for political asylum. Many have been forcibly repatriated, and many of those have been tortured within Vietnam upon their return.

The Vietnamese Government has also systematically attacked Christian groups among the Hmong people. It has threatened to destroy the homes of those who do not reconvert and indeed has forced people to destroy their own homes. In the last 5 years, about 10,000 Hmong have fled the areas where they live.

I have appended to the testimony a list from a reliable source in Vietnam which contains the names and locations of 20 Hmong

church leaders who were in prison as of last month in Vietnam. I have also appended three official complaints to the Vietnam Government from Hmong Christians who describe they are being subject to forced conversion, beatings and being driven from their homes.

[The prepared statement of Mr. Marshall follows:]

PREPARED STATEMENT OF PAUL MARSHALL, SENIOR FELLOW, CENTER FOR RELIGIOUS FREEDOM, FREEDOM HOUSE

Thank you, Madame Chairman for the opportunity to testify before this subcommittee on these issues of religious persecution in China and Vietnam. Freedom House commends you and the members of the subcommittee for holding this important hearing. I respectfully request that my full written testimony be entered into the record as I will be summarizing it.

CHINA

Freedom House's Center for Religious Freedom is alarmed by mounting repression against the major religious and spiritual groups in China—Protestant Christians, Roman Catholics, Tibetan Buddhists, Falun Gong, and Uighur Muslims. We are concerned that some dozen Catholic bishops are in prison or under house arrest, including Bishop Su Zhimin of Baoding in Hebei Province, who has been disappeared/ in custody since October 1997, according to the Cardinal Kung Foundation. I wish to enter into the record today's press release of the Vatican-based press service, Fides.

I will focus the remainder of my remarks concerning China on what has been revealed in secret, Chinese government documents, released this week, detailing an official crackdown against large, unregistered churches and other religious groups nationwide. Copies of the documents, along with translations, were provided to Freedom House's Center for Religious Freedom by Mr. Shixiong Li and Mr. Xiqu (Bob) Fu of the New York-based Committee for Investigation on Persecution of Religion in China. The Center had the official documents authenticated by renowned expert and exiled former Chinese government journalist, Su Xiaokang and it released a detailed analysis of the documents on February 11.

The seven documents, issued between April 1999 and October 2001, detail the goals and actions of China's national, provincial and local security officials in repressing religion. (The Freedom House analysis and links to the seven documents are available online at: www.freedomhouse.org/religion). They show that China's government, at the highest levels, aims to repress religious expression outside its control, and is using more determined, systematic and harsher criminal penalties in this effort. Hu Jin-tao, designated as the successor of President Jiang Zemin is quoted in the document as endorsing the drive against the Real God church. The Minister of Public Security is quoted giving the order to "smash the cult quietly." (Document 4).

Ye Xiaowen, the head of China's Religious Affairs Bureau, wrote in January 2002 that repression is not working and suggested that a more nuanced approach is needed. In fact, the documents reveal that a brutal, but more clandestine approach, is being employed to crush unregistered churches and religious groups.

As a result, normal religious activity is criminalized, and, as the December death sentences brought against South China church Pastor Gong Shengliang and several of his co-workers attest, the directives outlined in these documents are being carried out with ruthless determination.

Several documents focus on measures to "smash" the Christian South China church and the Real God church, which, Chinese authorities state, rivals Falun Gong in its reach and dangerous effects. Other documents list several Christian churches, Falun Gong, the Unification Church, and other banned religious groups. In all, 14 religious groups are identified in Document 1 as "evil cults."

The documents indicate that Beijing may feel it is losing its battle to control religious expression. They note with palpable alarm that the Real God group is growing rapidly throughout 22 Chinese provinces. Document 4 says that "inner circles" of the communist party and government officials have secretly joined the banned Real God church, and instructs officials to find out who among them are members of the group.

The documents are notable for their crudeness in understanding the religions the government purports to control. Revealing a fundamental misunderstanding or deliberate misinterpretation of the New Testament, Document 1 uses a basic Christian

doctrine that Christ is in every believer to accuse churches of “deifying” their leaders, a practice defined as “cult-like.” China is an officially atheist state that—as Center Director Nina Shea found out first-hand while participating in the official U.S.-China human rights dialogue last fall—arrogates to itself the authority to define orthodoxy, determine dogma and designate religious leaders.

Document 2 betrays deep paranoia on the part of Chinese officials. It raises particular concerns about public unrest over China’s entry into the WTO which it ties to Western support of democracy movements (“Democratic Party of China”), and religious groupings, especially Falun Gong; it accuses the Vatican of “still waiting for any opportunity to . . . draw the patriotic religious believers up to them and incite them to rebel.”

In Document 4, “Praying for world peace,” ecumenical relations between churches, printing religious publications, and developing a diocesan, parish and prayer group-like organizational structure, are all seen as dangerous activities.

Document 4 also views with alarm ecumenical relations between the Protestant house-church Real God and the underground Catholic Church. Real God is also said to have ties with Tianenmen Square student protest leaders.

Measures to be taken against banned religious groups include surveillance, the deployment of special undercover agents, the gathering of “criminal evidence,” “complete demolition” of a group’s organizational system, interrogation, and arrest, as well as the confiscation of church property, and homes in which meetings are held. Document 2 repeatedly refers to the use of “secret agents” to infiltrate “cults,” underground Catholics, businesses, joint ventures, people with “complicated political backgrounds,” prestigious colleges and universities, and other organizations.

President Bush, who has repeatedly voiced concern for religious oppression in China, should speak out forcefully and publicly in support of religious freedom during his state visit to China next week.

VIETNAM

In 2001, while Vietnam sought to gain full normalization of relations with the United States with the approval of the Bilateral Trade Agreement by Congress, it intensified persecution against all non-approved religious communities. Freedom of religion continues to be severely curtailed and followers were subjected to grave abuses of their freedoms and rights. Secret Vietnamese government documents released by the Center for Religious Freedom over the past two years, titled “Directions for Stopping Religion” and “Correct Thinking in Vietnam”, reveal government policies to repress tribal Christians. The major concerns are:

Buddhists: The independent Unified Buddhist Church of Vietnam (UBCV) remains the major target of religious repression. The UBCV Supreme Patriarch Thich Huyen Quang (84-years-old) continued to be held under house arrest in the remote village of Nghia Hanh in Quang Ngai Province after 20 years of detention without trial. In 2001, Security Police repeatedly subjected him to interrogations and harassment. Supreme Patriarch Thich Huyen Quang is seriously ill as a result of harsh detention conditions and malnutrition, yet he is refused access to medical care.

In May-June 2001, a widespread crackdown was launched against the UBCV. All over Central and Southern Vietnam, UBCV Pagodas were surrounded, and phone lines to 115 Pagodas were cut. Hundreds of UBCV monks and nuns were placed under house arrest. On June 1, the Ho Chi Minh Police sentenced Thich Quang Do to two years “administrative detention.” He is still detained incommunicado at the Thanh Minh Zen Monastery in Saigon, deprived of all right to communicate or receive visits. The crackdown on the UBCV was launched after Venerable Thich Quang Do announced his intent to lead a delegation of UBCV monks and followers to Quang Ngai to escort detained Patriarch Thich Huyen Quang to Saigon for medical treatment. In September 2001, repression against the UBCV reached such a pitch that a leader of the “Buddhist Youth Movement”, 61-year-old lay-Buddhist Ho Tan Anh immolated himself in protest on September 2nd 2001 in the central city of Danang.

Hoa Hao: Several members of this Buddhist group were arrested and detained in 2001 for taking part in celebrations of their founder, Huynh Phu So. Truong Van Duc and Ho Van Truong were sentenced, respectively, to 12 and 4 years in prison by a court in An Giang Province on May 11, 2001.

Catholics: On October 19, 2001, 55-year-old Father Thadeus Nguyen Van Ly, a Roman Catholic priest from the diocese of Hue in Central Vietnam was sentenced to 15 years in prison and 5 years probationary detention at a one-day, closed trial in Hue on charges of “undermining national solidarity.” He had been arrested on May 17 and detained incommunicado for 5 months on charges of “blackening social-Vietnam and distorting the party and state policies” for testimony he had sub-

mitted to the U.S. Commission on International Religious Freedom, as the annual U.S. State Department religion reports note. Father Ly had previously spent 10 years in prison for his religious beliefs. The government also continues to restrict the number of entrants and graduates from seminaries and the number ordained, thereby creating an acute shortage of priests and suppressing Catholic religious expression.

Protestants: While Vietnam has shown some increased openness with registered groups, legalizing the Evangelical Church of Vietnam (South) (ECVS) on March 16, 2001, it has attacked other protestant groups ferociously. Christians in the Northwest and in Northern and Central Highlands have in the last year been persecuted, beaten and arrested on account of their beliefs. In February-March 2001, thousands of ethnic Christian Montagnard tribespeople in the Central Highlands demonstrated to protest official confiscation of land and a government ban on conversion to Protestantism. The authorities reacted by deploying troops, helicopters and riot police to brutally quell the protests, and forced people to renounce their Christianity. Martial law has since been installed in the Central Highlands and a media black-out has been imposed. Hundreds of Montagnards have fled to Cambodia to seek political asylum, and many have been forcibly repatriated. At a closed trial on September 26, 2001, fourteen Montagnards were condemned to sentences of between 6 and 12 years in prison for taking part in demonstrations in the provinces of Dak Lak and Gia Lai. In late December, 2001, Siu Kron, Rmah Nui and three other Montagnard Christians were reportedly tortured to get them to reveal the location of a Christmas prayer vigil. About a dozen others were arrested. The Montagnard Foundation reports that 300 Degar (Montagnard) refugees were stopped as they attempted to flee to Cambodia. The Foundation gives information on 169 of these, including women and children, who were subsequently tortured. In this respect the January 12, 2002, tripartite agreement between Cambodia, Vietnam and the UNHCR to (nonvoluntarily) repatriate 1,000 Montagnards currently in Vietnam is a cause of great concern.

The government has also systematically attacked Christians among the Hmong in the Northwest. It has threatened to destroy the homes of those who do not reconvert, and forces people to destroy their own homes, before being chased away. About 10,000 Hmong Christians have fled the area in the last five years. I have appended a list from a reliable source in Vietnam of twenty Hmong church leaders who were in prison as of January 2002. I have also appended three official complaints to the Vietnamese government from Hmong Christians that describe their being subject to forced conversion, beatings and being driven from their homes.

Ms. ROS-LEHTINEN. Thank you very much. I hope the microphones are working better.

Mr. Ackerly?

STATEMENT OF JOHN ACKERLY, PRESIDENT, INTERNATIONAL CAMPAIGN FOR TIBET

Mr. ACKERLY. Thank you, Madam Chairwoman, for inviting us to testify today.

In the last year, there have been no significant improvements in religious freedom in Tibet. The highest ranking religious leader left inside Tibet, the Panchen Lama, remains in detention since 1995. The elderly teacher who was the head of the monastery where the Panchen Lama should be training today, Chadrel Rimpoche, was scheduled to be released last summer and then last month, but China has inexplicably refused to release him, too.

These are two of the foremost examples of China's continued repression of Tibetan Buddhism which President Bush should raise when he visits China later this month. He should raise these issues not only because religious freedom is a priority of the United States, but simply because it is a priority of the Tibetan people, and it is at the very heart of their culture.

There has been one recent notable release of a political prisoner, Ngawang Choephel, a Tibetan Fulbright scholar who I think most of you are familiar with. He received a sentence of 18 years and

was released last January after serving a little more than a third of his sentence.

He was the opposite of the prominent prisoners such as the Panchen Lama and Chadrel Rimpoche, which partially explains why it was he who was released. He was one of the thousands of people swept up into China's prison system in Tibet. His only notable exception was that he had attended Middlebury College. If it were not for the perseverance of Members of the Congress, including many on this Committee, he would certainly still be in jail today.

This shows that pressure can work in some cases, but it also shows that China is apparently still unwilling to make significant steps toward improving religious rights and religious freedom in Tibet. Last year, China's strict regulations controlling permissible expressions of Buddhism came sharply into focus at two remote locations in eastern Tibet now under Szechuan Province at Larung Gar and Yachen Gar.

At both of these monastic centers, and there are likely more we do not know about, Chinese security personnel came and demolished or ordered the demolition of large parts of the monks' and nuns' living quarters and expelled thousands of monks and nuns. China maintains limits on the number of monks and nun allowed in each monastery, often not allowing entrance into the monastery before the age of 18.

Here is testimony from one nun at Larung Gar.

"Two armed policemen entered my wood hut and threw my Buddhist statue on the floor. They dragged me out of the hut, and one of the policemen tossed my daily recitation book into the wood stove."

It was just like in the last 1960s, she said, referring to the massive destruction of Tibetan monasteries during the cultural revolution. The destruction at Larung Gar is indeed ominously reminiscent of the physical destruction of monasteries during the cultural revolution. Over 2,000 meditation huts and homes were destroyed at Larung Gar. ICT obtained images of this destruction immediately after it happened, which I brought here today and which we would like to give to the Committee.

Because of the unique opportunity to receive a comprehensive Buddhist education, Larung Gar was one of the few places on the Tibetan plateau that was attracting students. That is now a thing of the past. It is also important to know that there is no political activity at Larung Gar. This crackdown is entirely based on religion exceeding the narrow scope that China deems appropriate.

There are approximately 3,000 Tibetans who flee to India each year. About one-third are monks and nuns. Some have been imprisoned, some mistreated, others expelled from their monastery or nunnery and others simply citing the desire to receive religious education that they cannot obtain in Tibet. Two of the very top leaders left in Tibet decided to flee as well, the Karmapa and Ajia Rimpoche.

In the last week alone, thousands of Americans have sent messages to the White House asking President Bush to honor the commitments he gave to the Dalai Lama to urge a negotiated solution for Tibet when he meets with President Jiang Zemin. We are also

urging the President to include the special coordinator for Tibet, Paula Dobrianski, on his official delegation to Beijing.

In addition to the opportunity for a frank discussion with President Jiang on Tibet, President Bush should use the occasion of his remarks at Qinghua University to express concern for religious freedom in Tibet. The importance of dialogue between the Chinese leadership and the Dalai Lama or his representatives cannot be underestimated for the realization of human rights and especially religious freedom in Tibet.

We also call on the Administration not to bargain away U.S. concern for human rights in Tibet at the upcoming session of the United Nations Commission on Human Rights in Geneva, which starts on March 16. The U.S. should stand firm and express our desire to support and co-sponsor a resolution on China if there are not significant improvements on Tibet.

Finally, I want to reiterate how important the perseverance of the Congress has been for the people of Tibet in their struggle for human rights and freedom. I also want to thank the Chairwoman of the Committee and other Members of the Committee who are co-sponsors of the Tibetan Policy Act of 2001.

Thank you very much.

[The prepared statement of Mr. Ackerly follows:]

PREPARED STATEMENT OF JOHN ACKERLY, PRESIDENT, INTERNATIONAL CAMPAIGN
FOR TIBET

Thank you Madam Chairwoman for inviting us to testify before this Committee. In the last year there have been no significant improvements in religious freedom in Tibet. The highest-ranking religious leader left inside Tibet, the Panchen Lama, remains in detention since 1995.

And the elderly teacher who was the head of the monastery where the Panchen Lama should be in training today, Chadrel Rimpoche, was scheduled to be released from prison last summer and then last month, but China has inexplicably refused to release him.

These are two foremost examples of China's continued repression of Tibetan Buddhism which President Bush should raise when he visits China later this month. He should raise these issues not only because religious freedom is a priority of the United States, but because it is a priority of the Tibetan people and is at the very heart of Tibetan culture.

There has been one recent, notable release of a political prisoner, Ngawang Choephel, a Tibet Fulbright scholar who studied ethno-musicology at Middlebury College. Arrested while conducting research in Tibet in 1995 and sentenced to 18 years on a trumped up charge of espionage, he was released in January after serving more than a third of his sentence. Ngawang Choephel was the opposite of prominent leaders such as the Panchen Lama and Chadrel Rimpoche, which partially explains why it was he who was released. He was one of the thousands of unknown young Tibetan boys and girls swept through a brutal system maintained by China's occupation forces in Tibet. His only distinction was that he had studied at Middlebury College in Vermont, and if it weren't for the perseverance of the Vermont Congressional delegation, he would certainly still be in prison.

This shows that pressure can work in some cases, but it also shows that China is still apparently unwilling to make significant steps toward improving in human rights and religious freedom in Tibet.

The President should also raise the systemic, structural forms of religious repression in Tibet in addition to the imprisonment of prominent religious leadership. China permits a carefully orchestrated degree of religious freedom for laity and officially sanctioned monks and nuns. In addition, there are many monks and nuns practicing their religion outside of China's strict bureaucracy and regulations, often simply because they live in such remote areas that the long arm of the police state has not yet reached them. China's emphasis on building more roads and now a railroad to Tibet is in part meant to address this. A majority of traffic on many roads in Tibet is the military and security services and they are still the primary bene-

fiary of Tibet's transportation network. Tibetans, and Tibet's economy, are secondary beneficiaries.

Last year, China's strict regulations controlling permissible expressions of Buddhism came sharply into focus at two remote locations in eastern Tibet, now under Sichuan Province: Larung Gar and Yachen Gar. At both of these monastic centers, and there are likely more that we don't even know about, Chinese security personnel came and demolished or ordered the demolition of large parts of the monks' and nuns' living quarters and expelled thousands of monks and nuns. China maintains limits on the numbers of monks and nuns allowed at each monastery, often not allowing entrance into a monastery before the age of 18 and forcing monks to leave after the age of 60. Chinese officials have established these and other kinds of restrictions on religion to ensure that the rejuvenation of Tibetan Buddhism and culture does not outpace the nearby Chinese governmental infrastructure to keep control of it.

CRACKDOWN AT LARUNG GAR

"Two armed policemen entered my wood hut and threw my Buddha statue on the floor. They dragged me out of the hut and one of the policemen tossed my daily recitation book [of Buddhist scripture] into the wood stove," a nun recalled of her treatment in June of last year. "It is just like in the late 1960s," she said, referring to the massive destruction of Tibetan monasteries during the Cultural Revolution.

The destruction at Larung Gar, to be repeated at Yachen Gar later in the year, is ominously reminiscent of the physical destruction of monasteries in the Cultural Revolution. Over two thousand meditation huts and homes were reportedly destroyed at Larung Gar. (mention of the photos ICT obtained).

The crackdown was overseen by an official named Wang, head of the "United Front" for Sichuan province, according to new reports. He is known as Wang Putrang, ("chief Wang"). Wang led officials from the United Front in Beijing and troops of armed police and work teams that descended upon Larung Gar to carry out the expulsions and demolition in June. Although their living quarters were torn down and monks and nuns were expelled, no retaliation by monks or nuns was reported.

Larung Gar is a monastic encampment, not a monastery, and its inhabitants have come on their own accord based on Larung Gar's reputation that has spread by word of mouth. Students have been drawn by a charismatic teacher, Khenpo Jigme Phuntsok, who established Larung Gar a decade ago as mountain hermitage. Its monks and nuns from all areas of Tibet and China form a loose-knit community where students have to provide for themselves and are not under the formal control of any abbot.

The encampment numbered between 7,000–8,000 monks and nuns, of which nearly 1,000 were Chinese. The majority of the inhabitants were nuns. Often the Tibetans who came to this remote area study for a limited period of time before returning to their home monastery to teach others.

Larung Gar is a place where "the sacred landscape of Tibet was being revived," and is a "marked contrast to the alienated state in which institutionalized Buddhism finds itself in many parts of Tibet," according to Professor David Germano of the University of Virginia in the 1998 book *Buddhism in Contemporary Tibet*. Because of the unique opportunity to receive a comprehensive Buddhist education, Larung Gar was one of the few places on the Tibet Plateau that was attracting students. That is now a thing of the past. Today, Larung Gar is neither attracting students, nor training them as it once was. The official ceiling of 1,000 monks and 400 nuns is now being enforced, dealing a severe blow to one of the very few institutions in Tibet which was providing genuine and complete religious training for monks and nuns.

It is also important to note that there was no political activity at Larung Gar which authorities deemed subversive. This crackdown was entirely based on religion exceeding the narrow, strictly controlled scope that China has deemed appropriate.

CRACKDOWN AT YACHEN GAR

Just months after the demolition of thousands of homes at the Larung Gar monastic encampment in Serthar, Chinese authorities ordered the demolishing of monks and nuns living quarters at Yachen, another large monastic encampment in eastern Tibet. As of October 10, more than 800 homes had been destroyed at Yachen Gar by order of the Pelyul (*Chinese: Baiyu*) County Government officials.

According to recent interviews with four nuns who have fled Yachen Gar after their homes were destroyed, work teams of five to nine officials from Pelyul came to Yachen every other week from July to the beginning of September. The nuns said

officials were making extensive notes and maps of the monastic encampment situated in the remote grasslands of Tromthar in eastern Tibet.

During the first week of September officials arrived and painted numbers on the houses marked for destruction along with the Chinese character “chai” (meaning “demolish”). Officials told the nuns that only those monks and nuns from Pelyul County could remain at Yachen and that if their homes had been marked with the Chinese character “chai,” the monks and nuns themselves must destroy their home. If they did not destroy their homes, a work team would come and demolish the home and the monk or nun would be charged 200 Yuan (\$25), the nuns said. The official government notice said, “If these homes are not destroyed, Pelyul County People’s Government will forcefully demolish the living quarters, and in accordance with the current legal framework, legal action will be taken against those individuals who have not abided by this order.”

MONKS FLEE TO INDIA

Are Tibetans content with the carefully calculated amounts of religious freedom that China permits? Two of the very top religious leaders in Tibet, the Karmapa and Ajia Rinpoche, voted with their feet: they fled to exile, citing the impossibility of exercising their religious duties under the demands that China imposes on religious leaders.

Of the approximately 3,000 Tibetans who flee to India each year, about one third are monks and nuns. Some have been imprisoned and mistreated, others expelled from a monastery or nunnery, and others simply cite their desire to receive a religious education that they cannot obtain in Tibet.

Another factor cited by many monks is the ongoing intrusion of “work teams,” teams of officials who come to monasteries for days or weeks and conduct political reeducation classes. The teams force monks and nuns to state their loyalty to the Party, to the Party’s choice of reincarnations, such as the Panchen Lama, and to renounce the Dalai Lama. This process is also, of course, a calculated way to uncover who harbors nationalist views and who is willing to publicly verbalize them. Work teams also inspect the monastery to see if they display banned photos of the Dalai Lama.

RECOMMENDATIONS:

The International Campaign for Tibet and our colleagues in the human rights community continue to battle for serious consideration of human rights in the foreign policy debate. The Presidents’ summit in Beijing is an important focus for us and the many Americans who support our work. In the last week alone, thousands of Americans have sent messages to the White House asking President Bush to honor the commitment he gave to the Dalai Lama to urge a negotiated solution for Tibet when he meets with President Jiang.

In addition to the opportunity for a frank discussion with President Jiang on Tibet, President Bush should use the occasion of his remarks at Qinghua University to express concern for the fundamental importance of religious freedom in Tibet.

The importance of dialogue between the Chinese leadership and the Dalai Lama or his representatives cannot be underestimated for the realization of human rights and especially religious freedom in Tibet. Although the Chinese government claims to guarantee religious freedom for its citizens, that guarantee merely papers over a policy of control and repression which is causing further resentment of Chinese rule and undermining the ability of Tibetan Buddhism to transmit teachings from one generation to another.

Important religious leaders and many clergy continue to be held for their religious beliefs and we ask the President to urge for their immediate release, including the Panchen Lama and Chadrel Rinpoche, whose sentence has already expired. In addition there is a group of 14 Tibetan nuns who have suffered terrible torture and reprisals in Drapchi prison and whose sentences have been extended in connection with singing songs of freedom while in prison. Among them are Ngawang Sangdrol, who has already served nearly 10 out of 22 years in prison and Phuntsog Nyidron who has served 12 out of 17 years. Both are imprisoned for peaceful expressions of their national identity.

We also call on the Administration not to bargain away U.S. concern for human rights in Tibet at the upcoming session of the United Nations Commission on Human Rights in Geneva which starts on March 16. The U.S. should stand firm and express our desire to support and co-sponsor a resolution on China if there are not significant human rights improvements.

The International Campaign for Tibet would also ask the administration to press for an invitation for the UN Special Rapporteur on Religious Freedom to conduct

a return visit to Tibet this year to assess any progress made in implementing the recommendations resulting from his November 1994 visit. In addition the U.S. should press for an agreement to the terms of a visit by the new UN Special Rapporteur on Torture and Ill-Treatment including a visit to Tibet.

Finally, we want to reiterate how important the vigilance of the U.S. Congress has been for the people of Tibet and their struggle for human rights and religious freedom.

Ms. ROS-LEHTINEN. Thank you, Mr. Ackerly.

Now I would like to introduce for his opening statement before we get to our next witness the former Chair of the International Relations Committee and now the Chairman of the Middle East and Europe Subcommittee, Chairman Gilman, for his remarks.

Mr. GILMAN. Thank you, Madam Chairman. I just briefly want to commend our panelists for taking the time to be here today, and I want to commend our Chairlady, Ileana Ros-Lehtinen, and the Subcommittee on International Operations and Human Rights for conducting this timely hearing 2 days before our President leaves for Asia.

An article in today's *Washington Post* points out that, and I quote,

"Internal Chinese Government documents confirm the ruling Communist party's determination to expand its crackdown on the Falun Gong into a nationwide campaign against a wide range of unauthorized spiritual organizations."

Those documents further

"include efforts to crush underground Catholic churches, use of secret agents to infiltrate illegal Protestant congregations in order for forceful measures against the banned Falun Gong spiritual movement."

Madam Chairman, human rights organizations inform us that the Vietnamese Government has similarly targeted religious practitioners such as the Unified Buddhists, Hoa Hao Buddhists and Catholics and Protestants. For the past several years, we were assured by those who led the effort here in Washington to normalize trade relations with China and with Vietnam and that economic liberalization would bring about political pluralism in those two countries. Regrettably, religious persecution in China and Vietnam continues to rise despite China's accession in the WTO and our normalization of relations with Vietnam.

We are here today to learn more about these serious human rights violations. Our government has to find ways to correct our policy in order to accurately reflect the level of importance that we place on human rights and religious rights. I look forward to hearing the balance of our panelists.

Thank you, Madam Chairman.

Ms. ROS-LEHTINEN. Thank you.

Ms. Chen?

STATEMENT OF NINGFANG CHEN, FALUN GONG PRACTITIONER

Ms. CHEN. Ms. Chairwoman, distinguished Committee Members, thank you very much for holding this important hearing.

Ms. ROS-LEHTINEN. You do not need a translator. That is very good.

Ms. CHEN. My name is Ningfang Chen. I am 60 years old and a U.S. permanent resident living in New Jersey. Since my English is not good enough, I will read it in Chinese and ask my daughter to translate simultaneously.

Ms. ROS-LEHTINEN. Did you say you were 60?

Ms. CHEN. I am sorry?

Ms. ROS-LEHTINEN. How old did you say you were?

Ms. CHEN. I am 60 years old.

Ms. MCKINNEY. Sixty as in six zero?

Ms. CHEN. Yes.

Ms. MCKINNEY. Wow. You are beautiful. That is wonderful.

Ms. CHEN. Because I practice Falun Gong for 6 years.

Ms. ROS-LEHTINEN. That is it. That is the secret. Okay. Now we know. Cynthia, forget all those moisturizer creams we are spending our money on. Thank you.

Ms. CHEN. I am a flutist and my husband a cellist. We were members of the Central Philharmonic Orchestra, China's most prestigious orchestra, for 33 years. My husband was also the manager of the orchestra for 8 years. Because of our outstanding contribution to music, the Ministry of Culture in China honored both of us with the lifelong title of the country's first class artists. We enjoy the prestige and are well respected in China.

We had a good life. My son, Gang Chen, has a wonderful wife and was a manager in a foreign company in Beijing. My daughter, Ying Chen, is a manager in a major U.S. corporation. All of us practice Falun Gong. We have gained peace in our hearts, enjoy good health and were living a more fulfilling life.

However, since the persecution of Falun Gong began in China, our lives were turned upside down. On the morning of July 20, 1999, my son was suddenly taken into police custody on his way home from the park. For 10 days, he was not allowed to go home or go to work and was put into a series of re-education; that is, brainwashing classes.

We were constantly monitored. Our home in Beijing has been ransacked twice. Every possession related to Falun Gong has been confiscated. Our home is tabbed, and even friends who call us to express sympathy to us have been sent to re-education classes, even though they do not practice Falun Gong themselves. On days considered sensitive by the police, we were forced to stay in the local police station.

Since we experienced firsthand the benefits of practicing Falun Gong, we wanted to peacefully tell the government the truth about it, so in November, 1999, my son went to the Bureau of Appeals in Beijing to make peaceful appeals as an individual citizen. Just for doing that, he was detailed in the Chaoyang Detention Center for 30 days.

The same thing happened to my husband and I in February, 2000, when we visited the Bureau of Appeals. The police took us right from that building to the Chaoyang Detention Center. My husband and I were separated into female and male cells and jailed next to thieves, prostitutes, murderers and drug dealers. In my

cell, half of the people were Falun Gong practitioners who were detained without any legitimate reason.

The condition in China's detention centers is extremely awful. To give you an idea, here are some examples. About 40 people share one wooden board for sleeping, and each person had a space less than one foot wide so there was not even room for us to lie on our back. We had to lie sideways. To save room, we had to lie in such a way that the feet of the person on either side of me were next to my head. I had to sit on the hard wood board for most of the day, and we were only allowed to go out of our cells for 10 minutes on certain weekdays when the guards felt like it.

In my husband's cell, six people would share one plastic spoon when they ate. They had to go to the toilet at specific times and had to finish within a few minutes. What helped us go through this terrible treatment was our firm belief that we did not do anything wrong and reminding ourselves to practice truthfulness, compassion and forbearance even in the worst circumstances.

In the detention center, some Falun Gong practitioners went on hunger strikes to protest the violation of their most basic rights. They were put through the painful process of force feeding and were tortured. One Falun Gong practitioner in my cell had huge blisters resulting from wearing handcuffs all the times. I also saw a Falun Gong practitioner painfully walking with her hands chained to her feet. She could not stand up at all.

We were released after 30 days, but the ordeal was far from over. At 1 in the morning on June 25, 2000, about 17 or 18 people suddenly showed up in our home and dragged my son and I from our beds to the detention center of the Beijing Public Security Department's 7th Division. I relived the nightmare of detention for another 30 days. When I was released, my son was not. He was subsequently sent to the Tuanhe Labor Camp in the suburb of Beijing to serve a 1-year term.

We found out from different sources that in the labor camp my son was often not allowed to sleep. He was forced to do labor work while others were sleeping. On one occasion, he was not allowed to sleep for more than 10 consecutive days. He was also badly beaten by a group of people. They tied him up tightly with his head touching his legs before they beat him and left him under a bed for hours after the beating. He was severely injured. How can any mother bear to learn this kind of news about their child? All of this torture was to change what he believes in.

My son's monthly visitation rights were arbitrarily denied many times. Even at times when we were able to see him briefly, we could not say much because we were monitored, so I could only imagine what he was going through. It is painful for me to remember his bright smile, his strong body, his hearty laughter and his sweet expressions. He used to be so happy and healthy.

On June 25 of last year, the end of his 1 year term, someone at the 610 office phoned his wife that they had to keep him in the labor camp for another 6 months. The reason they gave was simply that he had not met their requirements. On December 25, 2001, his 6 month extension was finally up, but instead of releasing him they detained him for another 10 days before letting him go free.

All of these things have been done arbitrarily in the absence of any trial or legal procedures. He was finally allowed to go home on January 4, 2002, but he is still so closely monitored that we cannot get much detailed information about him. Not a single day goes by when we do not worry deeply about what might happen to him next in that horrific world.

We have not done anything against the government. We have simply wanted to seek a balanced life for health and spirituality by following the practice of Falun Gong, which is a part of traditional culture, and exercise our rights as guaranteed in the Chinese Constitution. Because of this, we went from prominent artists to prisoners.

My family's story is only one case out of the millions of stories like this in China. Actually, many of those stories are much worse. Countless families of Falun Gong practitioners have been destroyed with small children deprived of their parents, forced divorces, forced abortions and deaths by painful torture. These others do not have the opportunity to speak outside China and tell their stories of terror.

We particularly appreciate the generous support from the U.S. Congress, the American people and the rest of the world. By speaking out for justice and human rights, we hope to soon bring an end to this relentless persecution and save the lives of millions of Falun Gong practitioners in China.

Now the Chinese Government not only harasses Chinese Falun Gong practitioners in China, but they also harass Falun Gong practitioners in the U.S. They have on several occasions given pressure to the local U.S. Government to prevent them from supporting Falun Gong. We have a package of information that we have gathered from media news reports, and we hope to file that with our testimony.

Ms. ROS-LEHTINEN. Yes, of course.

Ms. CHEN. We appeal to President Bush that he raise the issue of stopping the persecution of Falun Gong when he visits China.

Thank you.

[The prepared statement of Ms. Chen follows:]

PREPARED STATEMENT OF NINGFANG CHEN, FALUN GONG PRACTITIONER

Mr. Chairman, distinguished Committee Members, Ladies and Gentlemen:

My name is Ningfang Chen. I'm 60 years old and a US permanent resident, living in New Jersey. I thank you for holding this important hearing as it gives millions of Chinese Falun Gong practitioners an opportunity to voice their sufferings, as the Communist regime's persecution intensifies in China.

Since I cannot read English very fast, I'll ask my daughter, Ying Chen, to read my testimony.

I am a flutist and my husband a cellist. In 1963 we joined the Central Philharmonic Orchestra—China's most prestigious orchestra—and worked there until we retired in 1996. My husband was also the manager of the Orchestra for 8 years. In our 33-year career with the Orchestra, we have made recordings of symphonies, chamber music, music for small ensembles, motion picture soundtracks, and so on. We performed for China's most distinguished guests, including many presidents and prime ministers. We have performed with Isaac Stern, Seiji Osawa, Yehudi Menuhin, and others world-known musicians. We toured with the Orchestra throughout China, in the United States, and in many other countries. Because of our outstanding contribution to music, the Central Philharmonic Society and the Ministry of Culture of China specially honored both of us with the lifelong title of "The Country's First-Class Artists." We enjoy the prestige and are well-respected in China.

We had a nice family, too. My son, Gang Chen, has a beautiful wife and had a good job—a manager in a foreign company in Beijing. He was good at his job and everyone in the company respects him. My daughter, Ying Chen, is a manager in a major US corporation. We are a close family, and all of us practice Falun Gong. Shortly after my husband and I started practicing, all of our health problems disappeared. By following Truthfulness-Compassion-Forbearance—the principles of Falun Gong—in our everyday life, we gained peace in our hearts, enjoyed good health, and were living a more fulfilling life.

However, since the persecution of Falun Gong in July, 1999, our lives were turned upside down.

On the morning of July 20, 1999, my son was taken into police custody from the park where he did the Falun Gong exercises every day. He was detained for 10 days, and put into a series of brainwashing classes. Our home in Beijing has been ransacked twice; every possession related to Falun Gong has been confiscated; our phone is tapped, and even friends who called us to express support for Falun Gong have been sent to “re-education,” that is, brainwashing, classes, even if they are not practitioners themselves. On days considered “sensitive” by the police, we were forced to stay in the local police station the entire day. In November 1999, my husband was expelled from the Communist party because he refused to renounce the practice of Falun Gong, despite the fact that he has always been widely acknowledged by his colleagues to be an honest and upright man.

Since we experienced firsthand the benefits of practicing Falun Gong, we wanted to peacefully tell the Government the truth about Falun Gong. So in November 1999, my son went to the Bureau of Appeals in Beijing to make peaceful appeals for Falun Gong as an individual citizen. But just for making the appeal—a right provided by China’s Constitution—he was detained in the Chaoyang Detention Center for 30 days without any official reason.

In February 2000, it was reported in the news that Chinese Premier Zhu Rongji visited the Bureau of Appeals and told the staff that the Bureau of Appeals should be a window and a bridge through which the Government could connect to the people. After watching this news on television, my husband and I thought that the Government might start listening to us, so we visited the Bureau of Appeals the next day. What happened to us, however, was no different from what happened to our son—the police took us to the Chaoyang Detention Center straight from the Bureau of Appeals.

We were separated into female and male cells, and jailed next to thieves, prostitutes, murderers, drug dealers, etc. In my cell, half of the people were Falun Gong practitioners who were detained without any legitimate reason. The condition in China’s detention centers is extremely terrifying. To give you an idea, here are some examples: About thirty people shared one wooden board for sleeping, and each person had a space less than one foot wide. So there wasn’t even room for us to lie on our back—we had to lie sideways! And to save room, we had to lie in such a way that the feet of the person on either side of me were next to my head! We had to sit on hard wood for most of the day, and were forced to watch propaganda each night. We were only allowed to go out of our cells for ten minutes on certain weekdays (when the guards felt like it). We could only wash ourselves from a faucet, and were given limited amount of hot water each day. In my husband’s cell, 6 people would share one plastic spoon when they ate. They had to go to the bathroom at a specified time, and had to finish within a few minutes. What helped us go through these terrible treatments was our strong belief that we did not do anything wrong, and that a person should practice Truthfulness-Compassion-Forbearance in any circumstances.

In the Detention Center, some Falun Gong practitioners went on hunger strikes to protest the violation of their most basic rights, and they were put through the painful process of force-feeding and were tortured. One Falun Gong practitioner in my cell was forced to wear handcuffs all the time, and she had big blisters because of it. I also saw a Falun Gong practitioner painfully walking with her hands chained to her feet—she couldn’t stand up at all.

We were released after 30 days in detention. Yet, the ordeal was far from over. At 1:00 a.m. on June 25, 2000, while we were sleeping, about 17 or 18 security agents suddenly showed up in our home and took my son and I to a detention center. As of today we still haven’t been given any explanation for it. At the Detention Center of the Beijing Public Security Department’s 7th Division, I relived the nightmare of detention for another 30 days. When I was released, my son was not. And about a month later we learned through the company where my son worked that he had been sent to Tuanhe Labor Camp in the suburb of Beijing to serve a one-year term. He then lost his job.

We found out from different sources that in the labor camp my son was often not allowed to sleep. He was forced to do a lot of manual labor while others were sleeping, and at least at one point he was not allowed to sleep for more than 10 consecutive days. He was also badly beaten by a group of people there. They tied him up tightly with his head touching his legs before they beat him and left him under a bed for hours after the beating. He was severely injured. How can any mother bear to learn this kind of news about her child! All of this torture was to change his mind! Although inmates at this Labor Camp are allowed to be visited by their families once a month, visitation rights for my son were arbitrarily denied many times. Even at the times when we were able to see him briefly, we couldn't say much because our conversations were always monitored. I could only imagine what he was going through.

On June 25th, 2001, the end of his one-year term, someone at the "610" Office phoned his wife that they had decided to keep him in the Labor Camp for another 6 months. The reason they gave was that he had not met their "requirements." My son is a good young man. As parents, nothing pains us more than knowing that he was undergoing all kinds of inhumane treatments.

On December 25th, 2001, his 6-month extension was up. But instead of releasing him, they detained him for another 10 days before letting him go free. All of these things have been done arbitrarily in the absence of any trial or legal procedures. He was finally allowed to go home on January 4, 2002, but he is still so closely monitored that we cannot talk over the phone or in e-mails about what he went through and what they are doing to him now. A few days ago some people told his wife that he would be arrested again soon.

Not a single day goes by when I don't think about what my son has gone through. I worry deeply about what may happen to him under that regime. It's painful for me to remember his bright smile, his strong body, his hearty laughter, and his sweet expressions. He used to be so happy and healthy.

We are musicians and have no political interests whatsoever. We have not done anything against the Government. We simply wanted to seek a balanced life for health and spirituality by following the practice of Falun Gong, a part of traditional culture, and exercised our rights as guaranteed in the Chinese Constitution. But because of this, we went from well-respected artists to prisoners!

The suppression of Falun Gong is against the will of the Chinese people. They try to deceive people using state-run media and propaganda, but most people we ran into respected us nonetheless. After getting to know the practice of Falun Gong and the practitioners, many inmates and even some guards at the Detention Centers respectfully called me "aunt Chen", "teacher Chen," etc. Some inmates said, "if I had known about the principles Falun Gong teaches, we would not have committed the crimes." Some even told us that they would learn Falun Gong after they get out of jail; some started learning it from us in the Detention Center. One policeman said to me: "I know that you're good people. But because Jiang Zemin doesn't allow you to practice, we have no choice."

Our family's experience is only one case out of the millions of the Falun Gong practitioners in China. Many of their sufferings are much, much worse, but they don't have the opportunity to tell their stories. This modern-day human atrocity has lasted too long.

My family's story is only one case out of millions of stories like this in China. Actually, many of those stories are much worse. Countless families of Falun Gong practitioners have been destroyed, with small children deprived of their parents, forced divorces, forced abortions, and deaths by painful torture. These others do not have the opportunity to speak outside China and tell their stories of terror.

We particularly appreciate the generous support from the US Congress, and the rest of the world. By speaking out for justice and human rights, we hope to soon bring an end to this relentless persecution and save the lives of millions of Falun Gong practitioners in China. Thank you.

Ms. ROS-LEHTINEN. Thank you. That is an incredible testimony. We thank you very much.

Ms. CHEN. Thank you.

Ms. ROS-LEHTINEN. Very powerful. Thank you.

Ms. Faulkner?

**STATEMENT OF PENELOPE FAULKNER, VICE-PRESIDENT,
VIETNAM COMMITTEE FOR HUMAN RIGHTS**

Ms. FAULKNER. Thank you, Madam Chairperson and distinguished Members of the Congress. I would first like to again convey Vo Van Ai's sincere apologies. I think only——

Ms. ROS-LEHTINEN. How is he doing?

Ms. FAULKNER. I do not know. He was in hospital when I left Paris, but I know it would be only something as serious as heart surgery that would prevent him being here today.

Ms. ROS-LEHTINEN. As I said, our prayers are with him.

Ms. FAULKNER. That is very kind of you. Thank you very much. I am his Deputy Director, and I have worked for 20 years with him. These problems are not new, so I do hope I will be able to actually read his testimony, but I hope I will be able to answer any questions that you may have to ask.

This is the testimony. Thank you for inviting me to testify on behalf of the Unified Buddhist Church of Vietnam, which I shall call the UBCV, at this critically important hearing. In the aftermath of September 11, this hearing underscores the crucial role of religious tolerance in building a peaceful world. It also allows us to sound the alarm on another form of terrorism that is wreaking mass destruction today—state terrorism.

In China and Vietnam, repressive regimes are waging a daily war of terror against their own people, crushing their democratic aspirations and brutally violating their fundamental freedoms and rights. The past year was a black year for religious freedom in Vietnam. It was also a year of paradox. Hanoi obtained one of its most coveted awards—the ratification of the U.S.-Vietnam Bilateral Trade Agreement—at the same time that it embarked on a frenzied repression campaign against Buddhists, ethnic Montagnard Christians, Catholics, Protestants and Hao Hoa followers all over China.

Buddhism, which is followed by three-quarters of the population, was the major target of repression. Even as this hearing takes place today, Vietnam is intensifying its campaign to suppress the outlawed UBCV. On February 6, just last week, security police began to tear down the Li Quang Buddhist Cultural Center in Hue. The authorities have confiscated this renown institution and are demolishing it to build a pleasure park for a government sponsored tourist festival to be held in Hue in the spring.

Two of the UBC's most prominent leaders and outspoken dissidents, the patriarch Thich Huyen Quang and his deputy, Thich Quang Do, are particular targets of persecution. Thich Huyen Quang, who has been under house arrest in the Province of Quang Ngai for the past 20 years, was subjected to increased controls and even death threats by the local police.

On June 1 of last year, the Ho Chi Minh city police sentenced Thich Quang Do to 2 years administrative detention, arbitrarily reactivating a sentence for which he was amnestied in 1998. Thich Quang Do is currently detained incommunicado in his monastery in Saigon. His crimes, according to Hanoi, are twofold. One was to launch an appeal for democracy in Vietnam, which I respectfully submit for entry on the record.

This appeal, which he sent to the Communist party on the eve of their Ninth Congress in Hanoi, set forward an eight point transi-

tion plan for democratic change. It was held by Vietnamese and international personalities around the world, including 36 prominent Members of Congress, many of whom are on this distinguished panel today, as a tremendous leap forward in the democracy movement because it rallied together Vietnamese from all different religious and political families. For Hanoi, the appeal was a violation of national security.

Thich Quang Do's second crime was to call on Vietnam to release the Patriarch Thich Huyen Quang and transfer him to Saigon for medical treatment. Thich Huyen Quang is now 84 years old and seriously ill as a result of his long detention.

Since the government refused, Thich Quang Do announced that he would personally lead a delegation to escort the Patriarch back to Saigon. Hanoi responded brutally. Security policy surrounded UBCV pagodas, cut off phone lines and placed hundreds of monks under house arrest to prevent them traveling with Thich Quang Do. Over 100 Buddhist monks from Hue and the central provinces were intercepted and beaten by gangs of hooligans under the very eyes of the security police. Repression reached such a pitch that Ho Tan Anh, a leader of the lay Buddhist Youth Movement, immolated himself in protest in the City of Danang.

Madam Chairperson, Buddhists are not the only victims of religious persecution in Vietnam. Throughout the year, Hanoi clamped down on all religious denominations, crushing peaceful protests and sentencing religious practitioners to exorbitant prison sentences for the peaceful expression of their beliefs. Persecution against the ethnic Christians, particularly the Montagnards in the Central Highlands, was especially harsh.

As we have heard, in February and March peaceful demonstrations of thousands of Montagnards were crushed with incredible violence. In September, 14 Montagnards were condemned from 6 to 12 years in prison, and many more were arrested and beaten for taking part in demonstrations.

On October 19, as has been frequently said also, Father Nguyen Van Ly, a Roman Catholic priest from the diocese of Hue, was sentenced to 15 years in prison and 5 years' probationary detention simply for criticizing the government's religious policies and lack of democratic freedoms.

Several members of the Hoa Hao Buddhist sect were detained. On May 11, Truong Van Duc and Ho Van Truong were sentenced respectively to 12 and 4 years in prison simply for taking part in religious celebrations.

Madam Chairperson, these are not just isolated incidents. Religious persecution is a state policy in Vietnam. Under Vietnam's legal system, which I describe in more length in my written testimony, religious freedom is conditioned on compliance with the policies of the one party Marxist-Leninist state, a state that is fundamentally hostile to all religious beliefs.

There can be no religious freedom in Vietnam until this restrictive legislation is repealed. I call on the United States to press Vietnam to do this urgently. Especially, Vietnam should abolish Article IV of its Constitution on the mastery of the Communist party so that all religious families may be free to exercise their be-

liefs and equally participate in building a stable and prosperous Vietnam.

As a matter of priority, I also call on the U.S. to press Vietnam to immediately release Patriarch Thich Huyen Quang and the Venerable Thich Quang Do and allow the Patriarch to receive medical treatment in Saigon.

In conclusion, Madam Chairperson, I believe it is vital that Vietnam be placed on the list of countries of particular concern so that under the 1998 International Religious Freedom Act the United States may take specific measures to promote religious freedom in Vietnam. This is the only way to halt state terrorism and prevent Hanoi from persecuting religious practitioners with impunity.

Thank you, Madam Chairperson.

[The prepared statement of Mr. Vo Van Ai follows:]

PREPARED STATEMENT OF VO VAN AI, FOUNDER AND PRESIDENT OF CUME, ACTION
FOR DEMOCRACY IN VIETNAM

Madam Chairwoman,
Distinguished Members of Congress,

I would like to thank you for giving me this opportunity to testify on behalf of the Unified Buddhist Church of Vietnam at this critically important Hearing in Congress today. Coming in the aftermath of the shattering events of September 11th, this Hearing underscores the crucial role of religious tolerance in combating extremism to build a peaceful world. It also allows us to sound the alarm on another form of terrorism that is wreaking destruction on a massive scale—the terrorism of States against their people. In China and Vietnam, totalitarian regimes wage a daily war of terror against their own citizens, crushing their democratic aspirations and brutally violating their fundamental freedoms and rights.

2001 was a black year for religious freedom in Vietnam. It was also a year of paradox: Hanoi obtained one of its most coveted awards—the ratification of the U.S.-Vietnam Bilateral Trade Agreement by Congress—at the same time that it embarked on a frenzied repression campaign against Buddhists, Montagnard Christians, Catholics, Protestants and Hoa Hao followers all over Vietnam.

Buddhism, Vietnam's most widely practised religion, is a major target of religious persecution because of the continuing conflict between Hanoi and Buddhists of the independent Unified Buddhist Church of Vietnam (UBCV). Since the Communist Party took power after the end of the Vietnam war, it has systematically suppressed the UBCV, seizing its property, banning its activities and placing its members in prison or under house arrest.

The reason for this fierce repression is that the UBCV has an authority independent of the ruling one-Party state. Representing a religious tradition of over 20 centuries and adhered to by over three quarters of the Vietnamese population, the UBCV represents a tradition of social activism unique in South East Asia. For UBCV Buddhists, practising Compassion does not just mean meditation and prayer, but an active engagement in the daily combat against social injustice and oppression. Buddhists are thus at the forefront of the movement for religious freedom, democracy and human rights in Vietnam, and because of this, Hanoi's leadership is intensifying efforts to suppress the independent UBCV:

- Only last month, on January 21st 2002, Venerable *Thich Duc Nhuan*, one of the UBCV's most respected leaders and prominent dissident died under house arrest in Saigon. A fierce advocate of democracy and human rights, he was placed under house arrest in June 2001 after a nation-wide clamp-down against the UBCV. He had previously spent nine years in reeducation camp for his religious beliefs. Immediately after his death, Security Police sealed off Thich Duc Nhuan's room at the Giac Minh Pagoda and seized all his personal papers. The family were ordered to cremate his body immediately instead of burying him to prevent his grave from becoming a focus point for UBCV dissent. No funeral ovation was allowed. Many UBCV monks and nuns from the central provinces and Saigon were prevented from attending the funeral, and Security Police detained Thich Khong Tanh and a number of other monks for interrogation, releasing them only after the funeral was over.

- The UBCV's Deputy leader and Nobel Peace prize nominee *Thich Quang Do* was arrested several times in 2001 and is now detained incommunicado at the Thanh Minh Zen Monastery in Saigon. He was first arrested for launching a landmark "Appeal for Democracy in Vietnam" in February, on the eve of the Vietnamese Communist Party's Ninth Congress in Hanoi. (I respectfully submit the full text of this Appeal for entry in the Hearing record). The appeal, a radical 8-point transition plan for democratic change, received overwhelming international support, with the endorsement of over a hundred international personalities and some 300,000 Vietnamese around the world. Thirty six prominent Members of Congress—many of whom are on the distinguished panel today—hailed the Appeal as a "*enormous leap forward in the democracy movement*" because it sought to rally together Vietnamese of all different religious denominations and political affiliations in a common democratic initiative. Thich Quang Do was accused of "*threatening national security*", and repeatedly interrogated by the Ho Chi Minh City Police. Controls were intensified around the Thanh Minh Zen Monastery, and Thich Quang Do's telephone was cut off on April 9th.
- UBCV Patriarch *Thich Huyen Quang* was also subjected to intensified Police controls. Police surrounded the Phuoc Quang Pagoda in Nghia Hanh district, Quang Ngai Province, where Thich Huyen Quang has been detained without trial since 1982, blocking all visits and communications. The 84-year-old Patriarch even received death threats from the local Security Police who claimed that the "CIA" was plotting to assassinate him. Patriarch *Thich Huyen Quang* and Venerable *Thich Quang Do* have both spent more than 20 years in prison for their advocacy of religious freedom and human rights.
- In *May-June*, the authorities launched a full-scale crack-down on the UBCV. This was sparked off by a letter written to the Vietnamese leadership by Thich Quang Do on March 29th, in which he called on the Vietnamese government to immediately release Patriarch Thich Huyen Quang and allow him to return to Saigon for medical care. Thich Huyen Quang, who suffers from high blood-pressure, arthritis and stomach ulcers, is gravely ill as a result of harsh detention conditions. Thich Quang Do announced that if the Patriarch was not released before June 2001, he would personally lead a delegation to Quang Ngai to escort him to Saigon.
This announcement unleashed a wave of Police repression against UBCV followers all over central and southern Vietnam. UBCV Pagodas in Saigon, Nha Trang, Phu Yen, Binh Dinh, Quang Nam, Da Nang and Hue were surrounded, and phone lines to 115 Pagodas were cut. Hundreds of UBCV monks and nuns were placed under house arrest, and subjected to quasi-daily interrogations. 108 UBCV monks who were preparing to join Thich Quang Do's delegation to Quang Ngai were harassed, beaten and forcibly obstructed by Security agents and gangs of youths acting in connivance with the local Police.
- On June 1st, 30 Security Police and local officials broke into the Thanh Minh Zen Monastery and sentenced Thich Quang Do to two years "administrative detention". Thich Quang Do is now denied all contacts with the outside and not even allowed to visit the hospital to receive treatment for his diabetes, high blood pressure and stomach disorders. A jamming device has been set up outside the Pagoda to block telephone communications, and the local Post Offices and fax kiosks have received strict instructions not to accept any letters or faxes sent by Thich Quang Do. A Member of the European Parliament, Olivier Dupuis, attempted to visit him on June 6th, and staged a peaceful protest outside the Monastery calling for the monks' release. Mr Dupuis was arrested and immediately deported by the Ho Chi Minh City Police.
The Vietnamese Government has announced that Thich Quang Do's two year sentence is a "reactivation" of a 5-year probationary detention sentence for which he was amnestied in 1998. This is a gross violation of international law. The "reactivation" of an amnestied sentence is tantamount to a second punishment, and therefore gravely violates Article 14 (7) of the UN International Covenant on Civil and Political Rights (ICCPR) to which Vietnam acceded in 1982, which stipulates that: "*no one shall be liable to be tried or punished again for an offence for which he has already been finally convicted and acquitted*".
- On 2nd September, Vietnam's National Day, a 61-year-old farmer and leader of the Quang Nam Province Buddhist Youth Movement (*Gia dinh Phat tu*) *Ho Tan Anh* immolated himself in the central city of Danang to protest persecution against the UBCV. In letters addressed to President George Bush, the

UN Secretary General and other world leaders, which he sent through my Committee in Paris, Ho Tan Anh said he had set fire to his body to alert international opinion to persecution against all religious denominations in Vietnam. Police tried to cover up the incident, but his family found his body after hearing the report by my Committee broadcast over Radio Free Asia. In the aftermath, Police arrested Buddhist Youth leaders *Vo Tan Sau, Dinh Ngoc Thu, Huynh Chung, Nguyen Quang Ca, Le Tan Hung, Nguyen Cam* and subjected them to intensive interrogations. Their wives and children were also harassed and terrorised by the local Police.

- On 11th November, 64-year-old Venerable *Thich Nhat Ban* was beaten unconscious and gravely wounded in the head by unidentified assailant acting in connivance with Security Police. The man, armed with a knife and a wooden club, told the monk to cease his support for the UBCV. Thich Nhat Ban had photographs taken of his wounds so he could lay a complaint, but the photos were confiscated by the local Police.
- Buddhists are not the only victims of religious persecution. Throughout the year, religious followers from all denominations were brutally repressed for the peaceful expression of their beliefs.
 - In February-March the authorities deployed tanks, military troops and riot police to crush peaceful demonstrations of thousands of ethnic *Christian Montagnards* in the Central Highlands with incredible violence. The Montagnards were protesting official confiscation of land and the government's classification of Protestantism as an "*illegal religion*". Martial law has since been installed in the Central Highlands and a media black-out has been imposed. Hundreds of Montagnards have fled to Cambodia to seek political asylum, and many have been forcibly repatriated. At a closed trial on September 26, 2001, fourteen Montagnards were condemned to sentences of 6–12 years in prison for taking part in demonstrations in the provinces of Dak Lak and Gia Lai. Many were arrested and beaten in December 2001 as they gathered peacefully to celebrate Christmas;
 - On October 19th 2001, 55-year-old *Father Nguyen Van Ly*, a *Roman Catholic* priest from the diocese of Hue in Central Vietnam was sentenced to 15 years in prison and 5 years probationary detention at a one-day, closed trial in Hue on charges of "*undermining national solidarity*". He had been arrested on May 17 and detained incommunicado for 5 months on charges of "*blackening socialist Vietnam and distorting the party and state policies*" because he had urged the U.S. Congress in a written testimony to postpone approval of the US-Vietnam Bilateral Trade Agreement. Father Ly had previously spent 10 years in prison for his religious beliefs;
 - Several members of the *Hoa Hao* Buddhist sect were arrested and detained in 2001 for taking part in celebrations of their founder, the prophet Huynh Phu So: *Truong Van Duc* and *Ho Van Truong* were sentenced respectively to 12 and 4 years in prison by a court in An Giang Province on May 11th 2001.

The above cases are not isolated incidents, nor are they due to excesses committed by overzealous Security Police or local officials. The fact is that religious persecution is a State Policy in Vietnam today, orchestrated at the highest echelons of the Communist Party and the government. It is this policy, which imposes the monopoly of Marxist-Leninism as a State religion, which is the real impediment to religious freedom in Vietnam.

A glimpse at Vietnam's legislation illustrates how deeply the seeds of religious persecution are implanted in domestic law. The 1992 Constitution guarantees religious freedom but states that "*no-one can . . . misuse belief and religion to contravene the law and State policies*" (Article 71). Religious Decree 26, adopted in 1999, guarantees the same freedom but warns that "*all activities using religious belief in order to oppose the State of the Socialist Republic of Vietnam . . . will be punished in conformity with the law*" (Article 5). The exercise of religious freedom is further restricted by a whole range of legislation under the catch-all notion of "*endangering national security*". The 1986 Vietnamese Criminal Code provides prison sentences of up to fifteen years for vaguely-defined offences such as "*sowing division between religious believers and non-believers*" . . . "*undermining national solidarity*" (Article 87) "*abusing democratic rights to encroach upon the interests of the State*" (Article 258a). Under Decree 31/CP on "Administrative Detention" (adopted on

14.4.1997), local Police have extrajudicial powers to arrest and detain anyone suspected of “*threatening national security*” for up to two years without a Court order.

Religious freedom in Vietnam is thus conditioned to compliance with the policies of the one-Party, Marxist-Leninist State—a State that is fundamentally hostile to all religious beliefs. Such legislation enables Vietnam’s leaders to jail prisoners of conscience as simple common criminals, and to cynically claim in international forums that “*there are no religious or political prisoners in Vietnam*”.

There can be no true religious freedom until such laws have been amended or repealed, and this fact must be publicly denounced. Vietnam is aware that it must move towards the rule of law in order to attract economic investment and aid. But it is seeking to do this by developing an increasingly sophisticated machinery of repression to give the regime a mantle of impunity, enabling it to persecute religious communities at home whilst reaping the benefits of economic and diplomatic relationships abroad.

I believe it is therefore vital that Vietnam be placed on the State Department’s list of “countries of particular concern” so that, under the 1998 International Religious Freedom Act, the United States may adopt specific policies to promote religious freedom in Vietnam. The recent massive violations against all the religious communities more than justify such a step.

In respect to the Buddhists in particular, I urge the United States to press Vietnam to:

- a) reestablish the legitimate status of the Unified Buddhist Church of Vietnam, and guarantee it full freedom of religious activity;
- b) immediately release the Patriarch Thich Huyen Quang and ensure that he may return to Saigon to receive urgent medical treatment;
- c) lift the arbitrary “administrative detention” sentence on Nobel Peace Prize nominee Venerable Thich Quang Do, and restore his full religious and citizenship rights;
- d) repeal or amend all legislation which restricts religious freedom and bring religious legislation into line with the provisions of the UN International Covenant on Civil and Political Rights to which Vietnam is a State party. In particular, Article 4 of the Constitution on the mastery of the Communist Party should be abolished so that all religious and political families may equally participate in reconstructing a democratic and prosperous Vietnam.

During a Congressional Hearing in May 2001 following the publication of the US Commission on International Religious Freedom’s Annual Report, Congressman Henry Hyde warned that if the United States did not stress the critical importance of religious freedom as part of the “normalization” process, it “*risk[ed] sending a message to Hanoi that it doesn’t matter how brutally they treat their people; they will get what they want from the United States no matter what*”. By pressing Vietnam to respect its binding international commitments and implement the above points, the United States will effectively combat State terrorism in Vietnam, and protect the victims of religious persecution.

Ms. ROS-LEHTINEN. Thank you very much.

Dan, we are very happy to have you with us. It is good to see—no offense—a good looking, young person active in the community and really advocating the issues which you so proudly hold and trying to enthuse more young people into the cause.

We hear so much about what is wrong with young people. We do not get to hear often about what is good. It is so wonderful to see a fresh face on our panel talking about the issues and the principles that you so proudly hold.

Welcome to our Subcommittee.

All of you are looking really young. No offense.

**STATEMENT OF DAN DUY-TU HOANG, VICE-PRESIDENT OF
PUBLIC RELATIONS, VIETNAMESE-AMERICAN PUBLIC AFFAIRS COMMITTEE**

Mr. HOANG. Thank you very much, Madam Chairperson. Madam Chairperson, Congressman McKinney, distinguished Members of

the Committee, it is a privilege for me to testify today on behalf of the Vietnamese-American Public Affairs Committee.

Our organization is deeply concerned by the Socialist Republic of Vietnam's persecution of religion and its monopoly on all forms of religious worship. My testimony today will focus on two areas. First, I will summarize briefly the situation of religious freedom now through the example of a number of religious leaders, and the second, more importantly, is to focus on a few concrete suggestions for Members of Congress.

Madam Chairperson, at this moment the Venerable Thich Huyen Quang, the 84-year-old patriarch of the Unified Buddhist Church of Vietnam or UBCV, is confined to a pagoda in a remote area of central Vietnam where he has been kept under house arrest for the last 20 years. His sole crime is to be the leader of a religious organization not sanctioned by the government.

Just like there are newspapers in Vietnam, but no freedom of the press, there are religious organizations, but no freedom of religion. This is because the government monopolizes all religious activity in organizations under its firm control.

In Saigon, the deputy leader of the UBCV, Venerable Thich Quang Do, has been under house arrest since June, 2001, with no prospect of a trial in sight. Under Hanoi's administrative detainment policy issued in 1997, security forces can detain individuals for up to 2 years without trial. These are renewable 2 year terms. Venerable Thich Quang Do's apparent offense was to publicly announce that he would bring the UBCV's ailing patriarch, Venerable Thich Huyen Quang, back to Saigon for urgent medical care.

Finally, in a remote prison camp in northern Vietnam Catholic priest Nguyen Van Ly is serving a 15 year jail sentence for "undermining the national unity." What he had actually done was publicly call for religious freedom, including in written testimony, as we have heard, from a hearing last year by the U.S. Commission on International Religious Freedom, in which Father Ly had urged the Congress to delay ratifying the bilateral trade agreement until Hanoi eases restrictions on religion.

Vietnamese authorities waited exactly 2 days after President Bush signed the BTA into law when they convicted Father Nguyen Van Ly in a 2-hour trial without a defense lawyer on October 19, 2001.

I believe that these three cases epitomize the Socialist Republic of Vietnam's repressive policy on religion. The 20 year house arrest of Buddhist patriarch Thich Huyen Quang symbolizes the intolerance for independent religious organizations and, thus, true religious freedom. The confinement of the Venerable Thich Quang Do highlights the use of arbitrary arrest and detention to silence peaceful dissent. The heavy prison sentence of Father Nguyen Van Ly shows that economic engagement alone will not magically turn Vietnam into a freer society.

These are just a few examples. Vietnamese of other faiths like the Hoa Hao, Cao Dai and Protestants continue to be persecuted also. Now, clearly human rights, including freedom of worship, are not just an American concept or something that Americans invent for others. Rather, they are basic rights which the Vietnamese

themselves desire and which many are risking their lives to achieve.

The U.S. Congress can and must play an active role in supporting aspirations for freedom. We in the human rights community were very heartened when earlier this year 48 Members of Congress, including the distinguished Chairperson of this Committee and also Representative Chris Smith and Representative Adam Schiff, nominated two Vietnamese religious leaders, Buddhist monk Thich Quang Do and Catholic priest Nguyen Van Ly, for the Nobel Peace Prize in recognition of their courage and sacrifices for freedom. We strongly appreciate such public expressions of support.

Now let me please conclude by offering three further suggestions to address religious persecution in Vietnam. The first is organizing a congressional delegation to Vietnam. This is the most direct way to gain insights on the religious situation and communicate concerns to the government.

While meetings arranged by Vietnamese authorities may yield some value, I would think that Members should also take the opportunity to visit with the full spectrum of Vietnamese society, including monks belonging to the non-sanctioned UBCV, Christian house churches in the Central Highlands and also imprisoned religious leaders, such as Father Nguyen Van Ly.

The second suggestion is insisting on reciprocity in the bilateral relationship. Vietnamese nationals and government officials in the U.S. can go anywhere in this country, meet with any person and attend any place of worship, but it is an outrage that Americans in Vietnam, from our embassy officials to NGOs, face restrictions on where they can go and who they may face.

The third suggestion is enacting mechanisms to promote human rights. Last fall, the House, under the leadership of the Committee and also this Subcommittee, passed by a vote of 410–1 the Vietnam Human Rights Act, H.R. 2833. This legislation conditions non-humanitarian assistance to Vietnam on verifiable human rights improvements and provides for key democracy promotion programs. Equally important, it sends a message to the Vietnamese government that trade with America cannot be construed as tacit approval for ongoing human rights abuses.

We would welcome your help in urging Senate colleagues to support this much needed legislation. Furthermore, we believe a U.S. human rights commission on Vietnam similar to the one created for China to monitor human rights abuses is also necessary.

Finally, I think that it is in the interest of the United States to encourage Vietnam's progression into the community of nations. Such a progression, however, cannot be achieved in a climate of religious persecution.

Thank you again for the opportunity to testify today.

[The prepared statement of Mr. Hoang follows:]

PREPARED STATEMENT OF DAN DUY-TU HOANG, VICE-PRESIDENT OF PUBLIC RELATIONS, VIETNAMESE-AMERICAN PUBLIC AFFAIRS COMMITTEE

Dear Madame Chairman and Members of the Committee,
It is a privilege to testify before you today on behalf of the Vietnamese-American Public Affairs Committee (VPAC), a national grassroots organization of Vietnamese

American voters. VPAC is deeply concerned by the Socialist Republic of Vietnam's monopoly on religious worship and persecution of religious leaders.

My testimony will summarize these abuses through the example of several religious leaders and offer suggestions on what Congress could do to promote greater openness and religious liberty in Vietnam.

REPRESSION OF RELIGION IN COMMUNIST VIETNAM

At this moment, the Venerable Thich Huyen Quang, the 84-year old patriarch of the Unified Buddhist Church of Vietnam (UBCV) is confined to a pagoda in a remote area of central Vietnam, where he has been kept under house arrest for the last 20 years. His sole crime is to be the leader of a religious organization not sanctioned by the government. Just like there are newspapers in Vietnam but no freedom of the press, there are also religious organizations but no freedom of religion. This is because the government monopolizes all religious activity in organizations under its control.

In Saigon, the deputy leader of the UBCV, Venerable Thich Quang Do, has been under house arrest since June 2001 with no prospect of a trial in sight. Under Hanoi's administrative detention policy issued in 1997, security forces can detain individuals for up to two years without charges (for what are *renewable* two year terms). Venerable Thich Quang Do's apparent offense was to publicize his intent to bring the UBCV's ailing patriarch, Venerable Thich Huyen Quang, back to Saigon for urgent medical care.

In a remote prison camp in northern Vietnam, Catholic priest Nguyen Van Ly is serving a 15-year jail sentence for "undermining the national unity." What he had actually done was publicly call for religious freedom—including in written testimony for a hearing last year by the US Commission on International Religious Freedom in which Father Nguyen Van Ly urged the Congress to delay ratifying the Bilateral Trade Agreement until Hanoi eases restrictions on religion. Vietnamese authorities waited exactly two days after President Bush signed the BTA, when it convicted Father Nguyen Van Ly in a two-hour trial, without a defense lawyer, on October 19, 2001.

The three aforementioned cases epitomize the Socialist Republic of Vietnam's repressive policy on religion:

- The 20-year house arrest of Buddhist patriarch Thich Huyen Quang symbolizes the intolerance for independent religious organizations and, thus, true religious freedom.
- The confinement of Venerable Thich Quang Do highlights the use of arbitrary arrest and detention to silence peaceful dissent.
- The heavy prison sentence of Father Nguyen Van Ly shows that economic engagement alone won't magically turn Vietnam into a freer society.

And these are just a few examples. Vietnamese of other faiths like the Hoa Hao, Cao Dai, and Protestants continue to be persecuted also.

SUGGESTIONS FOR CONGRESS

Clearly, human rights—including freedom of worship—are not an American concept or something that Americans invent for others. Rather, they are basic rights which Vietnamese themselves desire and of which many are risking their lives to achieve.

The US Congress can and must play an active role in supporting aspirations for freedom. We in the human rights community were very heartened when earlier this year 48 Members of Congress—including the distinguished Chairwoman of this subcommittee, Rep. Chris Smith, and Rep. Adam Schiff—nominated two Vietnamese religious leaders, Buddhist monk Thich Quang Do and Catholic priest Nguyen Van Ly, for the Nobel Peace Prize in recognition of their courage and sacrifices for freedom. We strongly appreciate such public expressions of support.

Let me conclude this testimony by offering three additional suggestions to address religious persecution in Vietnam:

- *Organizing a congressional delegation to Vietnam.* This is the most direct way to gain insights on the religious situation and communicate concerns to the government. And while meetings arranged by Vietnamese authorities may yield some value, Members should take the opportunity to visit with the full spectrum of Vietnamese society: Monks belonging to the non-sanctioned UBCV, Christian 'house churches' in the central highlands, and imprisoned religious leaders such as Father Nguyen Van Ly.

- *Insisting on reciprocity in the bi-lateral relationship.* Vietnamese nationals and government officials in the US can go anywhere in this country, meet with any person, and attend any place of worship. It is an outrage that Americans in Vietnam, from embassy officials to NGOs, face restrictions on where they may go and who they may see.
- *Enacting mechanisms to promote human rights.* Last fall, the House passed by a vote of 410–1 the Vietnam Human Rights Act (H.R. 2833). This legislation conditions non-humanitarian assistance to Vietnam on verifiable human rights improvements and provides for key democracy promotion programs. Equally importantly, it sends a message to the Vietnamese government that trade with American cannot be construed as tacit approval for on-going human rights abuses. I would respectfully ask you to urge Senate colleagues to support this much needed legislation.

It is in the interest of the United States to encourage Vietnam's progression into the community of nations. Such a progression, however, cannot be achieved in a climate of religious repression.

Thank you again for the opportunity to testify today.

Ms. ROS-LEHTINEN. Thank you so much.

Because Chairman Gilman has to go to another hearing that he is Chairing, we are going to recognize him to begin the round of questioning. Chairman Gilman?

Mr. GILMAN. Thank you, Madam Chairman. I want to thank our panelists for taking the time to be here with all of their pertinent testimony.

Mr. Ackerly, according to statute, the State Department annual report on human rights is supposed to address the human rights problems in Tibet under its own section in alphabetical order, but the State Department has ignored this for a number of years.

Have you asked the special coordinator for Tibet, Paula Dobrianski, why this is so?

Mr. ACKERLY. We have, Mr. Congressman. I know my colleague, Mary Beth, here has also been working on that. I am not sure. It is not clear to me that it is going to change this year, although there is some language in there that will change, but it still will not be a full separate section.

Mr. GILMAN. The next time you talk to Paula Dobrianski, tell her we are very much concerned about that, if you would. We will also tell her that.

To all of our panelists, how best and most efficiently can this panel or Congress and the Administration address these human rights violations that you have all recited? What do you think is the most effective thing we can and should be doing?

Mr. HOANG. You pick a good time. Its important to the regions of the world to show your interest in those areas has made a profound impact on public opinion and also the behavior of governments in those areas.

Again, I think if the Committee or specifically the International Operations and Human Rights Subcommittee would consider leading a delegation to Vietnam to show directly to the Vietnamese Government these concerns and also to request to meet with Vietnamese religious leaders, that would be very helpful because the interesting thing is a lot of these religious leaders have never been charged with any crime. However, they are being basically punished extrajudicially.

I think Members of Congress who visit them would send a very strong signal to these very brave leaders and also to the Viet-

namese people in general that their struggles for religious freedom, they are not alone, and the outside world is very interested.

Ms. FAULKNER. Could I just add to that?

Mr. GILMAN. Thank you. Yes, please.

Ms. FAULKNER. In Vietnam, I would say I think that is very important, the fact of visiting, members of the embassy visiting religious leaders.

Thich Huyen Quang was visited in 1999 by an official from the American Embassy. It was the first westerner he had seen in 17 years in detention, and it really gave him the morale to keep going. Also, we found that it concretely improved at least his detention position, so certainly visits are helpful.

Also, I would just like to add that I think public statements are very important because we also find as human rights activists that governments, and it is understandable, say that the dialogue with their partners and government is important. Therefore, it is not productive to make public statements too often, but sometimes it does help. It helps people inside Vietnam because these statements are relayed over Radio Free Asia and over the radio inside Vietnam. It encourages the activists on the spot.

Also, Hanoi is very aware of its international image. Therefore, although it does not immediately change things, the fact that it is publicly criticized especially by the United States, that is very helpful, and it does make real change in their policies.

Mr. GILMAN. Thank you very much. Any other panelists want to comment on that?

Yes, Mr. Marshall?

Mr. MARSHALL. Yes. I would just like to add that, you know, one of the human rights levers is shame or embarrassment. In a world of armies that sometimes seems so very weak, but it does have its effect firstly on an audience other than the government. Many people in the country hear and they rejoice when these things are said.

Also, with governments such as China and Vietnam when there is a possibility of embarrassment with a resolution at the United Nations Human Rights Commission or other settings, they mobilize very great resources to fight it. At one level they say it does not mean much. At the other level, they fight very hard not to have these things said.

I think they should be raised. They should be continually raised, and they should be an irritant in our relationship.

Mr. GILMAN. Thank you very much.

Any other panelists want to comment?

Ms. CHEN. I think in China under the totalitarian regime it is usually very easy to suppress a voice in China. In the 50 years of the Communist history, it has always been very easy to suppress the smaller groups.

This time, when they wanted to suppress Falun Gong, Jiang Zemin initially said that it would only take 3 months. Now it has been more than 2½ years. One aspect of that is because in Falun Gong we practice compassion, and the power of compassion is many parts in their actions, so the people in China could all see that.

It is also very important. It has to do with the support from the international community, including the U.S. Government, the

American people, all the proclamations that have been issued for Falun Gong and the resolutions that this Committee has initiated and passed last year.

We think that has really made a tremendous impact in China because, like some of the other people mentioned, the Chinese Government has to come up with ways to justify what they have done, and it only makes them look sillier.

Mr. GILMAN. Thank you very much, and thank you, Madam Chairman, for allowing me to—

Ms. ROS-LEHTINEN. Thank you so much.

Ms. McKinney?

Ms. MCKINNEY. Thank you, Madam Chair. I really do not have any questions of our witnesses, but I would like to thank them for coming. I would like to thank them for their testimony. I think you have made it very clear that visits to the area do not hurt. They help.

I would just like to recommend that our Chairwoman consider leading a delegation to the area so that we could discuss these issues. Very good. Thank you all.

Mr. PITTS. Thank you, Ms. Chairman.

Dr. Marshall, in light of the upcoming visit by President Bush to China, what would you advise the President to raise with the Chinese officials as far as human rights are concerned? Would you suggest he give them specific prisoner lists? What can he do to help?

Mr. MARSHALL. He should give specific prisoner lists, but he should not stay with that because what happens with China is it is so much like throwing a bone. I mean, it is very important for the people concerned, but you release one or two people from prison around the visit so it looks better, and then you go back to normal.

I think the specific policies need to be addressed, the questions raised in these documents that peaceful religious activity is criminalized. These matters should be raised. There are indications the President will give a public address. I think he should use that, as Ronald Reagan did at Moscow State University in 1988, to make a positive affirmation of why these issues are important to Americans. This is not simply U.S. Government policy. This is what the American people believe.

We can never be at ease with countries that repress their own citizens for what they do peacefully. I think that type of affirmation made publicly in order to make the Chinese Government aware that this is an issue for America which will not go away. It is a continuing problem, and in that way it puts an additional pressure on the Chinese Government not to continue this repression because I think it hurts themselves. They are arresting thousands of peaceful people. The government has better things to do with its time.

Mr. PITTS. Have you communicated that to the White House, or will you do that?

Mr. MARSHALL. Yes, we have, and we are continuing to do that.

Mr. PITTS. Are there any other ideas any of you have that the President should raise on his visit to Asia?

[No response.]

Mr. PITTS. Let me then go to the tools that he has. As you know, in view of the U.S. Commission on International Religious Free-

dom's listing of China as a country of particular concern, there are a whole list of options, of actions, the President could take.

What actions would you recommend that President Bush take in regard to China? Just to refresh your memory, they include private demarche, public demarche, public condemnation, delay or cancellation of exchanges, withdrawal limitations, suspension of development assistance, all types. There is a whole range.

Do you have any recommendations as to what the President should do, any of you?

Mr. ACKERLY. One thing is I just want to reiterate that I did mention in my testimony is that with the U.N. Commission on Human Rights coming up I think it is important that the President not give up on that forum, even though we do not have a seat this year.

Also, not to rely overly on the dialogue, the U.S. dialogue for human rights. We feel that that dialogue has not really produced tangible results and should not be given much credence by the President.

Mr. PITTS. We have received several good suggestions—an official codal urging MC visits in prison, public statements, resolutions in international bodies.

Could you deal briefly with what needs to be done multilaterally in working with other countries and other organizations, international organizations, to foster human rights improvements in China and Vietnam? Do you have any specific recommendations in securing assistance from other countries?

Mr. HOANG. I think in terms of multilateral efforts, recently within the last several years the United Nations' special reporter on religious freedom attempted to go to Vietnam. Unfortunately, he was denied the ability to visit with most of the key religious leaders, and he was only able to go to where, you know, his government chaperon took him to.

I think, you know, if we can help international bodies such as the U.N. have access to meeting with religious leaders in Vietnam and emphasize the importance of that, then I think it can be very helpful.

I think that this is a cause obviously that is not just near and dear to this Congress, but has been expressed by other members of Parliament, including Lars Reese of the Norwegian Parliament and Albert Dupree of the European Parliament. Both have gone to Vietnam in the last year to meet with religious leaders, so I think if we want to take a more international focus then we can perhaps find ways to coordinate with these leaders to shine light on the religious problem in Vietnam.

Ms. FAULKNER. Could I also—

Mr. PITTS. Yes.

Ms. FAULKNER [continuing]. Just suggest also that the United Nations is a very useful forum. It is regrettable and it is in fact scandalous that the United States is not a member of the United States Human Rights Commission at the moment, but certainly if it is possible to work within the United Nations co-sponsoring resolutions or working in any way through the U.N. to forward the religious freedom issue because certainly the United Nations was at the forefront of that movement.

Without the United States' voice in the U.N., as somebody living in Europe I am very worried that there are not going to be countries who are going to support this.

Speaking of Europe, I think it is working most drastically. The European Union in July passed a resolution on religious freedom in Vietnam, and they also suggested that a European Parliamentary delegation should go there, so I think the idea of working together with the parliaments of the world to have visits to Vietnam is very important.

Mr. PITTS. Thank you.

Dr. Marshall?

Mr. MARSHALL. There is also an initiative in which Freedom House is involved called the Community of Democracies. This is related to the fact that, for example, the United States is not on the U.N. Human Rights Commission.

You know, that Commission has an awful lot of the world's worst human rights violators on it because they very much want to be on there to shut up any comment, so that a universal commission, an avenue for multilateral action includes the worst violators. The idea we have is can we focus along with those countries that are committed to freedom of democracy, religious freedom and work together with them?

In systematically looking for countries, some of our strongest allies on this score are in eastern Europe because they have learned about these issues firsthand. With like minded democratic governments, we should seek common statements and approaches, which would include visits.

Also, business codes of ethics would be useful with how we deal particularly when there is continuing slave labor in China. I think common policies can be worked out amongst coalitions as distinct from either unilateral action or attempting a universal umbrella under the United Nations.

Mr. PITTS. Thank you very much. Excellent testimony.

Mr. TANCREDO [presiding]. Thank you, Mr. Pitts.

Before we conclude this, however, I would like to express the Committee's concern. Ms. Ningfang, we know that your testimony here today does not come without the possibility of peril to yourself perhaps and even certainly to your son. We recognize that.

We want to, therefore, extend you our heartfelt appreciation for the courage that you have shown in being here, number one, and, number two, to encourage you to make us aware immediately if there is in fact any recriminations that accrue as a result of your testimony here. We would take whatever action we could.

Ms. CHEN. Thank you. We will.

Mr. TANCREDO. All right. With that, we are adjourned.

[Whereupon, at 3:52 p.m. the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

APPEAL FOR DEMOCRACY IN VIETNAM

BY THE VERY VENERABLE THICH QUANG DO
UNIFIED BUDDHIST CHURCH OF VIETNAM
THANH MINH ZEN MONASTERY, SAIGON
21 FEBRUARY 2001

As the Vietnamese Communist Party launched consultations on the political platform of its Ninth Party Congress, Venerable Thich Quang Do addressed an "Appeal for democracy in Vietnam" to VCP Secretary-general Le Kha Phieu, President Tran Duc Luong, Prime Minister Phan Van Khai and National Assembly President Nong Duc Manh. The Appeal was also circulated clandestinely inside Vietnam, and to the Vietnamese community abroad.

Written on behalf of the Unified Buddhist Church of Vietnam (UBCV), Thich Quang Do's Appeal begins by recalling the spirit of freedom and social justice inherent in Vietnamese Buddhism and the active participation of Buddhists in the nation's social and political life over the past 2,000 years. Inspired by this strong commitment to social justice, "the UBCV cannot stand idle as our country plunges into a profound crisis and our people sink into poverty, deprived of their fundamental freedoms and human rights".

Thich Quang Do calls on Vietnamese people from all different religious and political currents to "rally together in a common movement to seek radical solutions to the grave problems threatening our country today". He launches a worldwide appeal to all concerned peoples, governments, international institutions, human rights organizations, democracy and labour movements to support this 8-point proposal for a peaceful transition towards democracy in Vietnam. Below are extracts from the Appeal.

. . . "Today, as countries all over the world are racing to develop increasingly prosperous, free and democratic societies, our country remains paralyzed and poor, our people stifled and oppressed. In his Message for the Lunar New Year in 2001, the Most Venerable Thich Huyen Quang (. . .) resumed this in one sentence: "We have endured 35 years of war followed by 25 years [under the present regime], deprived of human rights or religious freedom!" A total of sixty miserable, dark years that have led us to this impasse with no possible means of escape.

This tragic situation persists because it is supported by three factors:

1. A pretentious, self-absorbed government that rejects all alternative opinion, resulting in a one-Party, authoritarian regime;
2. A government that excludes the people and rejects their legitimate demands for human rights and civil liberties, resulting in a ruthless, repressive dictatorship;
3. A government that imports everything from abroad, from its ideology to the organizational structures of the State apparatus, and imposes it unilaterally, resulting in the total disruption of Vietnamese society and civilization. This has reduced our people to cultural alienation and slavery, provoking the decay of moral values and the nation's decline.

The Unified Buddhist Church of Vietnam (. . .) cannot stand idle and watch with indifference as our country plunges into a profound crisis and our people sink into poverty, deprived of their fundamental freedoms and human rights. We therefore solemnly call upon Vietnamese from all walks of life, regardless of their political opinions or religious beliefs, as well as UBCV monks, nuns and lay-followers to mo-

bilize their energies and rally together in a common movement to seek radical solutions to the grave problems threatening our country today.

The *Unified Buddhist Church of Vietnam* considers that:

- To counter the current trend of one-Party dictatorship, *a popular alliance composed of different religious and political tendencies should be formed to lay the foundations of a democratic and pluralist government*. Specifically, *Article 4 of the Constitution* [on the supremacy of the Communist Party and Marxist-Leninist doctrine] *should be abolished* (. . .);
- To counter the entrenched control of the totalitarian regime, all UN human rights instruments and international covenants on political and civil rights to which Vietnam is state party must be fully implemented. Concretely, *freedom to form associations should not be subjected to approval by the Fatherland Front*, which is a political tool of the Vietnamese Communist Party (VCP); *freedom of expression should not be subordinated to Marxist-Leninist doctrines and thinking; freedom of the press should include the right to publish privately-owned newspapers independent of VCP control; freedom to form free trade unions outside VCP structures to protect worker rights should be fully guaranteed*. The respect of these fundamental freedoms will safeguard the free expression of the people's democratic aspirations and the exercise of their right to life;
- To counter the blind imposition of an alien, imported ideology upon all aspects of the society and state, the renaissance of a tradition-based Vietnamese civilization should be encouraged. *This civilization should uphold the national cultural heritage whilst remaining open to modern cross-cultural communication, with the capacity to absorb the quintessence of cultural currents from all over the world to enrich its own culture*.

The *Unified Buddhist Church of Vietnam* (UBCV) calls upon, and pledges its full support to, all individuals or organizations that seek to realize the eight-point political programme for national salvation underlined below:

1. To build a tolerant, peaceful, pluralist and egalitarian society, one that refrains from internal and external warfare, governed by democratic institutions within a multiparty system;
2. Dismantle all discriminatory, antidemocratic mechanisms of control, notably the threefold mechanism of the *ly lich* (curriculum vitae), *ho khau* (compulsory residence permit) and the network of *cong an khu vuc* (local security police). Organize free and fair general elections under United Nations' supervision to elect a National Assembly truly representative of the people; guarantee universal suffrage and the right to run for office of all independent candidates and political formations outside the VPC. Separate the powers of the executive, legislative and judiciary organs and build a society grounded on the rule of law, based on the principles enshrined in the UN Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights;
3. Definitively close down all Reeducation Camps. Release all political prisoners and prisoners of conscience detained in northern Vietnam after the 1954 Geneva Agreement and in southern Vietnam since 1975, and encourage all former prisoners with specialist skills and knowledge to participate in the process of national reconstruction. At the same time, encourage all professionals, intellectuals, scholars, business leaders, individuals and organizations within the Vietnamese exile community who left Vietnam as "boat people" after 1975 to return home and contribute the techniques and experiences learned in advanced countries to rebuilding their homeland. Repeal all arbitrary legislation and restrictions on religious freedom, and prohibit the practice of "administrative detention";
4. Guarantee the right to private property, free enterprise, and the right to establish free trade unions. Accelerate policies to industrialize agriculture and modernize the rural economy, and improve the living standards of the peasants and farmers, who form the potential of our nation. Abandon the "market-based but socialist-orientated economy"—the manifest failure of the outdated socialist economic model to generate prosperity and growth after a 74-year experiment in the Soviet Union provoked the enmity of its people and led ultimately to its demise in the early 1990s. Develop the free market sector in accordance with Vietnamese societal norms, stimulate the development of a knowledge-led economy and protection of the environment. Embrace the trend towards globalization as a means of enhancing sustainable develop-

ment and promoting global peace and security, but combat the serious dangers posed by the current economic globalization process, which promotes free trade without due respect of human and worker rights. Concentrate all efforts on reducing the widening gulf between the rich and poor, which is alienating our people and splitting Vietnamese society apart;

5. Protect our territorial sovereignty. Make a clear separation between politics and the military; the army, security and secret services should not be used as instruments of any one political party. Reduce the manpower of the armed forces to that of normal peacetime strength. Reduce the military budget and transfer excess spending to education and health. In the field of education, urgently train people of talent and specialists capable of restoring the nation's prosperity; encourage the emergence of a *young transitional generation*—young people who can forge a transitional path [towards democracy] between the aspirations of the old, revolutionary generation, partisans of war and anachronistic class-struggle (. . .) and the modern preoccupation with consumerism, money-worship and the daily pressures of making ends meet. Health access must be improved. Priority should be given to solving the grave problem of child malnutrition and improving health infrastructures in rural areas;
6. (. . .) Promote the development of vibrant, traditional Vietnamese culture based on a spirit of openness, creativity and the capacity to absorb the richness and diversity of cultures from all over the world. Uphold the fundamental moral values of Humanism, Wisdom and Courage exhorted by our ancestors. Guarantee social justice, the equal status and full participation of women, nondiscrimination between religions; respect the autonomy and cultural differences of ethnic minorities; protect the interests of foreigners living and investing in Vietnam through due process of law, on the basis of reciprocity; guarantee the rights and dignity of Vietnamese living abroad;
7. Respect the territorial sovereignty of neighbouring nations. Promote a policy of friendship, dialogue and cooperation on an equal footing with neighbouring countries in all economic, cultural, religious and social domains. Consolidate efforts to promote peace, security and prosperity in the Asia-Pacific region. Join with neighbouring countries in a common effort to foster the values of Asian humanism. By maintaining mankind's central place within society, we can prevent the free market from becoming a slave market where human beings are reduced to simple commodities of trade;
8. In foreign policy, uphold the Vietnamese tradition of friendly and peaceful relations, and implement "*tam cong*" ("winning the hearts") diplomacy in relationships with countries around the world. Promote dialogue, cooperation and mutual aid in order to bring reciprocal benefits to one and all without sacrificing national identity and sovereignty. Apply this policy as basis for accelerating economic growth and expanding industrialization on a parallel with social progress, in order to catch up and keep pace with the civilized, progressive and prosperous democratic nations of the world at the dawn of the 21st century".

(Translated by the International Buddhist Information Bureau).

SUBMITTED FOR THE RECORD BY THE INTERNATIONAL CAMPAIGN FOR TIBET

Photos demonstrating the destruction by Chinese police and army units of meditation huts used also as residences at Larung Gar Buddhist encampment near Serthar in Kartse Tibetan Autonomous Prefecture. The number of students at Larung Gar was forcibly reduced from some 10,000 to 1,400 in the spring and summer of 2001.







U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM
RECOMMENDATIONS FOR U.S. POLICY ON CHINA
FEBRUARY 13, 2002

EXECUTIVE SUMMARY

Despite the Chinese government's signature and/or ratification of several international human rights treaties, and its stated adherence to the Universal Declaration of Human Rights, it has continued to commit severe violations of freedom of religion and belief and to discriminate against individuals on the basis of their religion or belief. The widespread and serious abuses of the right to freedom of religion and belief in China are documented by the State Department, this Commission, and religious and other nongovernmental organizations. In October 2002, for the third straight year, the Secretary of State has concluded that the Chinese government severely and systematically violates freedom of religion and belief, and named China as a "country of particular concern" under the International Religious Freedom Act of 1998 (IRFA). There are numerous egregious violations against members of many of China's religious and spiritual communities, including Evangelical Christians, Roman Catholics, Tibetan Buddhists, Uighur Muslims, and other groups, such as the Falun Gong, that the government has labeled "evil cults."

In order to protect freedom of thought, conscience, religion, and belief, the Chinese government must take effective steps in the following four critical areas. U.S. policy should encourage such steps and effectively respond to whether or not such steps are indeed taken.

(1) Ending the Crackdown

The Chinese government should end the abusive practices in its current crackdown on religious and spiritual groups throughout China.

(2) Reforming the Repressive Legal Framework

The Chinese government should substantially change its system of laws, policies, and practices that govern religious and spiritual organizations and activities. It should establish an effective mechanism of accountability for alleged violations of the human rights of religious believers, and for related abuses, and the right to freedom of religion and belief.

(3) Affirming the Universality of Religious Freedom and China's International Obligations

The Chinese government should fully respect the universality of the right to freedom of religion and belief along with other human rights. The Chinese government should also ratify the International Covenant on Civil and Political Rights (ICCPR). The U.S. government should undertake to strengthen scrutiny by international and

U.S. bodies of China's human rights practices and the implementation of its international obligations.

(4) *Fostering a Culture of Respect for Human Rights*

In light of its international obligations to ensure and protect human rights, the Chinese government should take steps to initiate and foster a culture of respect for human rights in China. The Chinese government can be assisted and motivated in this effort through U.S. government action in the areas of foreign assistance, public diplomacy, securities disclosure requirements, business practices, as well as other avenues.

COMMISSION RECOMMENDATIONS

1. Ending the Crackdown

The Chinese government should end the abusive practices in its current crackdown on religious and spiritual groups throughout China.

1.1. The U.S. government should urge the Chinese government to:

(a) Halt the harassment, surveillance, arrest, and detention of persons on account of their manifestation of religion or belief;

(b) End abusive practices such as detention, torture, and ill-treatment in prisons, labor camps, psychiatric facilities, and other places of confinement against such persons;

(c) Cease practices that coerce individuals to renounce or condemn any religion or belief;

(d) Cease discrimination against individuals on the basis of their religion or belief, which currently exists in the areas of government benefits, including education, employment, and health care; and

(e) Provide access to religious persons (including those imprisoned, detained, or under house arrest or surveillance) in all regions of China (including Tibet and Xinjiang) by foreign diplomats, humanitarian organizations, and international human rights and religious organizations, as well as the U.S. Commission on International Religious Freedom.

Despite the Chinese government's signature and/or ratification of several international human rights treaties, and its stated adherence to the Universal Declaration of Human Rights, it has continued to repress and discriminate against individuals on the basis of their religion or belief.¹ The widespread and serious abuses of the right to freedom of religion and belief in China are documented by the State Department, this Commission, and religious and other nongovernmental organizations. In October 2002, for the third straight year, the Secretary of State has concluded that the Chinese government severely and systematically violates freedom of religion and belief, and named China as a "country of particular concern" under the International Religious Freedom Act of 1998 (IRFA). The most recent State Department report on China concludes that the Chinese government's "respect for freedom of religion and freedom of conscience worsened" during the period of that report (July 2000–June 2001).

The Chinese government's crackdown on freedom of religion and belief targets several groups, including Evangelical Christians, Roman Catholics, Tibetan Buddhists, Uighur Muslims, and other groups, such as the Falun Gong, that the government has labeled "evil cults." It has resulted in torture and scores of deaths at the hands of police and other security officials, as well as surveillance, detention, imprisonment, and other abuses in confinement. As part of its violent repression of the Falun Gong, the government has undertaken to ask individuals to condemn Falun Gong adherents and renounce that group's beliefs. The U.S. government should continue to strengthen its efforts to oppose these and other abusive practices that constitute the Chinese government's crackdown on religious and spiritual believers.

The Chinese government continues to deny access to religious persons in all parts of China by international human rights and religious organizations, humanitarian groups, and in many cases, foreign diplomats. As an example, the State Department, in its 2001 International Religious Freedom Report, stated that Chinese authorities "were increasingly unwilling to allow" U.S. diplomatic personnel stationed in China to visit Tibet. The Chinese government also continues to deny foreign diplomats and human rights monitors, including UN representatives, access to the boy designated by the Dalai Lama to be the 11th Panchen Lama. He has not been seen since 1995. The Chinese government has hosted a visit by the UN Special Rapporteur on Religious Intolerance, and has reportedly invited the UN Special

¹ See *infra*, explanatory text for recommendations 3.1 for those international human rights treaties that China has signed and/or ratified.

Rapporteur on Torture to visit China (although the visit has not taken place at the time of this report). However, the Special Rapporteur on Religious Intolerance reported that he was not given the access that he requested, and the Chinese government has failed to implement recommendations made in the Rapporteur's report. The UN High Commissioner for Human Rights has visited China on several occasions since 1998 and has made several recommendations for human rights reforms. Nongovernmental organizations have not been allowed access to investigate reports of human rights violations. Finally, since 2000, this Commission has made three formal requests to the Chinese government for permission to visit China. The government has either failed to respond or denied the Commission's requests.

- 1.2. *The President of the United States should ensure that efforts to promote religious freedom in China are integrated into the mechanisms of dialogue and cooperation with the Chinese government at all levels, across all departments of the U.S. government, and on all issues, including security and counter-terrorism.*

The U.S.-China bilateral relationship encompasses a broad range of issues, including security matters, counter-terrorism cooperation, and a sizable bilateral economic relationship. In 2000, U.S. companies directly invested approximately \$4.3 billion in China. Total trade between the two nations rose from \$4.8 billion in 1980 to \$116.4 billion in 2000, making China the 4th largest U.S. trading partner. Since September 11, 2001, U.S.-China relations have expanded as the U.S. government welcomed Chinese cooperation in the international campaign against terrorism. In October, President Bush attended the Asia Pacific Economic Cooperation (APEC) summit meeting in Shanghai and met with Chinese President Jiang Zemin.

As one of the human rights most abused by the Chinese government, the right to freedom of religion and belief must be a part of U.S. initiatives to promote human rights in China. The U.S. government has stated that human rights is an issue over which there is disagreement with the Chinese government, and President Bush raised religious freedom concerns directly with President Jiang Zemin during their meeting in October 2001. Following the President's example, abuses of religious freedom, alongside other human rights, should be raised and progress should be reviewed at all levels of interaction on all issues with the Chinese government, including security, counter-terrorism, trade, and investment. Isolating concern for human rights from other aspects of the relationship—for example to the bilateral U.S.-China human rights dialogue—may signal a lack of concern on the part of the U.S. government or a false compartmentalization within U.S. foreign policy toward China.

Given the human rights situation of Uighur Muslims in China, it is particularly important to raise religious freedom concerns in the context of counter-terrorism cooperation with China. Although the Chinese government claims that Uighurs are associated with international terrorism, the State Department has documented serious human rights abuses as part of the crackdown, including religious freedom violations. President Bush in his address to the UN General Assembly in November 2001 cautioned against using the anti-terrorism campaign “as an excuse to persecute” ethnic minorities. Moreover, in January 2002, in response to a question relating to the Chinese government's issuance of a report on the alleged terrorist activities of Uighur separatists in Xinjiang, the State Department spokesperson reiterated that while the U.S. government “oppose[s] terrorist violence in Xinjiang or anywhere else in China . . . we have made clear to Beijing that combating international terrorism is not an excuse to suppress legitimate political expression. Effective counter-terrorism requires a respect for fundamental human rights.”

- 1.3. *Prior to any state visit by the respective heads of state of the United States and the People's Republic of China, the President of the United States should obtain assurances that: (a) freedom of religion and belief will be included as a prominent agenda item for his discussions and (b) he be given an opportunity to address the Chinese people directly by live, uncensored broadcast in a major speech on fundamental human rights and freedoms, particularly freedom of religion and belief.*
- 1.4. *During any state visit, the President of the United States should take further steps to promote religious freedom in his activities and those of the delegation. The Commission should be invited to designate representatives to participate in the delegation.*

In February 2002, President Bush will be conducting a state visit to China. The Commission recommends that before the President undertakes the visit, he should obtain assurances from the Chinese government that freedom of religion and belief will be included as a prominent part of the agenda, and that the President will be

given an opportunity to directly address the Chinese people about U.S. concerns for the protection of freedom of religion and belief in China. These conditions will not only demonstrate U.S. resolve on promoting religious freedom in China, but the reaction to them by the Chinese government will be a measure of their commitment to a meaningful dialogue on human rights, including religious freedom.

An important aspect of promoting religious freedom in China is for representatives of the United States to inform the Chinese people why the U.S. government is concerned about human rights practices in China. In 1988, President Ronald Reagan gave an address to Russian students at Moscow State University during his state visit to the former Soviet Union in which he described in detail the commitment of Americans to democracy, freedom of speech and the press, and freedom of religion. The address was well received among Russians.

The Commission urges the President, in his upcoming visit to China, to follow this precedent and address the Chinese people directly in similar fashion to express why the U.S. government, on behalf of the American people, is concerned with violations of internationally recognized human rights, including religious freedom, and why it is U.S. policy to oppose such violations anywhere in the world—and not just in China. Recalling that Chinese state television essentially censored Secretary of State Colin Powell's remarks during his visit to China in July 2001, the President should obtain assurances from the Chinese government that his address would not be censored and would be accurately translated into the Chinese language in its entirety.²

In addition to raising religious freedom concerns with Chinese leaders, the President should also personally express his support for renewed U.S.-China human rights dialogue and the hope that such dialogue will produce concrete results in the protection of religious freedom. He should also invite Chinese officials, religious leaders, scholars, and others concerned with religious freedom to visit the United States and seek opportunities for American counterparts to visit China.³ Finally, the President should invite the Commission and the Ambassador at Large for International Religious Freedom to participate in the presidential delegation as a demonstration of the U.S. government's concern for promoting religious freedom in China.

1.5. The U.S. government should consistently raise with the Chinese government at the highest levels individual cases of violations of the right to freedom of religion and belief.

1.6. The U.S. government should instruct the U.S. Embassy in Beijing and U.S. consulates in China to continue to monitor the status of individuals who are arrested or detained in violation of their human rights.

As part of its crackdown on religious and spiritual believers, individuals have been charged with, or detained under suspicion of, offenses that essentially penalize the otherwise harmless manifestation of freedoms of religion or belief, speech, association, or assembly. In addition, prominent religious figures have been detained or charged with trumped-up criminal charges (such as rape and other sexual violence, or financial crimes). The U.S. government should consistently raise these cases at all levels of interaction with the Chinese government. Recent examples include a Hong Kong resident, Mr. Li Guangqiang, who was arrested in May 2001 and charged with importing Bibles associated with an "evil cult." The President, the State Department, and members of Congress publicly raised concern about this case, and Mr. Li's charges were reduced and he was given a sentence of two years—much less than was originally sought—following this public intervention. Mr. Li was apparently released earlier this month. In addition, for reportedly the first time since adoption of the 1999 "evil cult" law, a Protestant Christian pastor has been sentenced to death. Pastor Gong Shengliang of the underground "South China Church" was sentenced to death in December for founding an "evil cult" and on reportedly questionable charges of assault and sexual violence.

Other prominent cases include Bishop Su Shimin, who has spent over 20 years in prison, and who is perhaps the most prominent leader of China's underground Catholic Church movement. He was re-arrested in October 1997 after spending 17 months in hiding. Ms. Wang Yulan was arrested, along with 35 Chinese Christians, in May 2001 in Inner Mongolia while attending a religious service held at a house. Ms. Wang was sentenced to serve three years in a re-education labor camp. Dr.

²President Bill Clinton, during his 1998 state visit to China, addressed the Chinese people directly and freely by live television, discussing democracy, human rights, and other issues in three separate venues.

³This recommendation would not apply to government officials who are "responsible for or directly carried out" religious freedom violations. See Recommendation 1.7, *infra*.

Teng Chunyan is a U.S. permanent resident and Falun Gong practitioner who was arrested in China in May 2000. She was sentenced to three years in prison on charges that she provided state secrets to foreigners while documenting the illegal detention and abuse of Falun Gong practitioners in China's mental hospitals. Khenpo Jigme Phuntsok was chief abbot of Serthar Buddhist Institute, or Larung Gar, a semiofficial Buddhist academy in Kanze, Sichuan Province. Thousands of his followers reportedly were expelled from the academy, following his arrest in June 2001. Mr. Jalaliddin Abdumanak has been reportedly detained in Urumqi Bajahu Prison since June 1995 for engaging in illegal religious activities.

U.S. diplomatic personnel in China should continue and expand their efforts to monitor the status of individuals such as these who have been arrested or detained in violation of their human rights, including, where appropriate, by visiting these individuals and attending legal proceedings.

1.7. In its reporting on conditions of religious freedom in China, the State Department should

- (a) articulate regional and local variations in the protection of the right to freedom of religion and belief;*
- (b) identify specific individuals and/or entities who commit violations of this right; and*
- (c) consider the record of provincial and local officials in protecting freedom of religion and belief when deciding whether to deepen cultural and economic cooperation between the United States and China.*

There are significant regional and local variations in the protection of the freedom of religion and belief in China. The State Department's Annual Reports on International Religious Freedom chronicle Chinese government abuses of the freedom of religion and belief. The reports, however, would benefit from an analysis of regional and local variations in the protection of religious freedom. The State Department should also identify government agencies, instrumentalities, and specific individuals who are responsible for violations. The International Religious Freedom Act of 1998 (IRFA) requires the identification of parties responsible for particularly severe violations of religious freedom in CPC countries.⁴ Identification of responsible parties is important for several reasons. IRFA explains that designation is to be made in order to target appropriately the sanctions imposed under that Act. In addition, developing a list of individual responsible parties is necessary to enforce immigration provisions excluding them from the United States. Section 604 of IRFA provides that government officials who are "responsible for or directly carried out" particularly severe violations of religious freedom are ineligible for visas or entry to the United States (including spouses and children of the said officials). The State Department has in the past committed to identifying responsible parties when reliable information becomes available. The Commission believes that the Department should now have such information in at least some cases. Finally, when promoting cultural or economic activities in China, the U.S. government should consider the record of provincial and local officials in protecting the freedom of religion and belief.

2. Reforming the Repressive Legal Framework

The Chinese government should substantially change its laws, policies, and practices that govern religious and spiritual organizations and activities. It should establish an effective mechanism of accountability for alleged violations of the human rights of religious believers, and for related abuses, and the right to freedom of religion and belief.

2.1. The U.S. government should urge the Chinese government to respect and fully implement the freedom for individuals and organizations to engage in religious activities outside of state control and free from government interference, in accordance with international human rights standards. This freedom must not be limited to the five state-sanctioned religious groups, but encompass all groups that are engaged in the manifestation of religion or belief. This freedom includes among others—as affirmed in the international instruments to which the Chinese government is a party—the human rights:

- 1. to worship publicly;*
- 2. to express and to advocate religious beliefs;*
- 3. to distribute religious literature;*
- 4. (for parents) to ensure the religious and moral education of their children in conformity with their own convictions;*

⁴ IRFA, § 402(b)(2) (22 U.S.C. 6442(b)(2)).

5. (for religious groups) to govern themselves according to their own rules, including:
- a. to select and train their leaders;
 - b. to define and teach the beliefs and doctrines to which they adhere;
 - c. to solicit and receive voluntary financial and other contributions;
 - d. to establish and maintain associations for religious and spiritual purposes; and
 - e. to freely establish and maintain communications with individuals and communities—both inside and outside China—in matters of religion and belief.

The Chinese government has a policy to control religion and the activities of religious groups to ensure that religious believers and their activities do not interfere with the authority and policies of the Chinese Communist Party and Chinese Socialism. In order to enforce this policy, the Chinese government maintains a framework of laws, regulations, and practices that organize the relationship between religious communities and the state and that set out the boundaries of “legal” and “illegal” religious activities in China. Important aspects of this framework are laws that allow for the banning of so-called “evil cults,” and those that require groups to register with the government in order to conduct religious activities. This system not only provides legal cover for the crackdown on religious and spiritual groups and their members described above, but also substantially constricts the ability of all religious communities in China—whether or not they are recognized or registered with the government—to manifest religion or belief. Other aspects, such as excluding religious believers from membership in the Communist Party (and the access to employment, education, health care, and other services that such membership brings), constitute discrimination on the basis of religion or belief.

In several important ways, these restrictions violate the right to freedom of religion and belief (as set forth in international human rights instruments such as the Universal Declaration of Human Rights) in that they prevent groups from undertaking basic activities such as worship and other expressions of religious beliefs, and education. They also prevent groups from organizing and operating according to their own religious principles, including the training and selection of leaders. The Chinese government has essentially decided that it should be the judge of the correctness of what are essentially the theological decisions of religious groups. Restrictions also prevent parents from providing for the religious and moral education of their children in conformity with their convictions.

One prominent feature of Chinese control of religious and spiritual activities is the heavy restrictions placed on foreigners in China. A Religious Affairs Bureau Directive of August 2000 (updating State Council Regulation No. 144 from 1994) prohibits foreigners from “interfering” with religious activities in China, including prohibitions on establishing places of worship, conducting religious education, and being involved with the appointment of clergy or any other internal decisions of a religious group.⁵ The application of these prohibitions contravene specific provisions in the 1981 UN Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief that guarantee the freedom of religious groups to receive financial and other contributions and otherwise communicate or interact with coreligionists abroad.⁶

Under international human rights standards, a government can restrict the freedom to manifest religion or belief, but only in ways that are directly proportionate to the actual need to promote specific interests, such as the protection of public order, safety, health, and the rights and freedoms of others.⁷ Chinese restrictions on religious freedom go well beyond these permissible limitations. The U.S. government should urge the Chinese government to bring its laws and practices into conformity with international standards on the freedom of religion and belief, and in particular to eliminate facets of state control and undue government interference with religious groups and the conduct of religious activities.

⁵ See Religious Affairs Bureau directive governing religious activities of foreigners in China, promulgated August 11, 2000.

⁶ See UN Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief, arts. 6(f) and (i).

⁷ See e.g. Universal Declaration of Human Rights, art. 29; UN Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief, art. 1(3).

- 2.2. *The U.S. government should urge the Chinese government to establish a mechanism for reviewing cases of persons detained under suspicion of, or charged with, offenses relating to state security, disturbing social order, "counterrevolutionary" or "splittist" activities, or organizing or participating in "illegal" gatherings or religious activities. This mechanism should also review cases of detained or imprisoned religious leaders (many of whom have been charged with specious criminal offenses).*
- 2.3. *The U.S. government should urge the Chinese government to drop charges against, and/or to release persons from imprisonment, detention, house arrest, or surveillance who are so restricted, on account of their manifestation of religion or belief, as well as any others, who in contravention of international human rights standards, have been detained or sentenced unjustly.*

An untold number of individuals in China have been detained, imprisoned, or otherwise limited in their movements or subjected to surveillance because they manifest their religion or belief. Many religious leaders and members of "illegal" religious groups in China have been subjected to multiple instances of detention and harassment, forcing them to be constantly in hiding to evade the Chinese authorities. As described above, these individuals include those who have been charged with, or detained under suspicion of, offenses that penalize the manifestation of religion or belief, as well as individuals that have been charged with criminal offenses for the purpose of harassing those individuals. In order to take meaningful steps to protect the right to freedom of religion and belief, the U.S. government should urge the Chinese government to review these individual cases, and individuals who have been either improperly charged or unjustly confined should be released or have such charges removed, as appropriate.

- 2.4. *The U.S. government should urge the Chinese government to allow both faith-based and secular nongovernmental organizations formally to establish and maintain institutions to provide humanitarian and social services in China.*

The State Department's 2001 International Religious Freedom Report states that both Christian and Buddhist groups have worked with local officials in China to operate schools, orphanages, and other social service programs. In these cases, both foreign and domestic groups have been permitted to operate as long as they agree not to engage in proselytism as part of the programs. Moreover, many of the groups associated with these institutions are not officially registered, leaving them (and the institutions) in a tenuous legal position. The U.S. government should emphasize to the Chinese government the positive contribution that religious and secular nongovernmental organizations can make to Chinese society, and urge that such groups be permitted to freely establish and maintain institutions to provide humanitarian and social services. This freedom is explicitly mentioned in the 1981 UN Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief.⁸

3. *Affirming the Universality of Religious Freedom and China's International Obligations*

The Chinese government should fully respect the universality of the right to freedom of religion and belief along with other human rights. The Chinese government should also ratify the International Covenant on Civil and Political Rights (ICCPR). The U.S. government should undertake to strengthen scrutiny by international and U.S. bodies of China's human rights practices and the implementation of its international obligations.

- 3.1. *The U.S. government should urge the Chinese government to:*
 - (a) *Reaffirm its commitment to the protection of the internationally recognized right to freedom of thought, conscience, religion, and belief;*
 - (b) *Ratify the International Covenant on Civil and Political Rights (ICCPR); and*
 - (c) *Abide by its international commitments and recognize as refugees North Koreans who have fled that country and who meet international criteria.*

The Universal Declaration of Human Rights and the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based

⁸UN Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief, art. 6(b).

on Religion or Belief proclaim the right to freedom of thought, conscience and religion, which includes the freedom “either individually or in community with others and in public or private, to manifest . . . religion or belief in worship, observance, practice or teaching.” Since the 1980s, the Chinese government has ratified a number of international human rights treaties that contain binding obligations to protect the freedom of religion and belief: the Convention on the Elimination of All Forms of Discrimination against Women (ratified in 1980); the International Convention on the Elimination of all Forms of Racial Discrimination (ratified in 1981); the Convention on the Rights of the Child (ratified in 1992); and the International Covenant on Economic, Social and Cultural Rights (ratified in 2001). Although China signed the International Covenant on Civil and Political Rights (ICCPR) in 1998, it has yet to ratify it.

The Chinese government has on several occasions publicly stated its adherence to international human rights standards that guarantee the freedom of thought, conscience, religion, and belief. Notably, in 1997, on the occasion of Chinese President Jiang Zemin’s state visit to the United States, the two governments issued a joint statement recognizing “the positive role of the Universal Declaration of Human Rights and other international human rights instruments” and reiterating “their commitment to the promotion and protection of human rights and fundamental freedoms.”

Systematic, egregious violations of the right to freedom of religion and belief by the Chinese government breaches its commitment to protect human rights and abide by its international obligations to do so. The U.S. government should urge the Chinese government to reaffirm to the Chinese people, along with the international community, its commitment to protecting human rights as set forth in international instruments, including the right to freedom of religion and belief. One important concrete step China can take is to ratify the ICCPR and uphold its commitments on the other human rights treaties.

Concerning refugees, China is a party to both the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol to that convention. Under these treaties, China has committed to not expel or return refugees to a country where their life or freedom would be threatened on account of their religion or other status. The 1967 Protocol commits China to cooperate with the UN High Commissioner for Refugees (UNHCR).

Between 30,000 and 300,000 North Koreans are now in China who have fled to escape the dire conditions in the Democratic People’s Republic of Korea (DPRK), including the denial of religious freedom in that country, along with other human rights. Since 2000, many North Koreans in China have been forcibly repatriated.⁹ Moreover, the Chinese government does not grant refugee status to fleeing North Koreans who would meet international criteria for that status. Nor does it currently allow the UNHCR to operate in the border region to conduct interviews to assess refugee status or to provide services to refugees and arrange for orderly transit to other countries that would be willing to resettle such persons.

The U.S. government should urge the Chinese government, in accordance with its international commitments, to recognize as refugees those North Koreans who have fled the DPRK and who meet international criteria as refugees. In addition, the U.S. should urge the Chinese government not to permit forcible repatriation of North Korean refugees.

3.2. The U.S. government should take steps to ensure that the annual U.S.-China human rights dialogue involves high-level officials and, along with consideration of other human rights, serves as a forum to (a) communicate U.S. concerns about the protection of freedom of religion and belief in China, (b) review the requirements of international human rights standards regarding the right to freedom of religion and belief, and (c) establish measurable goals and practical steps for improvement.

In October 2001, the U.S.-China annual bilateral human rights dialogue was resumed after a hiatus of over two years. While the resumption of the dialogue is a welcome step, its usefulness as a mechanism to promote respect for human rights will be measured by concrete results. The Commission met in Washington with the Chinese delegation to the dialogue, and they appeared to view the dialogue as an end in itself, rather than a means to specific steps to improve the protection of human rights. In this regard, the parties should establish measurable goals and set

⁹According to the State Department, China and North Korea have a treaty that requires the Chinese authorities to repatriate all North Koreans who enter China illegally. The Chinese government has enforced this treaty only sporadically, but has significantly increased forced repatriation of the North Koreans since 2000.

out practical steps that should be taken to reach those goals. Steps along the lines of those articulated in recommendations 1.1 and 2.1 above could be used as benchmarks for improvement in respect for the right to freedom of religion and belief. The U.S. government should also—as means to establish goals and benchmarks for improvement—negotiate a binding agreement within the context of the dialogue and as authorized under section 405(c) of (IRFA).

In addition to concerns being raised by the State Department in the formal sessions of the dialogue, religious freedom issues were also discussed with the Chinese delegation to the bilateral dialogue during a meeting with the Commission in October. The Department should continue to consider ways within the context of the dialogue—in addition to its formal sessions—that religious freedom can be addressed and improved. If the dialogue is successful in establishing measurable and practical steps, the Commission should continue to participate.

3.3. Until China significantly improves its protection of freedom of religion and belief, the U.S. government should propose and promote a resolution to censure China at the annual meeting of the UN Commission on Human Rights and engage in sustained efforts to enlist the support of other governments at the highest levels to both vote for and advocate such a resolution.

In the last decade, the U.S. has played a leading role in sponsoring and lobbying for resolutions criticizing China's human rights practices at the annual sessions of the UN Commission on Human Rights (UNCHR). In 1995, the U.S. and other members of the UNCHR, for the first time, succeeded in defeating a Chinese procedural motion to take “no action” on a resolution, and thus brought to a vote on substantive issues a resolution censuring China, which was defeated by a single vote. As before, China has continued to lobby intensively and successfully against such resolutions. During the 2001 session, the U.S. again sponsored a resolution, but the Commission voted 23–17 (with 12 abstentions) in favor of China's “no action” motion on the resolution, thereby ensuring that the resolution would not be discussed or voted upon. Although the U.S. will not be a member during the 2002 UNCHR session, it should continue its leadership on this issue by proposing and promoting a resolution to censure China at the session, and it should engage in sustained efforts to enlist the support of other governments at the highest levels to both vote for and advocate such a resolution.

3.4. The U.S. government, at the highest levels, should urge foreign governments and appropriate international entities (such as the European Union) to join the United States in a common policy that vigorously promotes the freedom of religion and belief in China along with other human rights. The components of such a policy should include monitoring human rights and a dialogue with the Chinese government that incorporates specific benchmarks.

Several foreign governments, along with the European Union (EU), have expressed concern about human rights in China, including religious freedom. For example, the EU has established a dialogue with the Chinese government on human rights. The U.S. should make promotion of human rights in China—through both bilateral and multilateral means—a feature of its discussions with interested foreign governments and the EU and encourage them to join in a common policy with the U.S. to promote vigorously the freedom of religion and belief, along with other human rights.

3.5. The U.S. government should endeavor to establish an official U.S. government presence, such as a consulate, in Lhasa, Tibet and Urumqi, Xinjiang in order to monitor religious freedom and other human rights.

As noted above, the Chinese government has at times restricted access of U.S. diplomats to both Tibet and Xinjiang province. This lack of access has hindered the ability of U.S. diplomats to monitor and investigate reports of serious human rights abuses in those regions. Both Houses of Congress have passed provisions in the Foreign Relations Authorization Act for fiscal years 2002 and 2003 calling on the State Department to use its best efforts to establish an official presence in Lhasa, Tibet. The Commission believes that it is important for the U.S. government to establish an official presence in both Tibet and Xinjiang in order to engage in consistent monitoring of the conditions of religious freedom and other human rights in those parts of China.

- 3.6. *The U.S. Congress should continue to engage in and expand its ongoing review of human rights practices in China jointly with the U.S. Commission on International Religious Freedom. The U.S. Congress should also extend an invitation to the Dalai Lama to address a Joint Session of the Congress.*

The U.S. Congress, through the offices of its members as well as its formal and informal bodies (including the House International Relations Subcommittee on International Operations and Human Rights and the Congressional Human Rights Caucus), has taken the lead in spotlighting human rights abuses committed by the Chinese government. One important occasion for such scrutiny was the annual review of China's trade status, which was discontinued with the advent of Permanent Normal Trade Relations for that country. The Commission urges the Congress to continue to engage in and expand its ongoing review of human rights violations in China, and it welcomes the opportunity to work closely with the Congress to ensure a consistent monitoring of the conditions of religious freedom in China. The Commission also urges the Congress—as a reflection of its ongoing commitment to reviewing the status of human rights in China—to invite the Dalai Lama, as the leader of Tibetans around the world, to address a Joint Session of the Congress.

4. *Fostering a Culture of Respect for Human Rights*

In light of its international obligations to ensure and protect human rights, the Chinese government should take steps to initiate and foster a culture of respect for human rights in China. The Chinese government can be assisted and motivated in this effort through U.S. government action in the areas of foreign assistance, public diplomacy, securities disclosure requirements, business practices, as well as other avenues.

- 4.1. *In its promotion of religious freedom, the U.S. government should resolutely oppose other human rights violations in China that are closely connected to violations of religious freedom. Such violations include, among others, torture; unlawful arrest or detention; arbitrary executions; absence of due process and discriminatory treatment under the criminal procedure code (including the lack of access to family members, human rights monitors, adequate medical care, and a lawyer); and violations of the rights of freedom of expression (including the freedom to seek, receive, and impart information), freedom of association, and peaceful assembly.*

The U.S. government should urge the Chinese government to abide by its international obligations and ensure that the basic human rights of religious believers are not violated. In order to ensure protection of religious freedom in China, improvements must be made in the protection of many basic rights. As discussed above, violations of the right to freedom of religion and belief in China are closely related to violations of other rights. To ensure a comprehensive approach to promoting religious freedom, the U.S. government should resolutely oppose these other human rights violations. Such actions also emphasize the interrelatedness of religious freedom to other human rights.

- 4.2. *The U.S. government should, through its foreign assistance, visitor exchanges, and other public diplomacy programs, expand its efforts to promote and protect human rights, including freedom of religion and belief, in China through supporting and, as appropriate, funding:*
- (a) individuals and organizations in China that are advocating respect for China's international human rights obligations, including freedom of religion and belief;*
 - (b) exchanges between Chinese (including Tibetan and other ethnic minorities) and U.S. scholars, experts, representatives of religious communities and nongovernmental organizations, and appropriate officials (both at the central and local levels) regarding the relationship between religion and the state, the role of religion in society, international standards relating to the right to freedom of religion and belief, and the importance and benefits of upholding human rights protection, including religious freedom; and*
 - (c) the efforts of those both inside and outside China to promote the rule of law, legal reform, and democracy in China.*

Despite the critics who claim that the United States is already giving China a “free pass” on employing repressive human rights measures in exchange for its cooperation in the war against terrorism, the U.S. government must not encourage or acquiesce in such a trade-off. The State Department is currently planning the expansion of its foreign assistance programs for the promotion of democracy and the rule of law in China, including Tibet and Xinjiang. U.S.-assisted rule of law and

legal reform programs are not currently focused on promoting human rights, but many believe that these programs are helping to create structures and promote practices within the Chinese legal system that will be consistent with, and perhaps in the future supportive of, the protection of human rights. The Chinese government has prevented these programs from including democracy or human rights components.

The U.S. government should continue and expand its efforts to promote legal reform and rule of law in China. At the same time, however, the U.S. should also be seeking ways to support, with funding if appropriate, those groups and individuals both inside and outside of China that are concerned with promoting democracy and protecting human rights. One goal of these programs should be to raise the awareness of such groups and individuals of the importance of the protection of the right to freedom of religion and belief as a necessary component of the overall protection of human rights in China. The U.S. government should also be seeking expanded opportunities to bring to the United States Chinese citizens (including persons belonging to religious and ethnic minorities) concerned about human rights, as well as Chinese officials with responsibility for the protection of human rights.¹⁰ Topics for such exchanges should include the role of religion in American society; the importance of the protection of religious freedom, along with other human rights, to the American people; and international standards relating to the right to freedom of religion and belief. Opportunities should also be sought for Americans to travel to China to speak about these issues and learn more about the views of the Chinese people on topics related to human rights, including religious freedom.

4.3. The U.S. government should seek expanded opportunities to speak frankly and directly to the Chinese people to express why the U.S. government, on behalf of the American people, is concerned with violations of internationally recognized human rights, including freedom of religion or belief.

The U.S. government should expand its public diplomacy efforts in China and seek every opportunity to explain directly to the Chinese people why it is U.S. policy to oppose violations of religious freedom and other human rights anywhere in the world—and not just in China. In explaining that policy, core American values—such as tolerance, openness, meritocracy, civil activism, and democracy—must routinely be highlighted. In this regard, the U.S. should continue to support Radio Free Asia (RFA) and Voice of America (VOA) broadcasts throughout China, including in Tibet and Xinjiang, and take steps to overcome jamming of such broadcasts. The U.S. government should also seek other avenues of communication, such as encouraging use of the internet by the Chinese people and, as noted above in recommendation 1.3, uncensored appearances in the Chinese media by U.S. officials. A guiding principle with regard to U.S. public diplomacy efforts should be reciprocal access, i.e. that U.S.-supported broadcasting is accorded the extent and avenues of access in China as are available to the Chinese government in the United States. For example, the official Chinese Central Television company has an ongoing and expanding presence in the U.S. market. Similar presence in China should be granted to U.S. broadcasting companies, including RFA and VOA.

4.4. The U.S. government should prohibit U.S. companies doing business in China from engaging in practices that would constitute or facilitate violations of religious freedom or discrimination on the basis of religion or belief.

The Commission is concerned over reports that the Chinese government, in its efforts to crack down on “evil cults” and “illegal” religious organizations and activities, has pressured foreign companies operating in China (including at least one American company) to monitor and disclose the religious or spiritual activities or affiliations of their Chinese employees. The U.S. government should respond firmly and vigorously to protest such Chinese practices and to prohibit U.S. companies who are operating in China from engaging in practices that would constitute or facilitate violations of religious freedom. Such prohibitions might include requiring U.S. companies to refrain from inquiring into or disclosing to the Chinese government the religious or spiritual activities or affiliations of any of their employees.

¹⁰This recommendation would not apply to government officials who are “responsible for or directly carried out” religious freedom violations. See Recommendation 1.7, *supra*.

4.5. *The United States should require any U.S. or foreign issuer of securities that is doing business in China to disclose in any registration statement filed with the U.S. Securities and Exchange Commission (SEC) for any new offering of securities the following information:*

(a) *the nature and extent of the business that it and its affiliates are conducting, (i) including any plans for expansion or diversification and any business relationships with agencies or instrumentalities of the Chinese government and (ii) specifying the identity of such agencies or instrumentalities;*

(b) *whether it plans to use the proceeds of the sale of the securities in connection with its business in China and, if so, how; and*

(c) *all significant risk factors associated with doing business in China, including, but not limited to: (i) political, economic and social conditions inside China, including the policies and practices of the Chinese government with respect to religious freedom; (ii) the extent to which the business of the issuer and its affiliates directly or indirectly supports or facilitates those policies and practices; and (iii) the potential for and likely impact of a campaign by U.S. persons based on human rights concerns to prevent the purchase or retention of securities of the issuer, including a divestment campaign or shareholder lawsuit.*

The United States should require any issuer that is doing business in China to disclose the information specified in items (a) and (c) above in its filings with the SEC, including its annual proxy statement or annual report, in the case of a U.S. issuer, or its U.S. markets annual report, in the case of a foreign issuer.

As the Commission reported in its May 2001 annual report, there is a significant, undesirable gap in U.S. law regarding China and other “countries of particular concern” under IRFA (i.e. egregious religious-freedom violators): In some cases, companies that are doing business in China can sell securities on U.S. markets without having to disclose fully (1) the details of the particular business activities in China, including plans for expansion or diversification; (2) the identity of all agencies of the Chinese government with which the companies are doing business; (3) the relationship of the business activities to violations of religious freedom and other human rights in China; or (4) the contribution that the proceeds raised in the U.S. debt and equity markets will make to these business activities and hence, potentially to those violations.¹¹ Across-the-board full disclosure of these details would prompt corporate managers to work to prevent their companies from supporting or facilitating these violations. It also would aid (a) U.S. investors in deciding whether to purchase the securities; (b) shareholders in exercising their ownership rights (including proposing shareholder resolutions for annual meetings and proxy statements); and (c) U.S. policymakers in formulating sound policy with respect to China and U.S. capital markets. The Commission recommends that the United States require such disclosure. The Commission has recommended that this level of disclosure be required for all companies doing business in CPCs, and therefore this requirement would also apply to those Chinese companies that are doing business in Sudan and issuing or listing securities in the United States. In May 2001, the SEC announced that it would seek disclosure of some of the information described above for companies doing business in countries subject to sanctions administered by the Treasury Department’s Office of Foreign Asset Control. Because China is not subject to OFAC sanctions, this initiative would not apply to companies because of their business activities in China.

4.6. *The U.S. government should raise the profile of conditions of Uighur Muslims by addressing religious-freedom and human rights concerns in bilateral talks, by increasing the number of educational opportunities in the United States available to Uighurs, and by increasing radio broadcasts in the Uighur language.*

The deteriorating conditions of the human rights, including religious freedom, of Uighur Muslims over the last year, especially since the attacks in the U.S. of September 11, makes it particularly important for the U.S. government to document these abuses and raise concerns about these abuses with the Chinese government. Moreover, the Commission continues to recommend that the U.S. government increase the opportunities for Uighurs to participate in educational and cultural exchanges in the United States. As part of its efforts to reach Chinese audiences, U.S. sponsored radio broadcasts in the Uighur language should be increased.

¹¹See Report of the United States Commission on International Religious Freedom, May 1, 2001, 155–167.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM—MAY 2001
ANNUAL REPORT

XI. VIETNAM

A. Introduction

Despite a marked increase in religious practice among the Vietnamese people in the last 10 years, the Vietnamese government continues to suppress organized religious activities forcefully and to monitor and control religious communities.¹² The government prohibits religious activity by those not affiliated with one of the six officially recognized religious organizations. Individuals have been detained, fined, imprisoned, and kept under close surveillance by security forces for engaging in “illegal” religious activities. In addition, the government uses the recognition process to monitor and control officially sanctioned religious groups: restricting the procurement and distribution of religious literature, controlling religious training, and interfering with the selection of religious leaders.

There have been significant developments in U.S. policy toward Vietnam in the past year. In July 2000, after a one-year delay by the Vietnamese government, the United States and Vietnam signed a Bilateral Trade Agreement, which, if ratified by the U.S. Congress, would pave the way for the granting of conditional normal trade relations status to Vietnam. In November 2000, President Clinton visited Vietnam, marking the first visit to that country by a U.S. president in more than 30 years.

In February 2001, the Commission held a public hearing in Washington, D.C., on religious freedom and U.S. policy in Vietnam. The Commission heard testimony from representatives of a number of Vietnamese religious communities, as well as experts on Vietnam and its relations with the United States. In addition, the Commission and its staff have met with representatives of the Vietnamese government, Vietnamese religious communities, and human rights organizations with expertise in Vietnam (including Vietnamese-American organizations), as well as academic experts and U.S. government officials. It has also solicited information from organizations and individuals that were unable to meet with the Commission or its staff. Moreover, at the invitation of Ambassador Dinh Thi Minh Huyen, Director of the International Organizations Department at the Vietnamese Foreign Ministry, the Commission made a formal request in November 2000 to visit Vietnam. Although the Vietnamese government has “welcomed” the Commission’s visit, it has informed the Commission that such a visit should be hosted by Vietnam’s Commission on Religious Affairs, which would be unable to accommodate the Commission until at least May 2001. This fact has prevented the Commission from traveling to Vietnam prior to the release of this report.

The Commission invited Father Thaddeus Nguyen Van Ly, a Roman Catholic priest based near Hue, Vietnam, to testify at its February hearing and Fr. Ly submitted written testimony. Fr. Ly has been persistently critical of the Vietnamese government’s failure to protect religious freedom—activity that led to his imprisonment for close to a decade. On March 5, 2001, the Vietnamese official media confirmed that the government placed Fr. Ly under administrative detention (i.e. house arrest) for “publicly slandering” the Vietnamese Communist Party and “distorting” the government’s policy on religion.¹³ The Commission remains deeply concerned that the Vietnamese government may be punishing Fr. Ly for his response to the Commission’s invitation. The action of the Vietnamese government is clearly a demonstration of the government’s continued suppression, not only of religious freedom, but of other fundamental human rights as well. Moreover, the Commission believes that the United States has the moral responsibility to support and protect those Vietnamese citizens, including Fr. Ly, who have the courage to speak to us in the pursuit of the realization of fundamental human rights.

B. Religious Demography

Vietnam is the world’s 13th most populous country, with a population of nearly 80 million people.¹⁴ The oldest and largest religion is Buddhism, and approximately

¹²The increase in religious practice in Vietnam has coincided with a loosening of government restrictions over social life in Vietnam.

¹³Associated Press, “Vietnam detains Catholic priest for testimony against U.S. trade pact,” March 5, 2001; Steve Kirby, “Vietnam punishes priest who dared to speak out to US freedoms panel,” *Agence France Presse*, March 4, 2001.

¹⁴Information pertaining to ethnic and religious demography is based on the following sources: Central Intelligence Agency, *The World Factbook 2000*, Washington, D.C., 2000; House Committee on International Relations and Senate Committee on Foreign Relations, *Annual Report on International Religious Freedom 2000*, report prepared by U.S. Department of State.

50 percent of Vietnamese are Buddhists. The Roman Catholic Church in Vietnam has a following of approximately 6 million people. The Cao Dai and the Hoa Hao Buddhists are two indigenous religious communities, each of which has from 1 to 3 million adherents. The Cao Dai religion was formally organized in the 1920s and its religious center is located in Tay Ninh province in southern Vietnam. It is syncretic in nature, combining elements of Catholicism, Buddhism, Taoism, and the traditional worship of spirits and ancestors. The Hoa Hao religion is considered by many of its followers as a “reformed” branch of Buddhism. Huynh Phu So founded the religion in 1939 at Hoa Hao Village in the southern province of An Giang, and most Hoa Haos continue to live in that region of the Mekong River Delta. The Hoa Hao religion does not have priests, builds few temples, and eschews many of the ceremonial aspects of other Buddhist traditions. Protestants in Vietnam reportedly number approximately 700,000 to 800,000. About two-thirds of the Protestant population are members of ethnic minority groups, including the Montagnards in the Central Highlands and the Hmong in the northwestern provinces. By all accounts, the number of Protestants in the country has grown substantially in recent years. There is also a small, primarily Sunni, Muslim population estimated at 50,000 persons spread throughout Vietnam. Finally, there are between several hundred and 2,000 Vietnamese Baha’i followers, who are largely concentrated in the south.¹⁵

C. Religious Freedom

1. Legal Framework

The Constitution of Vietnam provides for the freedom of religion and belief for citizens of the country.¹⁶ However, the Constitution also permits restrictions on these freedoms in furtherance of vaguely defined interests of the state and the Vietnamese Communist Party (VCP). The Constitution guarantees that all aspects of the polity and society are controlled by the VCP (“the vanguard of the Vietnamese working class” and the “faithful representative” of the whole nation) and the Fatherland Front (the umbrella organization of non-communist elements, which along with its member organizations “constitute the political base of people’s powers”).¹⁷ Several constitutional provisions also allow the government to punish “severely” all acts that violate the undefined “interests of the motherland and the people.”¹⁸

In April 1999, the Vietnamese government issued a Decree Concerning Religious Activities (1999 Religion Decree), which establishes the basic legal framework within which religious activities take place and codifies state control over religious organizations. The 1999 Religion Decree defines the extent of the Vietnamese government’s control of religious communities and activities. Article 5 states:

All activities which threaten freedom of religious belief, all activities using religious belief in order to oppose the State of the Socialist Republic of Vietnam, to prevent the believers from carrying out their civic responsibilities, to sabotage the union of all the people, to go against the healthy culture of our nation, as well as superstitious activities, will be punished in conformity with the law.¹⁹

The decree stipulates that religious organizations must be registered with the state and religious activities must be approved by the relevant levels of government, including, in some cases, the prime minister. For example, the “printing and dissemination,” and “the production, the commercialization, and the export and import” of religious products and literature “must be submitted to the regulation of the State.”²⁰ The government must also approve the nomination, ordination, and the transfer of clergy and lay “specialists.”²¹ Furthermore, religious organizations and officials must report, and obtain when necessary the authorization of the Bureau of Religious Affairs for, their interactions with foreign organizations and individuals,

106th Cong., 2d sess., 2000, Joint Committee Print, 231–233; Amnesty International, *Socialist Republic of Vietnam: Religious Intolerance—Recent Arrests of Buddhists*, January 2, 2001; Embassy of Vietnam, *Some Facts on Religious Freedom in Vietnam*, Washington, D.C., February 2001; Kevin Boyle and Juliet Sheen, ed., *Freedom of Religion and Belief—A World Report*, (1997).

¹⁵ According to the State Department, an estimated 130,000 Baha’i followers resided in Vietnam prior to 1975. 2000 *Religious Freedom Report*, “Vietnam,” 233.

¹⁶ Vietnam Constitution, art. 70.

¹⁷ Vietnam Constitution, art. 4, 9.

¹⁸ Vietnam Constitution, art. 3.

¹⁹ Socialist Republic of Vietnam, *Decree of the Government Concerning Religious Activities (April 19, 1999)*, trans. Stephen Denney. [Translated from Vietnamese to French by Eglise D’Asie.]

²⁰ *Ibid.*, art. 14.

²¹ *Ibid.*, art. 20, 21.

and their activities abroad.²² Finally, the decree essentially ensures that the Vietnamese government need not return confiscated religious properties to their original owners.²³

In addition to the 1999 Religion Decree, the government decree on administrative detention is frequently used to detain and harass religious believers for unofficial religious activities.²⁴ This decree permits the use of administrative detention without trial for six months to two years as a means to punish those who contravene national security.²⁵ Activities that contravene national security are further defined in the Vietnamese Criminal Code to include activities seeking to overthrow the Communist government and attempts to undermine national unity, such as promoting division between religious believers and nonbelievers.²⁶

The Vietnamese government's Religious Affairs Bureau is reportedly preparing a new ordinance on religion for consideration by the National Assembly.²⁷ The draft law apparently contains provisions similar to the 1999 Religion Decree. One addition in the proposed ordinance is that religious organizations may apply for recognition by the state. However, the proposed definition of a religious organization—"an organization founded with a religious objective, endowed with a Charter in conformity with state law and a leadership approved by the State"—essentially precludes the recognition of religious organizations that are not controlled by the government.²⁸

2. State Control of Religious Activities

In Vietnam, as one witness before the Commission testified, "there is no freedom of religion, because the freedom of religion is controlled by the governmental authorities at all levels."²⁹ The preconditions of official recognition constitute the primary mechanism for this pervasive state control of religious communities and activities. The utilization of this mechanism as a means of control reportedly stems from the Vietnamese Communist Party's fear, due in part to historical factors, that independent, organized religions and religious communities could serve as alternative bases of loyalty, social organization, and political power.³⁰ Hence, religion "is controlled by its incorporation as an organ of state and by denying it any autonomy."³¹

a. Officially recognized religious groups

The Vietnamese government officially recognizes Buddhist, Roman Catholic, Protestant, Cao Dai, Hoa Hao, and Muslim religious organizations. The recognized Buddhist, Cao Dai, and Hoa Hao religious organizations were created and are operated by the government. The official Buddhist organization, the Vietnamese Buddhist Church, was created by the government in 1981 to put into place an officially controlled Buddhist organization that would subsume the popular Unified Buddhist Church of Vietnam (UBCV), which has been effectively banned since that time. Hoa Hao organizations were dissolved after the fall of Saigon in 1975, and no Hoa Hao institution was recognized by the state until 1999. At that time, the government created the Committee of Hoa Hao Representatives (CHHR). This organization is made up almost entirely of Communist Party members and apparently is not recognized

²² Ibid., art. 22, 23, 24, 25, 26.

²³ Ibid., art. 11, sec. 3 states, "The buildings, land and other items transmitted by these organizations or by religious officials to the organs of the State for it to manage and use, in application of the political line of the Democratic Republic of Vietnam, of the Provisional Revolutionary Government of South Vietnam, or of the Socialist Republic of Vietnam, or given or offered to the State, are now the property of the Socialist Republic of Vietnam."

²⁴ UN Special Rapporteur on Religious Intolerance, *Civil and Political Rights, Including the Question of Religious Intolerance*, E/CN.4/1999/58/Add.2, December 29, 1998, ¶17, 18, 19. [Government Decree CP/31.]

²⁵ Ibid.

²⁶ Ibid.

²⁷ Vo Van Ai, U.S. Commission on International Religious Freedom, Hearing on Vietnam, February 13, 2001, 26; Socialist Republic of Vietnam, *Projet d'une Ordonnance sur la Religion* (2000), trans. International Buddhist Information Bureau (2000).

²⁸ Ibid.

²⁹ The Rev. John Tran Cong Nghi, U.S. Commission on International Religious Freedom, *Hearing on Vietnam*, February 13, 2001, 44.

³⁰ In the 1940s, from their base in southern Vietnam, the Hoa Hao Buddhists actively participated as a key group in the fight for independence from the French. However, the relationship between the Hoa Haos and the Vietnamese Communists was strained when the Communists reportedly attacked Hoa Haos without provocation in 1945. In 1947, the Communists reportedly killed Huynh Phu So, the founder of the religion, when he attended a meeting of the Vietnamese pro-independence forces convened by the Communists. Nguyen Long Thanh Nam, "Hoa Hao Buddhism, A Revolutionary Religion," 1987 (E-mail message received December 13, 2000).

³¹ Zachary Abuza, U.S. Commission on International Religious Freedom, *Hearing on Vietnam* (written testimony), February 13, 2001, 5.

as legitimate by the vast majority of Hoa Haos. Nevertheless, the CHHR has sought to control all Hoa Hao religious activity, particularly at the Hoa Hao village, which is the center of Hoa Hao religious life.

Although the government has recognized some Cao Dai denominations, the large majority of Cao Dai organizations and their followers reportedly are opposed to the government-appointed committee that manages all Cao Dai affairs.³² Indeed, the government continues to control the official Cao Dai denominations tightly and to suppress the unofficial ones through this committee. A number of independent Cao Dai followers reportedly have been imprisoned for their opposition to government interference.³³ In October 1998, two Cao Dai followers apparently were arrested and imprisoned after attempting to meet with the UN Special Rapporteur on Religious Intolerance during his visit to Vietnam.³⁴ The government also prohibits spiritist practices, which are key elements in the religion's leadership selection process.³⁵ Finally, the Vietnamese government reportedly confiscated much of the Cao Dai religious properties after 1975.³⁶

Although the Roman Catholic Church has generally fared better than other religious communities, they continue to face significant government restrictions. For example, the government controls the organization, agenda, and publications of the annual Pastoral Assembly of the Catholic Bishops Conference of Vietnam (CBCV); intervenes in the selection process of bishops, priests, and seminary students (resulting in a shortage of bishops and priests); influences the content of seminary instruction; and prohibits CBCV publications at the national or local levels.³⁷ The government has reportedly imprisoned or detained a number of Catholic priests who have carried out pastoral activities without government permission or who were ordained without government approval. The government has confiscated thousands of Catholic Church properties, including churches, schools, hospitals, and seminaries in the north (since the 1950s) and in the south (since 1975). A great number of these properties have not been returned and have been converted into meeting halls, storage facilities, and Communist education centers.

The state-controlled Buddhist organizations and the Protestant Evangelical Church of Vietnam (the officially recognized Protestant community in northern Vietnam) share many of the problems the Catholic Church faces, including government influence over the selection of religious leaders and the management of religious properties, prohibitions on religious publications, and the failure to return confiscated property.

In April 2001, the Vietnamese government reportedly recognized the Evangelical Church of Vietnam in the south and its member churches.³⁸ Legal status would be granted to 300 individual churches, which apparently represent just a fraction of the Protestant churches in the country. The government would not recognize the majority of the ethnic minority Protestant churches in the Central Highlands. It has been reported that not all southern Protestants support the government's planned recognition for fear it would mean the end of the Church's autonomy, a concern that has been substantiated by reports that the Church's new constitution must be approved by the Vietnamese government.³⁹

b. Unrecognized religious communities

Notwithstanding the extensive state control over recognized religious communities, the Vietnamese government's harshest repression is reserved for members of unrecognized communities, including the UBCV, the Hoa Hao, and independent Protestant churches.

Over the past three years, the Vietnamese government has adopted what one witness who testified before the Commission called "a subtle, insidious strategy" to isolate UBCV clergy and followers.⁴⁰ Although no longer in prison, several prominent

³² Sergei Blagov, *The Cao Dai: A New Religious Movement* (1999), 130–151.

³³ 2000 *Religious Freedom Report*, "Vietnam," 237.

³⁴ *Ibid.*

³⁵ Hum D. Bui, written statement submitted to the U.S. Commission on International Religious Freedom, March 9, 2001. Blagov, *The Cao Dai*, 130–151.

³⁶ Blagov, *The Cao Dai*, 132.

³⁷ The Rev. Thaddeus Nguyen Van Ly, written testimony submitted to the U.S. Commission on International Religious Freedom, *Hearing on Vietnam*, February 13, 2001, 2–4.

³⁸ David Brunnstrom, "Hanoi recognizes southern protestant church branch," *Reuters*, April 3, 2001.

³⁹ USCIRF Interview with Protestant representative, December 6, 2000; Reuters, "Vietnam Protestants gather for historic conference," February 7, 2001; Reuters, "Vietnam Protestants to pass 'conforming' chapter," February 8, 2001.

⁴⁰ Vo Van Ai, *Hearing on Vietnam* (written testimony), 12.

UBCV leaders, including Venerable Thich Huyen Quang and Venerable Thich Quang Do, are under house arrest or strict police surveillance and are denied the ability to register their respective temples as their place of residence, thereby making their stay at their own temples illegal. Even when UBCV leaders manage to travel, they suffer from police harassment (including detention and strip searches).⁴¹ The Vietnamese government also prohibits works of charity and humanitarian relief by UBCV clergy; it blocked a recent attempt by UBCV leaders to provide relief to flood victims in the Mekong Delta. Moreover, the government continues to “demolish religious buildings, architectures, and statues; and confiscate church properties, some of which were then used as storage or transformed into government buildings.”⁴² In February 2001, UBCV monk Thich Thai Hoa (who submitted written testimony to the Commission hearing) organized a weeklong interfaith religious event near the city of Hue. Local officials reportedly set up roadblocks, forced students to attend school on the weekend that fell during the event, and engaged in other forms of harassment to prevent people from attending the gathering. Local officials reportedly also placed Father Ly under temporary house arrest in order to prevent his attendance at the event.⁴³

The Vietnamese government restricts the activities of the unofficial Hoa Hao Buddhist organizations and their members. Many Hoa Hao Buddhists cannot obtain permits to visit Hoa Hao village, the birthplace and center of the religion. The Vietnamese government also interferes with the Hoa Haos’ efforts to conduct charitable works (including recent attempts to provide relief to flood victims), which apparently is one of the four central principles of Hoa Hao Buddhism.⁴⁴ Moreover, the government prohibits the public celebration of major ceremonies, such as the ceremony to commemorate the disappearance of the religion’s founder, as well as the public display of important religious symbols, such as the Hoa Hao Buddhist flag.⁴⁵ The government actively harasses and arrests Hoa Haos who seek to participate in religious celebrations or appeal for religious freedom. For example, in September 2000, five Hoa Hao Buddhists were sentenced to prison terms of one to three years for appealing to the central government against local police brutality that occurred during a December 1999 meeting to plan for the celebration of the founder’s birthday. In March 2001, local police officials arrested Le Quang Liem, a Hoa Hao leader in Ho Chi Minh City. It was reported that he was severely beaten and that the arrest was in anticipation of the planned March 19 commemoration of the Hoa Hao founder’s disappearance. Liem was released shortly after his arrest; however, he reportedly was later placed under “administrative surveillance,” which went into effect on March 17 and restricts his ability to travel in Vietnam for a period of two years.⁴⁶ The government has not returned any of the hundreds of Hoa Hao properties confiscated after 1975.⁴⁷

The government continues to repress forcefully the activities of Protestants who are ethnic minorities or who are members of independent house churches (these

⁴¹ Ibid., 23. On February 4, 2001, prior to the Commission’s February 13, 2001 hearing, the Ven. Thich Quang Do, the UBCV deputy head, and his colleagues were arrested, interrogated, and strip-searched by local security personnel on their return from a traditional Lunar New Year visit to Ven. Thich Huyen Quang, the UBCV supreme patriarch.

⁴² The Ven. Thich Thai Hoa, written testimony submitted to the U.S. Commission on International Religious Freedom, *Hearing on Vietnam*, February 13, 2001, 2. According to one source, only 5 to 10 percent of the confiscated Buddhist properties in the south have been returned. USCIRF, *Hearing on Vietnam* (Abuza written testimony), 6.

⁴³ Bhikkhu Thich Thai Hoa, *Report No. 1 of the Week of Prayer*, Free Vietnam Alliance, February 9, 2001 (E-mail message received February 14, 2001); USCIRF Interview with Vietnamese-American organization, February 12, 2001; Deutsche Presse-Agentur, “Vietnam clamps down on religious fete in Hue,” February 14, 2001.

⁴⁴ The four principles are: Respect parents and ancestors; serve the country; maintain one’s faith in Hoa Hao Buddhism; and serve humanity. Huynh-Mai Nguyen, U.S. Commission on International Religious Freedom, *Hearing on Vietnam*, February 13, 2001, 1.

⁴⁵ USCIRF, *Hearing on Vietnam* (Huynh-Mai Nguyen written testimony), 3–4.

⁴⁶ David Brunnstrom, “Vietnam sect leaders allowed home, status unclear,” *Reuters*, March 19, 2001; David Brunnstrom, “Vietnam restricts travel by dissident Buddhist,” *Reuters*, March 25, 2001. The Vietnamese authorities recently sentenced two other Hoa Hao Buddhist leaders to prison terms of two and five years, respectively. Nguyen Van Diem, Le Quang Liem’s deputy, was sentenced to two years in prison after he was arrested in March 2001, in connection with Liem’s arrest. Ha Hai, the third highest-ranking Hoa Hao leader, was sentenced to five years in prison in January for violating house arrest rules and “abusing democratic rights of the state.” Hai was placed under house arrest in March 2000 for attempting to hold a commemoration of the founder’s disappearance. In November, he was re-arrested when he attempted to visit Ho Chi Minh City on the eve of President Clinton’s visit to Vietnam.

⁴⁷ USCIRF, *Hearing on Vietnam* (Huynh-Mai Nguyen written testimony), 6; Central Council of Administrators of the Hoa Hao Buddhist Church in the United States, “List of Confiscated Hoa Hao Buddhist Church Properties in Vietnam,” February 2001.

groups make up the large majority of Vietnamese Protestants). Official documents recently published by Freedom House indicate that the Vietnamese government is conducting a campaign to co-opt and suppress the growth of the Protestant community, especially among the Montagnards, the Hmong, and other ethnic minorities.⁴⁸ Independent Protestants face constant harassment from the Vietnamese authorities, including police raids on homes and house churches, detention and imprisonment, confiscation of religious and personal property, physical and psychological abuse, and fines for engaging in unapproved religious activities (such as collective worship, public religious expression and distribution of religious literature, and performing baptisms, marriages, or funeral services).⁴⁹ In addition, it is reported that ethnic Hmong Protestants have been forced by local officials to agree to abandon their faith.⁵⁰ Finally, none of the 398 Montagnard Protestant Church properties seized by the Communist Party after 1975 have been returned.

The ethnic minorities in the Central Highlands and the northwestern provinces of Vietnam have a long history of strained relationship with the ethnic Vietnamese and successive governments, including during French rule and during the Vietnam War. After 1975, the relationship between the Communist regime and the Montagnards in the Central Highlands was further strained by the mass migration of ethnic Vietnamese (at times encouraged and approved by the government) into the region. These migrants came to occupy lands traditionally held by ethnic minorities. Furthermore, the fact that ethnic minorities constitute approximately two-thirds of the Protestant population in Vietnam introduced another volatile element into the already tense relationship. Indeed, the tenuous nature of the relationship between the government and ethnic minorities was demonstrated in February 2001, when thousands of Central Highlanders protested, seeking the return of ancestral lands and the freedom to practice their religion.⁵¹

D. The Bilateral Trade Agreement and Normal Trade Relations Status

For three consecutive years, from 1998 to 2000, President Clinton granted Vietnam a waiver from the requirements of the Jackson-Vanik Amendment to the Trade Act of 1974 that restrict economic aid to countries with non-market economies that also have restrictive emigration policies. Each year, congressional efforts to disapprove the presidential waiver have failed.

In July 1999, the United States and Vietnam announced an "agreement in principle" on a bilateral trade agreement (BTA). The agreement was not officially signed until a year later (due to internal divisions among the VCP leadership) and must be ratified by the U.S. Congress. If the Congress approves the BTA, the United States would extend temporary normal trade relations (NTR) status to Vietnam, which would significantly reduce U.S. tariffs on most imports from Vietnam. In addition, it would grant Vietnam access to U.S. government financial facilities that extend credits, credit guarantees, or investment guarantees. In return, Vietnam agreed to undertake a wide range of market-liberalization measures, including extending NTR treatment to U.S. exports, reducing tariffs on goods, easing barriers to U.S. services, committing to protect certain intellectual-property rights, and providing additional inducements and protections for foreign direct investment. The agreement does not address the Vietnamese government's interference with the distribution of literature, multi-media broadcasts, and other forms of transmission into Vietnam, for example Radio Free Asia broadcasts.

However, notwithstanding an approved BTA, Vietnam would be still subject to the Jackson-Vanik restrictions, unless they are waived by the President (and the waiver is not overturned by Congress). In other words, even with the BTA in place, the President can suspend NTR by not promulgating a Jackson-Vanik waiver or the Congress can suspend NTR by overturning a presidential waiver.

E. Commission Recommendations

With a new administration in place and as Congress prepares to consider the ratification of the Bilateral Trade Agreement, the time is ripe for the U.S. government to assess how the promotion of religious freedom factors into U.S. policy toward

⁴⁸ Center for Religious Freedom, "Directions for Stopping Religion": *Official Secret Vietnamese Documents on How to Arrest the Spread of Christianity and other Evidence of Religious Persecution*, Freedom House, October 2000.

⁴⁹ The Rev. Paul Ai, U.S. Commission on International Religious Freedom, *Hearing on Vietnam*, February 13, 2001, 36–42.

⁵⁰ Religious Liberty Commission, "Exhibit 1," *On the Cruel Edges of the World: The Untold Story of the Persecution of Christians Among Vietnam's Minority Peoples*, World Evangelical Fellowship, Bangkok, Thailand, March 1999.

⁵¹ Margot Cohen, "Thunder From the Highlands," *Far Eastern Economic Review*, March 1, 2001 (<http://www.feer.com/~0103-01/p024region.html>, accessed March 26, 2001).

Vietnam. The Commission believes that approval of the BTA without any U.S. action with regard to religious freedom risks worsening the religious-freedom situation in Vietnam because it may be interpreted by the government of Vietnam as a signal of American indifference. We note that after approval of Permanent Normal Trade Relations status for the People's Republic of China, unaccompanied by any substantial U.S. action with regard to religious freedom in that country, religious freedom in China has declined markedly in the past year. With this background in mind, the Commission makes the following recommendations:

1. *The U.S. Congress should ratify the U.S.-Vietnam Bilateral Trade Agreement (BTA) only after it passes a sense of the Congress resolution calling for the Vietnamese government to make substantial improvements in the protection of religious freedom or after the Vietnamese government undertakes obligations to the United States to make such improvements. Substantial improvements should be measured by the following standards:*
 - 1.1. *Release from imprisonment, detention, house arrest, or intimidating surveillance persons who are so restricted due to their religious identities or activities.*
 - 1.2. *Permit unhindered access to religious leaders by U.S. diplomatic personnel and government officials, the U.S. Commission on International Religious Freedom, and respected international human rights organizations, including, if requested, a return visit by the UN Special Rapporteur on Religious Intolerance.*
 - 1.3. *Establish the freedom to engage in religious activities (including the freedom for religious groups to govern themselves and select their leaders, worship publicly, express and advocate religious beliefs, and distribute religious literature) outside state-controlled religious organizations and eliminate controls on the activities of officially registered organizations. Allow indigenous religious communities to conduct educational, charitable, and humanitarian activities.*
 - 1.4. *Permit religious groups to gather for annual observances of primary religious holidays.*
 - 1.5. *Return confiscated religious properties.*
 - 1.6. *Permit domestic Vietnamese religious organizations and individuals to interact with foreign organizations and individuals.*

The items listed in Recommendation 1 above are standards by which the progress of the Vietnamese government in the protection of religious freedom can be measured. The Commission believes that the BTA should not be approved until the Congress calls on the government of Vietnam to make substantial improvements in protecting religious freedom or until that government has demonstrated its commitment to protecting religious freedom as measured by these standards.

The BTA does not currently include any provision that would safeguard human rights and religious freedom in Vietnam. The Commission believes that the seriousness and extent of religious-freedom violations in Vietnam warrant a commitment on the part of the Vietnamese government to make substantial improvements in the protection of religious freedom. The Commission does not endorse a particular method of securing such a commitment, but notes that IRFA authorizes the President to "negotiate and enter into a binding agreement with a foreign government to cease, or take substantial steps to address and phase out, the act, policy, or practice constituting the violation of religious freedom."⁵²

2. *If Congress ratifies the BTA and approves conditional Normal Trade Relations (NTR) status for Vietnam, it should review Vietnam's progress on the protection of religious freedom as part of an annual review of that status.*

Upon ratification of the BTA, Vietnam's conditional NTR status would still be subject to review by Congress on an annual basis if and when the President issues a Jackson-Vanik waiver for Vietnam. Should Congress decide to approve the BTA, the Commission urges that it examine Vietnam's progress on the protection of religious freedom and human rights as part of this annual review.

⁵² International Religious Freedom Act of 1998, § 404(c), 22 U.S.C. § 6444.

3. *The United States should withhold its support for International Monetary Fund (IMF) and World Bank loans to Vietnam (except those providing for basic human needs) until the government of Vietnam agrees to make substantial improvements in the protection of religious freedom, as measured by the standards itemized in 1.1 through 1.6 above.*

The IMF and the World Bank reportedly are considering loans to the Vietnamese government of up to \$800 million to further Vietnam's economic reform programs. The proposed loan package would provide up to \$400 million during the first two to three years of the program. An additional \$400 million would be conditional upon the Vietnamese government making satisfactory progress in the implementation of its economic reforms during the program's initial period. While these loans are part of the two organizations' ongoing assistance to the Vietnamese government, they reportedly would represent the first set of IMF and World Bank loans to Vietnam in five years. Officials of the IMF and the World Bank apparently are hopeful that their respective executive boards will approve the loans in April 2001, with implementation to follow in May. As of the date that this report went to print, no decision has been made.

As mentioned above in connection with congressional approval of the BTA, the Commission believes that supporting economic aid through international financial institutions that primarily benefits the Vietnamese government without requiring that government to make a commitment to substantially improve its protection of religious freedom may be interpreted as a signal of U.S. indifference. The Commission recognizes that Congress has set down policy guidelines for the withholding of U.S. support for IMF or World Bank loans on human rights grounds in both the International Financial Institutions Act of 1977 and IRFA.⁵³ The Commission believes that the severity of the Vietnamese government's violation of religious freedom, and its apparent unwillingness to make sustained improvements in the protection of religious freedom, warrants the use of this sanction. The United States, as a member of the IMF and World Bank Executive Boards, should withhold its support for loans to the government of Vietnam until that government agrees to make substantial improvement in the protection of religious freedom. The U.S. should not withhold its support for loans made for the purpose of providing for the basic human needs of the Vietnamese people.⁵⁴

4. *The U.S. government should make the protection of religious freedom a high-priority issue in its bilateral relations with Vietnam, including in the annual human rights dialogue with the Vietnamese government and in future trade negotiations, advocating substantial improvement in the protection of religious freedom as measured by the standards itemized as 1.1 through 1.6 above.*

The U.S. Department of State should advise the office of the U.S. Trade Representative (USTR) on the state of religious freedom and other human rights in Vietnam, and should request that the USTR advance the U.S. government's interests in human rights in and through the negotiations and the provisions of any further trade agreement or companion agreement between the two countries.

The United States and Vietnamese governments have held bilateral human rights dialogues since 1995. The U.S. government should ensure that the discussion of religious freedom receives high-priority attention in these annual dialogues, as well as in other bilateral contacts. The United States should press vigorously for substantial improvement in the protection of religious freedom in Vietnam, as measured by the specific standards referred to above.

The State Department should ensure that the USTR, as the executive branch's interagency coordinator of U.S. trade policy and the lead trade negotiator, is advised of the state of religious freedom and other human rights in Vietnam prior to and during its trade negotiations with its Vietnamese counterpart. Furthermore, the State Department should request that the USTR advance the U.S. government's interests in promoting human rights and religious freedom in the conduct of its trade negotiations with the Vietnamese government and that such interests should be reflected in the provisions of any further trade agreement or companion agreement between the two countries.

⁵³Sec. 701, International Financial Institutions Act of 1977, 22 U.S.C. § 262d; IRFA § 405(a)(12), 22 U.S.C. § 6445.

⁵⁴In March 2001, the Commission wrote to the Secretary of the Treasury communicating this recommendation.

5. *The U.S. government should insist that the Vietnamese government permit domestic Vietnamese religious and other non-governmental organizations to distribute their own and donated aid.*

One important aspect of many Vietnamese religious communities is their commitment, as a matter of conscience, to humanitarian relief and other works of charity. However, the Vietnamese government has prohibited indigenous religious groups and their members from providing relief and social services to the Vietnamese people.⁵⁵ For example, in October 2000 the Vietnamese government barred UBCV leaders such as the Venerable Thich Quang Do and the Venerable Thich Khong Tanh from providing much-needed relief to victims of one of the largest floods in Vietnam's recent history, despite the fact that the Vietnamese government was incapable of providing sufficient relief and was openly courting international relief aid. The Hoa Hao Buddhists were also prevented from providing flood relief.

While the U.S. government should continue to provide humanitarian and relief aid to Vietnam should the need arise, the Commission believes that the United States should insist that the Vietnamese government permit domestic religious and other non-governmental organizations to distribute their own and donated aid.

6. *The U.S. government should, through its foreign assistance and exchange programs, support individuals (and organizations, if they exist) in Vietnam that are advocating human rights (including religious freedom), the rule of law, and legal reform. It should also support exchanges between Vietnamese religious communities and U.S. religious and other non-governmental organizations concerned with religious freedom in Vietnam.*

The United States currently gives Vietnam around \$8 million in direct foreign assistance, primarily humanitarian aid and support for economic reform. Although there are individuals in Vietnam who advocate for legal reform and human rights (including religious freedom), the Vietnamese government generally prohibits independent human rights, humanitarian, and other such organizations. In order to promote religious freedom in Vietnam, the U.S. government should support such individuals (and organizations, if they exist) in these efforts. This could be done through direct support as well as educational and other exchanges with appropriate U.S. partners.

7. *Until religious freedom significantly improves in Vietnam (as measured by the standards itemized as 1.1 through 1.6, above), the U.S. government should initiate or support a resolution to censure Vietnam at the annual meeting of the UN Commission on Human Rights and should engage in a sustained campaign to persuade other governments to support it.*

8. *The U.S. government should continue to support the Association for Southeast Asian Nations (ASEAN) Human Rights Working Group, and should encourage the Vietnamese government to join the working group.*

In 1993, the ASEAN Inter-Parliamentary Organization adopted a Declaration on Human Rights that included a provision encouraging the ASEAN member states to form a regional human rights mechanism.⁵⁶ Following this formal declaration, ASEAN—through consultations among representatives of the ASEAN member states, regional organizations, and Southeast Asian non-governmental organizations—established the Working Group for an ASEAN Human Rights Mechanism (Working Group). The Working Group is comprised of national working groups in member states which in turn are made up of representatives from the academe, non-governmental organizations, government, business, media, and “national human rights institutions.” To date, Indonesia, Malaysia, the Philippines, and Thailand have formed national working groups, and Singapore is in the process of forming one. In July 2000, the Working Group submitted to ASEAN a draft agreement that calls for the establishment of a permanent human rights commission.

The Commission believes that the U.S. government should continue to support the Working Group and its efforts to promote the creation of a permanent ASEAN human rights organization. The U.S. government should urge the Vietnamese government to join the Working Group and establish its own national working group as a sign of its commitment to protecting religious freedom and other human rights. The establishment of such an organization in Vietnam would lay the foundation for regular discussions on human rights between Vietnam and other Southeast Asian

⁵⁵ This appears to be in conflict with the government's own regulations. Article 17 of the 1999 Religion Decree provides that “the clergy and religious can carry out economic, cultural and social activities as all other citizens.”

⁵⁶ Association for Southeast Asian Nations, *Bangkok Declaration*, March–April 1993 (<http://www.rwgmechanism.com/asia.html>, accessed March 26, 2001).

countries. The Vietnamese government discussed with Working Group officials the possibility of forming such a national body in Vietnam during a recent visit to Hanoi.

9. The United States should continue to support Radio Free Asia (RFA) broadcasts into Vietnam as a vehicle for promoting religious freedom and human rights in that country.

It is widely reported that the Vietnamese government jams RFA broadcasts into Vietnam. The reported efforts by the Vietnamese government to block RFA transmissions reflect RFA's importance to the Vietnamese people as a source of news and information about Vietnam that is independent of the Vietnamese government. The Commission recommends that the U.S. government should continue to support RFA broadcasts into Vietnam not only as a source of news and information but also as a vehicle for promoting religious freedom and human rights in that country.

Beyond National Borders: China's Harassment of Falun Gong Practitioners in the United States

REPORT (JANUARY 2002)

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III. China's Harassment of Falun Gong in the Southern California Area

Cases before January of 2001

PART 1. INTERFERING WITH DECISIONS OF LOCAL GOVERNMENTS AND BUSINESSES

Local Governments' Proclamations Interfered with by Chinese Consulates

Date of Incident: July 1999 to October 2000

Victim(s): Residents of the State of California, Falun Gong Practitioners

Location of incident: Throughout California

Description:

Falun Gong practitioners in Northern California applied to several cities and counties for proclamations recognizing Falun Dafa Week. While dozens of proclamation and commendation letters were awarded, in several cases mayors or supervisors suddenly reversed their decisions—changing from initial approval to sudden, firm rejection. Soon the reason became evident. As it turns out, officials from the San Francisco Chinese Consulate had been busy visiting local government offices in Northern California. It was revealed that in some cases Chinese diplomats had demanded of mayors that they retract their proclamations, and alarmingly, that this was even done by way of subtle economic threat and intimidation.

When those mayors were later approached by the surprised Falun Gong practitioners, the reasons given for the rejection were obscure, and sometimes no reasons at all were given.

The following are some descriptions from the Falun Gong practitioners who were involved.

San Francisco—July 1999

In July of 1999, San Francisco Mayor Willie Brown issued a proclamation declaring July 20, 1999 Li Hongzhi Day (Li Hongzhi is the founder and teacher of Falun Gong). A ceremony was planned for City Hall on July 20, and five-hundred guests from around the country planned to attend, including Mr. Li Hongzhi himself. On July 18, we sent an invitation letter to the Chinese Consulate of San Francisco. On July 19, one day before the day of celebration, Mayor Brown's office suddenly announced to the media that the mayor had rescinded the proclamation. The practitioners who had received the award certificate were not even notified, and no explanation was offered whatsoever. Mr. Li had to turn back while on route to San Francisco, and the ceremony had to be canceled. To date, the mayor's office has provided no explanation.

Saratoga—November 2000

After issuing a proclamation of Falun Dafa Week in late October 2000, Saratoga Mayor Stan Bogosian received a request from the Chinese Consulate's officials, asking for a meeting. After meeting with them, Mayor Bogosian disclosed that he was "astounded" when the officials handed him a letter from the consul demanding that he rescind his proclamation. Mayor Bogosian remained firm in his decision, and did not rescind the proclamation. The mayor was so disturbed by the Chinese government's actions that he called a press conference of his own initiative to disclose the event.

Palo Alto—November 2000

The city clerk of Palo Alto reviewed the city's proclamation honoring Falun Gong, and wrote to practitioners stating that it had been accepted and that the mayor would sign it. Later, however, she informed the practitioners that the mayor could not issue proclamations for "quasi-religious or political groups." The nature of the terms used by the mayor's office are those of the Chinese government, and not members of the free world, who recognize Falun Gong as a self-improvement or spiritual practice. No explanation was offered for the sudden change of thinking.

Santa Clara County—December 2000

While the Santa Clara County board was considering a resolution on Falun Gong, it was learned from the county office that Supervisor McHugh was under pressure from outside sources regarding the resolution, and that those pressuring him "were not voters." There are no known incidents of anyone other than Chinese embassies and consulates interfering in Falun Gong proclamation requests. The board has not approved the resolution as of the time of this report.

Contra Costa County—November 2000

Contra Costa County received an application package requesting the proclamation of a Falun Dafa Week. The secretary called the practitioners who sent the package

and asked for a date to issue the proclamation. But just one week later, she notified them that the county wanted to “learn more” about Falun Gong first, and could no longer issue any certificate.

San Mateo County—October 2000

Initially, President Richard Gorden agreed to award Falun Gong a proclamation, and his secretary began preparing it. Two days later, however, the Falun Gong practitioners who put in the request were told that the board had decided not to issue the proclamation. No explanation was given.

Multiple Honors Rescinded Under Pressure from Overseas Chinese Government

Date of Incident: 1999

Victim(s): Residents of Seattle, Baltimore, San Francisco, and the State of Maryland; , Falun Gong Practitioners

Location of incident(s): Seattle, Baltimore, San Francisco, and the State of Maryland

Description:

The mayors of Seattle, Baltimore, and San Francisco were pressured by the Chinese government to rescind proclamations given to Falun Gong in their respective cities.

The Governor of Maryland, Parris N. Glendening, was even pressured into writing a letter of apology to the Chinese government for an Honorary Citizenship Award her office had given to the founder of Falun Gong. In each case it is believed trade and economic threat were used as a means of coercion.

Proclamation Rescinded under Pressure from Overseas Chinese Government

Date of Incident: July 19, 2000

Victim(s): Residents of San Francisco, Falun Gong Practitioners

Location of incident: San Francisco, California

Description:

In July 1999, Mayor Willie Brown issued a proclamation declaring July 20, 1999 Li Hongzhi Day (Li Hongzhi is the founder and teacher of Falun Gong). A ceremony was planned for City Hall on July 20, and five-hundred guests from around the country planned to attend, including Mr. Li Hongzhi himself. On July 18, we sent an invitation letter to the Chinese Consulate of San Francisco. On July 19, one day before the day of celebration, Mayor Brown’s office suddenly announced to the media that the mayor had rescinded the proclamation. The practitioners who had received the award certificate were not even notified, and no explanation was offered. Mr. Li had to turn back while on route to San Francisco, and the ceremony had to be canceled. The next day, news of the cancellation was run in a major Chinese newspaper and described in celebratory fashion. To date, the mayor’s office has provided no explanation.

Chinese Consul Harasses Mayor’s Office in Michigan

Date of Incident: December, 2000

Victim(s): Residents of Rochester Hills, Michigan, Falun Gong Practitioners

Location of incident: Rochester Hills, Michigan

Description:

Three officials from the Chinese Consulate in Chicago unexpectedly showed up at City Hall in Rochester Hills, Michigan, the first week of December, 2000. Then, saying that they were acting on behalf of the Chinese Government, they demanded to meet with Mayor Pat Somerville to obtain an apology from the city for its awarding of a proclamation to Falun Gong, and to have the award rescinded.

The mayor’s secretary told the three uninvited visitors that it was impossible to arrange a meeting with Mayor Somerville without a prior appointment due to her busy schedule. In response to the visitors’ stubborn insistence, the mayor eventually gave them 15 minutes. After meeting with them, it was decided immediately that “the unjustifiable demands by the Chinese consuls are totally unacceptable.”

It was also reported that the mayor’s office received a harassing phone call from an anonymous woman shortly before the appearance of these three officials. She claimed to be a student at Oakland University, but would not give her name, address, or telephone number. This case has been brought to the attention of the relevant agency.

Mayor Somerville’s office can be contacted at 248-656-4664.

Chinese Embassy Interferes with Falun Gong Proclamation

Date of Incident: December, 1999

Victim(s): Residents of Columbia City, Boone County, and St. Louis City, Missouri, Falun Gong Practitioners

Location of incident(s): Columbia City, Boone County, and St. Louis City, Missouri

Description:

The last week of December 1999 and the first week of January 2000 were proclaimed Falun Dafa Week in Columbia City and Boone County, Missouri, respectively. The Chinese Embassy called and faxed the city's and county's governments, asking them to withdraw their proclamations. They refused. The same thing occurred in St. Louis City.

Contact: Lin Chuan (tel: 703 892-6196)

A Mysterious "Mr. Hue" Blocks Falun Gong Proclamation

Date of Incident: September, 2000

Victim(s): Residents of Newark, Delaware

Location of incident: Newark, Delaware

Description:

Mayor Godwin of Newark, Delaware proclaimed September 9, 2000 Falun Dafa Day. On September 29, however, a Chinese news agency reported the following item: Some Falun Gong practitioners in Delaware "cheated" Mayor Godwin into giving Falun Gong the proclamation, and that Mayor Godwin had apologized to the Chinese government for the 'misunderstanding.'" On November 6, a number of concerned Delaware residents met with Mayor Godwin. At the meeting, Mayor Godwin said that the U.S. State Department had called and asked him to drop the proclamation two weeks after he issued it. He claimed that the person who called him on behalf of the State Department went by the last name of "Hue" (a Chinese surname). This "Mr. Hue" also sent the Mayor some CDs, pictures, and brochures defaming Falun Gong—an action unique to the Chinese government. The Mayor said that if the U.S. State Department really did not have any concerns regarding the proclamation, neither did he. After this conversation, some Falun Gong practitioners visited the U.S. State Department to inquire. According to the State Department's representatives, they never called Mayor Godwin about the proclamation, nor have they called any other mayor with such instructions.

PART 2. BLOCKING PARTICIPATION IN LOCAL EVENTS

Chinese Consulate Blocks Falun Gong Booth at Expo in LA

Date of Incident: December, 2000

Victim(s): Falun Gong Practitioners in Los Angeles

Location of incident: Los Angeles, California

Description:

The 2000 China Expo, held by the China Expo (USA) Inc., took place at the Los Angeles Convention Center from December 8 to 10, 2000. A Falun Gong practitioner, Teresa Chao, had reserved and paid for a booth at the Expo (see Figure 2). However, several departments of the Chinese Consulate in Los Angeles called China Expo (USA) Inc. and demanded that it cancel the Falun Gong booth. If the booth was not canceled, the Consulate threatened, it would withdraw the dozens of booths the nation of China had reserved. After communicating with China Expo (USA) Inc., the Falun Gong practitioners decided to withdraw their booth in order not to cause business losses to China Expo (USA) Inc.

2000 CHINA EXPO AGREEMENT

EXHIBITOR INFORMATION:
 Name: TERESA CHAO
 Address: 10000 Wilshire Blvd, Suite 1000, Los Angeles, CA 90024
 City: LOS ANGELES State: CA Zip: 90024 Country: USA
 Phone: (310) 200-1234

BOOTH SELECTION:
 Booth Number: 1025
 Booth Size: 10' x 10'
 Booth Type: Standard

PAYMENT METHOD:
 Check # 2605
 Credit Card # 1234 5678 9010 1111

TERMS OF AGREEMENT:
 I, the undersigned, agree to participate in the 2000 China Expo...
 I agree to pay the booth fee of \$1,380.00...
 I agree to comply with all rules and regulations of the Expo...

Figure 1. Completed Agreement Form To Participate in 2000 China Expo

What follows is a chronology of the incident:

Nov. 15: Teresa Chao, a business owner and practitioner of Falun Gong, saw an advertisement for the 2000 China Expo.

Nov. 17: Teresa contacted the agent of the Expo, Jennifer Lee, and received a fax from her about the price, location, and schedule of the Expo. Teresa told Jennifer that she was interested in having a booth for Falun Gong.

Nov. 20: After consulting other Falun Gong practitioners in Los Angeles, Teresa called Jennifer back.

Nov. 20: Jennifer faxed the contract to Teresa. After several phone conversations, Teresa decided to reserve Booth #1025, and paid the Expo by check (# 2605), in the amount of \$1,380.00 (see Figure 3). Teresa confirmed with Jennifer that the booth was for Falun Gong, and Jennifer said it was okay because another "traditional religion" had also reserved a booth. Teresa told Jennifer that Falun Gong is not a religion. Jennifer said it would be okay.

Nov. 21: Jennifer sent a set of documents to the Expo.

Nov. 27: Jennifer made another call, with three faxed documents, asking Teresa to fill in the forms and return them. The forms were: a) Swapmeets Flea Market or Special Events Certification, b) City of Los Angeles Declaration of Business Activity, and c) Sellers Permits Number.

Nov. 28: Jennifer Lee called Teresa and told her that she would go back to Taiwan on November 30. She also asked Teresa if there were anything else she could help with.

Dec. 4: Jennifer called Teresa and asked what type of activities the Falun Gong booth would have. Teresa answered that there would be a practice demo, video demo, book selling, and flyer distribution. Teresa asked Jennifer if there were any problems and Jennifer answered that she was not clear because her boss wanted to know.

Dec. 4: A gentleman called Teresa around three in the afternoon and introduced himself as the organizer of the Expo. He said the Expo was under pressure from the Chinese Consulate in Los Angeles, because the Consulate had seen the ad for Falun Gong's planned activities at the Expo in *Singtao Daily*, a Chinese newspaper. Several departments of the Consulate had called and pressured him to cancel the Falun Gong booth. They told him that the Consulate would withdraw dozens of

booths reserved by China if Falun gong were allowed to join the Expo. This would hurt the business of the Expo company, but the organizer also knew that he had no right to cancel the Falun Gong booth, so he asked Teresa if she could remove our sign (he said that he thought this would solve the problem later).

Dec. 4: The organizer made the second call to Teresa five minutes after the first one and asked if we could cancel our ad on *Singtao Daily*. Teresa answered that she needed to talk to other practitioners.

Dec. 4: The organizer called the third time (around 5:00 p.m.) and told Teresa that the Chinese Consulate in Los Angeles did not agree to allow Falun Gong to join the Expo on any grounds. He apologized to Teresa.

Dec. 4: After discussing the matter with other practitioners, Teresa decided to withdraw the booth in order to spare the organizer the severe business consequences keeping the booth would entail. Teresa called the organizer before 6:00 p.m. and told him that she agreed to withdraw the booth but needed an official cancellation notice explaining why.

Dec. 4: That evening, Teresa called the organizer again to confirm that the interference indeed originated from the Chinese Consulate in Los Angeles. The organizer confirmed this, saying that the pressure came from several departments in the Chinese Consulate.

Dec. 5: At about 3:30 p.m., the organizer said the notice would be sent out the next day.

We have received the returned check from China Expo. The organizer of the Expo told us that he would tell the truth if asked about the case. For more information, contact Falun Gong practitioner John Li, California Institute of Technology; tel: 626-568-8889 (h); or the organizer of the Expo, Mr. Wu, at 626-582-1068.

Practitioners Denied Participation at Delaware Festival

Date of Incident: August 7, 2000

Victim(s): Residents of Delaware, Falun Gong Practitioners

Location of incident: Delaware State

Description:

In early July of 2000, the Chinese Association of Delaware held its annual Chinese Festival. The Association declined a request from Delaware Falun Gong practitioners to rent a booth at the festival. Practitioners would soon learn why.

When practitioners handed out literature about the persecution of Falun Gong (in China) outside the festival entrance, they were asked to stop distributing literature because the Chinese Embassy's agents were there. The practitioners stopped. It was learned that the Embassy's terms for allowing the Association to borrow the Embassy's traditional Chinese clothing (to be worn at the festival) were that the Association would have to display CDs and other so-called "informational materials" that defame and attack Falun Gong.

PART 3. PRESSURING LOCAL MEDIA

Houston Businesses Pressured to Discriminate

Date of Incident: varied

Victim(s): Residents of Houston, and Houston Falun Gong Practitioners

Location of incident: Houston, Texas

Description:

The Chinese-language newspaper, *Chinese Southern Daily News* was pressured by the Chinese Consulate in Houston to stop publishing advertisements and articles about Falun Gong.

Dr. Zheng Wu, a Falun Gong practitioner in Houston, Texas, had an agreement with *Chinese Southern Daily News* to advertise articles about Falun Gong for six months. Due to pressure from the Chinese Consulate, however, *Chinese Southern Daily News* broke its contract with Wu after it published Falun Gong articles for only one month or so. A reporter from the newspaper told Wu that a Consulate representative had talked to the newspaper's president and his family about this matter. The reporter explained that the paper had to do as told, because they do business with China and would be punished.

Mr. Xu Ying, consul for press and cultural affairs at Houston's Chinese Consulate, invited Mr. Wu to have a talk at Starbucks coffee. Xu asked Wu to stop publishing articles on Falun Gong in the *Chinese Southern Daily News* and to stop gathering in front of the Chinese Consulate in Houston to protest the Chinese government's

persecution of Falun Gong. During the conversation, Xu told Wu that their would be consequences for his supporting Falun Gong, including forcing him and his family to return to China (where harsh punishment would await them).

In another instance of pressure from the Consulate affecting local business decisions, Greatwall Bookstore in Houston decided to stop carrying any books on Falun Gong.

Similarly, the Chinese Civic Center's Jing Bao Shan Library was pressured by the Consulate in Houston to stop carrying all Falun Gong books. The head of the Library in turn asked Mr. Zheng Wu to stop advertising that the Library carries Falun Gong books.

Other incidents have seen Falun Gong practitioners in Texas be monitored and investigated by officers and agents of the Chinese Consulate.

Contact: Dr. Zheng Wu (tel: 713-272-6046)

Borders Bookstore Pressured To Stop Carrying Falun Gong Books

Date of Incident: July, 2000

Victim(s): Residents of Pasadena, and Pasadena Falun Gong Practitioners

Location of incident: Pasadena, California

Description:

In the summer of 2000, Borders bookstore in Pasadena, California was pressured by its headquarters to stop carrying Falun Gong books and stop allowing a weekly study group to meet there. This happened because an influential person from the Chinese government heard an interview on radio station KPCC, which featured Pasadena Falun Gong practitioners discussing the persecution; in the interview Borders had been mentioned as a place to learn more about Falun Gong. This Chinese government representative then called Borders' headquarters to complain. At this time the Pasadena Borders now offers the books again, but only through special order. For details, contact Michael Graziano, Community Relations Coordinator, Pasadena Borders.

California Bookstore Stops Carrying Books Under Pressure

Date of Incident: July of 1999

Victim(s): Residents of Monterey Park, California, and Falun Gong Practitioners there

Location of incident: Monterey Park, California; United States

Description:

Sino United Publishing (SUP) Bookstore in Monterey Park, CA, was pressured by its headquarters in Hong Kong to stop selling Falun Gong books in July of 1999; apparently the Hong Kong headquarters was itself under severe pressure from the Mainland Chinese government. Up until that time, SUP had been the distributor of Falun Gong books in North America.

Cases after January of 2001

PART 1. INTERFERING WITH DECISIONS OF LOCAL GOVERNMENTS

Chinese Embassy Interferes With Gov. Mike Leavitt's Decision to Proclaim "Falun Gong Day" In The State Of Utah

Summary: Excerpted from Deseret News article on January 15, 2002. . . . Gov. Mike Leavitt changed his original decision on proclaiming January 8, 2002 as Falun Gong Day in State of Utah after meeting with Yafei He, minister and deputy chief of mission at the Chinese Embassy . . . It isn't the first time a member of the Chinese Embassy or consulate has attempted to sway a U.S. leader about Falun Gong . . .

Date of Incident: Deseret News article on January 15, 2002

Victim(s): Falun Gong

Location of incident: State Of Utah

Description:

According to Deseret News article on January 15, 2002, Falun Gong claimed that Gov. Mike Leavitt changed his original decision on proclaiming January 8, 2002 as Falun Gong Day in State of Utah after meeting with Yafei He, minister and deputy chief of mission at the Chinese Embassy, who openly said he would vent China's concerns about Falun Gong to Leavitt.

The article says, "The group has been banned in China since July 1999, a date which, according to its members, coincided with its membership outpacing the number of registered Chinese in the ruling[party's name omitted] .

Since that time, Falun Gong members say, the government has undertaken a smear campaign against the movement both inside and outside China.

He's comments to Leavitt are part of that campaign, they say.

It isn't the first time a member of the Chinese Embassy or consulate has attempted to sway a U.S. leader about Falun Gong.

Stan Bogosian, the former mayor of Saratoga, Calif., told the Associated Press last year that a few days after he signed a proclamation declaring a week in honor of Falun Gong, two officials from the Chinese consulate urged him to rescind it.

When he refused, Bogosian said the Chinese asked him to remain "neutral" on the issue.

Salt Lake Mayor Rocky Anderson, who declared Jan. 22-28, 2001, Falun Gong week, also met with He.

Falun Gong, also called Falun Dafa, was a topic, and He expressed Olympic safety concerns, which Anderson forwarded to the police department.

It was Anderson's administration that granted the Falun Gong permission to protest during the Winter Games.

Members, who insist they are a peaceful group, say they will use that time to conduct their yoga-like spiritual movements and distribute literature about Chinese persecution.

They say thousands have died from torture at the government's hands."

Excerpted from the original article at

<http://www.deseretnews.com/dn/view/0,1249,365007991,00.html>

Houston Mayor pressured by Chinese Consulate not to issue proclamation to Falun Gong practitioners

Date of Incident: April, 2001

Victim(s): Jason Wang

Location of incident: Houston

Description:

In April of 2001, Jason Wang (a Falun gong practitioner) requested to Houston Mayor (Mayor Lee Brown's office for a proclamation of Falun Gong. Chinese Consulate Office is Houston put economic and political pressure to the Mayor so the mayor did not issue the proclamation. In a phone conversation , a staff in Mayor's office, Helen Chang, told me that, "We got too much of pressure. If you can convince the Chinese Consulate to agree on, we will definitely issue you the proclamation.

AP: China expanding campaign overseas to discredit Falun Gong

Summary: At least a dozen mayors from cities in California, Illinois, Washington, Maryland and Michigan have reported pressure from Chinese officials who often pointedly mention the importance of U.S.-Chinese trade.

Date of Incident: Posting date: 7/10/2001

Location of incident: California, Illinois, Washington, Maryland and Michigan

Victim(s): All practitioners in the United States

Description:

HONG KONG (*Helen Luk*, AP)—While forging ahead with its attempt to eradicate the Falun Gong movement at home, China is taking its campaign against the spiritual group abroad.

Chinese diplomats are seeking to discredit the [group] and undermine its image in the United States, Australia and other countries by pressing public officials not to have dealings with the group or allow its participation in local activities.

Critics of the Beijing regime say Hong Kong authorities are caving in to the anti-Falun Gong campaign. They contend officials weakened the enclave's autonomy by barring about 100 Falun Gong practitioners from entering in early May during a visit by Chinese President Jiang Zemin.

Falun Gong remains legal in Hong Kong, under Western-style freedoms left behind by the British. But its active presence here has provoked much local friction as members lash out against China's suppression.

The conflict between China and the [group] escalated last week over the deaths of some imprisoned Falun Gong practitioners at a labor camp in the northeastern province of Heilongjiang in June.

Chinese officials offered conflicting numbers, with some saying three deaths and others 14, but all said the women hanged themselves in a mass suicide. Falun Gong,

which says its teachings prohibit suicide, insisted Chinese authorities had fatally beaten 15 inmates to death.

China's government is drawing criticism for its efforts to weaken Falun Gong overseas.

In the United States, some mayors have complained that Chinese diplomats attempted to stop them from giving public recognition to Falun Gong.

Falun Gong members in Australia accuse the Chinese Embassy of spreading distorted information about the group and attempting to persuade Australian officials to ban its participation in local events such as village festivals.

Beijing's attempts to use diplomatic pressure to silence Falun Gong have enraged members and government officials in the United States.

Stan Bogosian, the former mayor of Saratoga, Calif., said that a few days after he signed a proclamation late last year declaring a week in honor of Falun Gong, two officials from the Chinese consulate urged him to rescind it.

When he refused, Bogosian said, the Chinese asked him to remain neutral on the issue and asked about his stance on Taiwan, which Beijing considers a renegade province. Angered, Bogosian called a news conference to denounce the Chinese government for "highly irregular" actions.

"The Chinese government should not be interfering in the political process," Bogosian told The Associated Press. "The issue of whether Falun Gong is a xx or not is not important. For me, these are basic human rights."

To Bogosian and many others, Falun Gong is a harmless qigong group, whose adherents, clad in their yellow T-shirts, practice [. . .] exercises and move slowly to ethereal music in parks.

At least a dozen other mayors from cities in California, Illinois, Washington, Maryland and Michigan have reported pressure from Chinese officials who often pointedly mention the importance of U.S.-Chinese trade.

"The whole thing sounded like a propaganda pitch to me," said Tod Satterthwaite, mayor of Urbana, Ill., who ignored the Chinese demands.

[. . .]
Falun Gong adherents in Australia say Chinese officials have sent letters to civic leaders describing the group as [Jiang Zemin government's slanderous terms omitted]

"The letters were sent to local government offices in order to try and persuade them to disallow perfectly legal activities being conducted in the area," said Michael Molnar, a spokesman for Australia's Falun Gong.

The Australian government said the Chinese Embassy had denied sending the letters.

Rebecca Tromp, spokeswoman of the Blacktown City Council, said officials from the Chinese consulate in Sydney raised the issue of Falun Gong participation in a festival sponsored by the city government.

"We advised them that any participation Falun Gong has is within our festival and that is what they do and we would continue to allow them to participate," Tromp said.

Westland mayor rescinded his proclamation after receiving defamation materials against Falun Gong from Chinese Consulate in Chicago

Date of Incident: March 14, 2001

Location of incident(s): Westland, Michigan

Description:

Michigan cities that have issued proclamations to Falun Dafa received defamation materials from Chinese Consulate in Chicago. Among all the mayors who issued proclamations, only Westland mayor rescinded his proclamation after reviewing the Chinese Consulate's package. Upon receiving Westland mayor's letter, practitioners called mayor's office and sent mayor an open letter, asking him to verify the information he received from the Chinese Consulate with credible sources such as the US State Department and Amnesty International. However, the mayor refused to directly communicate with practitioners.

Other mayors have rejected the request to rescind the proclamation. The defamation package that the Chinese Consulate sent out included many horrifying pictures that were made up to instigate hatred and fear from people. Also, officials from the Chinese Consulate directly interfered with elected official's daily function. Without any appointment, two officials from Chinese Consulate in Chicago took a flight to Detroit and walked in the office of Rochester Hills' mayor's office and demand a meeting with the mayor despite mayor's busy schedule at the time. They demand the mayor to rescind the proclamation. Mayor Pat Somerville rejected the demand firmly.



CITY OF WESTLAND

OFFICE OF THE MAYOR

36801 Ford Road • Westland, Michigan 48185-2298 • (734) 467-3200 • FAX 721-2310

Robert J. Thomas
Mayor

March 14, 2001

George R. Gillies
Deputy Mayor

Tim & Yanna Sun
37005 Carla Ct.
Farmington Hill, MI 48335

Tim & Yanna Sun:

Recently a request was made to my office for a proclamation to declare the week of March 4 through March 9, 2001, as Falun Dafa Week. I did the proclamation and sent it to you.

This week I realized that the information you sent me was not entirely correct. I have received information from the Consulate General of the People's Republic of China in Chicago, explaining the real nature of your organization. After viewing the footage and the photos, I was deeply upset that people would do such grave harm to themselves.

We do many resolutions and proclamations every year and we rely on the people requesting them to provide us with all the correct information so we can be assured that what we are doing is done in a positive light and to promote good. We will be more careful in the future to screen proclamation requests and make certain we have all the correct information.

I hereby rescind the proclamation that I sent you proclaiming March 4 through March 9, 2001, as Falun Dafa Week. I will also send a copy of this letter to the Consulate General of the People's Republic of China in Chicago with my apologies.

Robert J. Thomas
Mayor

cc: Consulate General of The People's Republic of China in Chicago

Picture 1: Letter from Westland mayor after receiving defamation package against Falun Gong

Westland drops Falun Gong week under pressure from China

BY LISA M. COLLINS/ASSOCIATED PRESS WRITER

WESTLAND—In January, China had its first public spat with the Bush administration over Washington support for the Falun Gong spiritual movement.

Last month, the communist nation claimed another person set himself on fire to prove devotion to the outlawed Falun Gong, also called Falun Dafa.

Last week, China claimed a victory over the Falun Dafa in the blue-collar Detroit suburb of Westland.

According to China's official Xinhua News Agency, Westland Mayor Robert J. Thomas canceled Falun Dafa Week—saying he'd been "hoodwinked" by local followers of the meditative and health-conscious religious movement.

Thomas' action vaulted Westland into the ranks of cities such as Seattle, San Francisco and Los Angeles, who declared Falun Gong observances and then canceled them at the urging of the Chinese government.

Officials in hundreds of other U.S. communities, including at least 20 in Michigan, have proclaimed a Falun Gong week or day. Some, including the mayor of Santee, Calif., have loudly protested when approached by the Chinese government to remove the declarations. Others, like Westland and Seattle, apologized and rescinded the honor.

The Chinese Embassy says the declarations are a campaign of propaganda meant to gather attention and show false support for the movement.

"There are practitioners (of Falun Gong) in this country that have taken advantage of this very fine custom in America of proclamations and declarations," Zhang Yuanyuan, spokeswoman for Chinese Embassy in Washington, said Friday.

Zhang said the Chinese Embassy tries to alert each local government that adopts declarations for the Falun Gong that it is an "evil cult."

"We feel we have a duty to tell Americans, to tell the local governments, what they're doing. They're doing something unconsciously that could hurt Americans. What the Falun Gong are doing to the Chinese might become a nightmare for the Americans."

Supporters of Falun Gong say that's absurd.

"It's amazing the Chinese government is getting so up in arms about (Falun Gong)," said Adam Montanaro, spokesman for the Falun Dafa Information Center. "It's free, nice, healthy exercise that makes people feel better. It's not surprising that local governments are granting the proclamations. What's surprising is that the Chinese government is getting up in arms about what happens in a small town half-way around the planet."

China banned the Falun Gong in 1999, declaring it an "evil cult."

"You cannot be a friend of China and a friend of the Falun Gong at the same time," said Zhang.

Human rights groups have rallied around the banned Falun Gong, claiming that China's crackdown has left at least 112 dead and thousands of others injured or sentenced to prison or labor camps.

China accuses the group of deceiving people, endangering society and causing the deaths of 1,600 practitioners who went insane, committed suicide or refused medical treatment.

The group practices an eclectic mix of traditional Chinese exercise, Taoist and Buddhist cosmology and the teachings of founder Li Hongzhi.

Millions who practice Falun Gong claim its slow-motion exercises and New Age philosophy promote health, morality and supernatural powers.

Charlie Lu, a Falun Gong member, estimated that 300 to 400 practitioners live in the Detroit area. Other Michigan communities that have proclaimed Falun Gong weeks, and not rescinded them, include Ann Arbor, Madison Heights, Roseville, Rochester Hills, Southfield and Troy.

The Oakland County Board of Commissioners recognized the group last year. Commissioner Shelley Taub said she was shocked Friday to hear that China had such a strong stance against the Falun Gong.

"I didn't see any harm in it. I just thought it was a nice thing to do for nice people, just as I would do something to remember the Holocaust, or the Armenian holocaust, or library week," Taub said.

"We did one for the Falun Gong, not to be an insult to any government, but to recognize this group for their spirituality and clean living. We saw it as a cultural and ethnic resolution. What does this have to do with the Chinese government?"

Thomas, the Westland mayor, declined comment on the Xinhua news agency's report that he withdrew recognition for the Falun Gong. But City Council President Sandra Cicirelli said Falun Gong members asked Thomas to issue a proclamation and he agreed to do so. She said she didn't know anything about it because it never came before City Council.

Falun Gong members "haven't called much attention to themselves" in Westland, Cicirelli said.

According to Xinhua, the mayor apologized in a letter to the Chinese Consulate in Chicago, saying he had acted on insufficient information about the group.

Xinhua reported that the consulate's letter to Thomas was accompanied by grisly photos of suicides blamed by China on the Falun Gong.

On the Net:

Falun Gong: <http://www.faluninfo.net> and www.falundafa.org

Chinese Embassy: <http://www.china-embassy.org/eng/index.html>

PART 2. OTHER HARASSMENT

Jiang Zemin's Regime Pressures Singtao Daily to Stop Carrying Articles about Falun Gong

Summary: Singtao Daily stopped carrying articles about Falun Gong on November 4, 2001. According to news disclosed by informed sources, this decision was the direct result of pressure that Mainland China put on Singtao Daily's Headquarters in Hong Kong.

Date of Incident: November 4, 2001

Victim(s): Falun Gong

Location of incident: USA

Description:

Singtao Daily stopped carrying articles about Falun Gong on November 4, 2001. According to news disclosed by informed sources, this decision was the direct result of pressure that Mainland China put on Singtao Daily's Headquarters in Hong Kong.

For more than two years, Falun Gong practitioners bought a half page from the paper every Sunday (later switched to Singtao Weekly), publishing news about Mainland China's persecution of Falun Gong and about how Falun Gong is deeply welcomed around the world. Because of this publication, more and more overseas Chinese benefited and gradually got to know the truth about Falun Gong's persecution in Mainland China.

Although Singtao Daily is a newspaper distributed outside of China in free countries, it still cannot avoid the suppressive influence of Jiang Zemin's regime.

San Francisco Examiner: Supes side with oppression

Summary: ". . . The People's Republic of China and its proxy are making sure that our city's policy is a pro-PRC one, instead of one honoring the value of freedom . . ."

Description:

San Francisco Examiner: Supes side with oppression

By Winnie Ji

[. . .]

The People's Republic of China and its proxy are making sure that our city's policy is a pro-PRC one, instead of one honoring the value of freedom.

The PRC consul's simple denial of any death from the persecution, despite a wide range of reports of such, and his outright request of "let's forget about this and find common interest," send a chill through my body. It reminds me of the PRC's blatant denial that anybody died in Tiananmen Square during the 1989 events.

What will it take to see through the words of the PRC?

<http://www.examiner.com/opinion/default.jsp?story=OPlatters.1022w>

Jiang Zemin Extends "Implication System" Overseas

Summary: "The People's Republic of China and its proxy are making sure that our city's policy is a pro-PRC one, instead of one honoring the value of freedom . . ."

Date of Incident: Oct. 23, 2001

Victim(s): Falun Gong, other Chinese organizations and individuals in the US

Location of incident: Washington DC

Description:

Clearwisdom.net article on Oct. 23, 2001: During a welcoming ceremony for a new Chinese ambassador, where a Falun Gong practitioner was present, the ambassador slandered Falun Gong. The practitioner stood up immediately to clarify the truth. Later on, the hosting Chinese organization received tremendous pressure from the Chinese Embassy, and the director of the organization was forced to resign his position. As we have just learned, this incident is not yet over. The Chinese Embassy continues to apply pressure regarding this issue and is still conducting further investigations.

Overseas media are reporting that, in addition to the various brutal tortures, brainwashing and mental abuse used in the persecution of Falun Dafa, Jiang Zemin and Luo Gan have been using the so-called "implication system against Falun Gong." [Note: If one practitioner is persecuted for practicing Falun Dafa, his or her family members, relatives and work unit will also be implicated by association, and will all be punished through various means] We can see from the above example that overseas Chinese organizations are receiving pressure from the Chinese Embassy. This shows that through their ambassadors, Jiang Zemin and Luo Gan are exporting overseas the "implication system" used to persecute Falun Gong in China, to force overseas Chinese to attack and isolate Falun Gong practitioners abroad.

Overseas Chinese organizations, including Chinese schools, are registered, local organizations. They are independent and, from a legal standpoint, have no relationship with China. Most of the members are non-Chinese citizens who usually work for companies in the countries of their citizenship. However, in the eyes of Jiang Zemin and Luo Gan, all Chinese people and Chinese organizations must obey their commands. If not, Jiang and Luo will have personnel from the Chinese Embassy threaten them, and let them ponder the fate of their mainland relatives. If anyone does business with China, then the Embassy will threaten the viability of his or her business.

<http://www.clearwisdom.net/emh/articles/2001/10/23/14968.html>

Six Hunger Striking Practitioners Presenting Letter to the United Nations are Hindered and Harassed by Chinese Special Agents

Summary: Six Falun Gong Practitioners on hunger strike wanted to present a letter, which carried the collective wishes of the practitioners on hunger strike from various locations, to the UN Secretary-General Kofi Annan. While walking into the U.N. building, several Chinese agents repeatedly asked security officer to intervene. They even tried to grab the camera from newspaper reporter who took their pictures on the spot. Then the practitioners under police escort went New York senators' office asking for assistance.

Date of Incident: August 27, 2001

Victim(s): Six Falun Gong Practitioners

Location of incident: United Nation in New York

Description:

Six of us practitioners on hunger strike embarked on our journey to the UN in the afternoon on August 27. We wanted to present a letter, which carried the collective wishes of the practitioners on hunger strike from various locations, to the UN Secretary-General Kofi Annan.

On August 28, we held a press conference outside the UN. After the press conference, we made our way into the UN building. A security officer told us to wait in the hall and someone from Annan's office would come to accept the letter. At that moment, several Chinese people came hurriedly from upstairs, and said something to the security officer. The officer then took us outside, and told us to wait there. We waited patiently for about 20 minutes, then another bunch of Chinese appeared. They asked a security officer to accept our letter. They then disappeared together with the security officer into the crowd. When a female reporter from Epoch Times took pictures of the officer accepting the letter, three special agents attempted to grab the camera, but were stopped by the police.

Under police escort, we went to the offices of the New York Senators including that of Mrs. Clinton, and requested their assistance forwarding our letter to Mr. Annan. We also sought their help to stop China's brutal persecution of Falun Gong. They said they would do their best to help us.

Newsday: Silencing the Movement Crackdown from afar

By Paul Moses and Mae Cheng, Staff Writers

September 6, 2001

Summery: An article from NEWSDAY described how the Chinese Consulates in New York tried to slander Falun Gong and intervene local government in New York from issuing proclamation to Falun Gong.

FOR TWO YEARS NOW, Janet Xiong has felt the chill.

In the streets of New York, her adopted city, there have been taunts and jeers against the meditation movement she follows, called Falun Gong. In her native China, friends have been hauled off to prison for those same beliefs.

Halfway around the world, the 47-year-old city researcher from Flushing was told, Chinese authorities were asking questions about her. Police wanted to know about the role that Xiong, a U.S. citizen who arrived from China 14 years ago, plays in the Falun Gong spiritual movement, target of a brutal crackdown in China. First, the word came back from a Falun Gong practitioner from Forest Hills, who was detained and interrogated while in China on business. "He told me, 'Never go back again because they are watching you,'" she said. Then another practitioner, a woman, was questioned. "She was asked the same questions about us," Xiong said.

The Chinese government's relentless drive to beat down the popular meditation movement echoes, faint but chilling, in New York. Government officials have appeared at "seminars" in Manhattan to decry [Jiang Zemin government's slanderous terms omitted], egging on local Chinese immigrants to oppose the movement. In one session, the consul-general told his audience that immigrants who have not become U.S. citizens were expected to obey Chinese laws, which ban Falun Gong. Further poisoning the atmosphere for local Falun Gong practitioners, powerful organizations in Chinatown—which had expressed no concern about Falun Gong before the government crackdown started in July 1999—began holding countermarches against the group, their charges echoing the government's virulent accusations. Even small details have not escaped the government's hawklike attention: The New York consulate contacted a councilman in Queens when he issued a routine proclamation praising Falun Gong.

It is a highly unusual attempt by a foreign government to tackle a spiritual movement within U.S. borders—complementing a campaign inside China that the State Department and human rights monitors say includes widespread brainwashing and torture. "It just shows how desperate, in my experience, the PRC [People's Republic of China] really is," said Gail Rachlin, Manhattan-based spokeswoman for Falun Gong.

For those who have watched Falun Gong adherents practice their slow-motion exercises in public parks, it's hard to imagine what the fuss is about.

The movement's founder is Li Hongzhi, once a clerk and trumpet player in China. He studied with a Buddhist monk and then Taoist masters, he told Newsday in 1999 in one of his rare interviews. Li, said to live at an undisclosed location in Queens, explained that in the late 1980s, his spiritual masters encouraged him to teach qigong, a traditional Chinese meditative exercise.

[. . .] In 1992, Li began to teach. According to the Master, as he is called, there is a wheel of energy within the lower abdomen that spins off a healing force. (Falun Gong means "wheel of the law.") Through exercises and meditation, followers try to cultivate this force, which Li says brings both mental and physical benefits. The idea that the connection between body and mind can improve health is hardly new in the Far East, but the focus on physical well-being—Li, 50, says he has never been sick—helped make the movement hugely popular in China.

"The Chinese government chose for a long time just to ignore them," said James Richardson, dean of the law department of the University of Nevada in Reno and a sociologist who has studied the crackdown on Falun Gong. "They were under the guise of just an exercise regime. The medical care in many parts of China is so poor that the Chinese government actually recommends these exercise regimes."

[. . .]

But in April 1999, Falun Gong members protested outside a student newspaper in China that would not recant its negative coverage. The government refused to order it; 10,000 Falun Gong adherents responded by protesting outside party headquarters in Beijing, seeking recognition for their movement. While Li says he has no interest in political might, this show of force sent shock waves through [party's name omitted] leadership in China, [. . .]

[. . .]

On July 22, 1999, President Jiang Zemin ordered a crackdown. According to Falun Gong, 50,000 of its practitioners have been detained in China; 10,000 sentenced to labor "re-education" camps; 1,000 committed to mental hospitals where torture and forced use of psychiatric drugs are common. So far, the group says, it has identified 265 people tortured to death in police custody.

Amnesty International, finding that torture or force-feeding hunger strikers had caused many of the deaths in police custody, called the abuses “appalling” and urged the international community to speak out. And a State Department report on religious freedom that covered the early months of the crackdown largely confirmed the Falun Gong allegations to that point. It said “there were numerous credible reports of police involvement in beatings, detention under extremely harsh conditions, torture (including by electric shock and by having hands and feet shackled and linked with crossed steel chains), and other abuses of detained Falun Gong practitioners.”

THE CHINESE CONSULATE in Manhattan is in a shopworn building that used to house a “motor inn”—a portion of the sign is visible—at the end of 42nd Street, across from the Hudson River. The ground floor has a brightly lit office where people line up for passports and visas.

In most consulates, the walls display colorful, scenic pictures of the homeland, a welcome to tourists. But at the Chinese Consulate, visitors are welcomed with posters featuring graphic pictures of dead bodies: charred by fire, ripped open with scissors, beaten on the head with a spade, hung from a rope.

[. . .]

These same posters, in English and Chinese, found their way into the hands of counterdemonstrators who jeered Falun Gong members when they marched through Chinatown on April 21. About 500 practitioners marched, hoping to counter the government propaganda campaign.

[. . .]

Wai Lind Lam, 54, a Falun Gong practitioner from Manhattan, said one of the opponents tried to burn her hair with a cigarette lighter during the Chinatown march.

“They said, ‘Don’t burn yourself,’ and that kind of thing,” said Yun Song, a 30-year-old actuarial consultant from Manhattan who is a Falun Gong practitioner. “This is one of many instances that we got disturbed or harassed.”

Guan Liang, chairman of the umbrella group that led the Chinatown counterdemonstration, the United Chinese Associations of Greater New York, said in an interview that his association has not had contact with Chinese Consulate officials about Falun Gong.

And a spokesman for the Chinese Consulate in New York said he had no information about meetings between government officials and the Chinese community in New York about Falun Gong.

But information on a Web site maintained by the Chinese Consulate in Manhattan makes clear that the government has, in fact, been urging Liang and the New York Chinese community to join its crusade against Falun Gong.

[. . .]

ACROSS the country, Chinese consulates have not been shy about expressing that view to American elected officials.

City Councilman Sheldon Leffler, a Queens Democrat, said he recalled issuing a proclamation on behalf of the council in support of Falun Gong practitioners on a Thursday. On Saturday, he went to his district office and found a two-page letter with a book and a videotape from the New York Chinese Consulate.

“It was basically saying they were disappointed I had presented such a proclamation,” he said. Leffler didn’t consider it threatening, but added, “When you get something from [party’s name omitted] China saying you shouldn’t have done this . . . it’s a bit of pressure.”

But because of China’s importance in international trade, officials in some U.S. cities, including Seattle, have rescinded proclamations. More than a dozen mayors have reported pressure from Chinese officials who often mention the importance of China-U.S. trade. The Associated Press reported.

In a speech in New York, Consul-General Zhang Hongxi even suggested that China’s ban on Falun Gong was binding on Chinese immigrants living here if they have not yet become U.S. citizens.

“Of course, if you still hold the Chinese passports, that is, if you are still Chinese nationals without being naturalized as the U.S. citizens, you have dual obligations, you must abide by both the Chinese and the U.S. laws,” he told the audience, according to a transcript on the consulate’s Web site.

While the Chinese government can’t enforce its ban in the United States, a number of New Yorkers have felt its force. In some cases, Falun Gong practitioners here said they’ve been unable to return to China to visit relatives.

Zhen Mei Xu, a 44-year-old Jackson Heights resident who works as a secretary at the United Nations, said she was turned back at Beijing International Airport when she went to visit her ailing father in August last year.

“I was not allowed to enter my own country,” she said.

Wei Lu, 50, a textile designer from Manhattan who is an organizer of local Falun Gong activities, said she had gotten a passport extension pending a background check. "They canceled it," she said, adding that the consulate would not explain why. But Falun Gong practitioners assume the Chinese government knows of their connection to the group by photographing demonstrations or exercise sessions.

For some, the stakes have been higher.

Chunyan Teng, a Flushing woman who is a professor of traditional Chinese medicine at New York College for holistic Health, Education and Research in Syosset, was sentenced to three years in prison in China for leaking information about the abuse of Falun Gong adherents in mental hospitals to foreign reporters. The State Department has urged that Teng, 38, a legal permanent U.S. resident, be released on humanitarian grounds and allowed to join her family in the United States.

Last month, her mother, Yun Fang Qiu, 70, of Flushing, made a tearful plea at a news conference outside the Chinese Consulate for her daughter's release. "Chunyan did nothing but telling the truth," she said. "For telling the truth, she was put into prison and was tortured there."

The following week, a colleague at the school, Lorraine Kabacinski of Huntington Station, took part in a hunger strike for 48 hours to call attention to Teng's plight. "She actually introduced me to Falun Gong," Kabacinski said, adding that it had given her an inner calm. "I'm so grateful to her."

Janet Xiong, too, joined portions of a 130-hour sit-in across the street from the Chinese Consulate on 42nd Street, hoping to help Teng, a friend and fellow Falun Gong practitioner in Flushing.

"We met almost every day, even in the snow," she said. "She was very determined. We practiced meditation for two years."

Xiong gestured toward the river. "You have the Statue of Liberty here—New York is like a symbol of democracy," she said. "It's a harbor for liberty. But people are suffering in mainland China, and what are we doing here? Keeping quiet?"

For the first time in three interviews, Xiong's emotions pushed to the surface. As the emotions surged in her throat, she said she was crying. "I put myself in their shoes," Xiong said. "If I were there, I would probably do the same thing. I would probably be in jail. It's like something that could happen to me."

<http://www.newsday.com/features/ny-feat-fcov906.story>

Press Release: Los Angeles Chinese Consulate Representatives Attempted to Disrupt Falun Gong Global Appeal

Summary: Chinese Consulate representatives, enraged by Falun Gong's peaceful demonstrations, confronted police and pulled down Falun Gong appeal banners across the street from the consulate building Friday (June 1), as Falun Gong sympathizers and the public looked on. A few people from the consulate came and swear at practitioners demanding that practitioners move away the two banners right in front of the Chinese Consulate building.

When: June 8, 2001

Location: In front of Chinese Consulate, Los Angeles

Victim(s): 20 Practitioners appealed In front of Chinese Consulate, Los Angeles

Description:

LOS ANGELES, June 8, 2001—Chinese Consulate representatives, enraged by Falun Gong's peaceful demonstrations, confronted police and pulled down Falun Gong appeal banners across the street from the consulate building Friday (June 1), as Falun Gong sympathizers and the public looked on.

Police quickly restored order and allowed Falun Gong practitioners and supporters to continue their appeal, which was permitted by the city of Los Angeles and took place on public property.

Twenty Falun Gong practitioners had gathered in front of the Los Angeles Chinese Consulate as they joined the global appeal to call for the release of thousands of practitioners forcibly detained and abused in Chinese labor camps. Friday's appeal sought to call attention especially to the illegal imprisonment of U.S., Canadian, Japanese, Irish and Hong Kong residents whose conditions remain uncertain.

This is not the first time that consulate representatives have lashed out against the practice of Falun Gong in Los Angeles. In mid-February, the Consul General sent a letter to the general manager of the Pasadena Civic Auditorium demanding that the venue cancel a scheduled Falun Gong conference. The auditorium turned down the Consul General's request.

Lisa Li, a practitioner from Los Angeles describes, "After the Los Angeles conference in February, Los Angeles practitioners started to appeal to the Chinese Consulate every day. In the beginning of March, the Chinese Consulate planted some

bushes inside and circling around the two pieces of grass area right in front of the Chinese Consulate building so that we could not gather there anymore. We had to move to the third piece of grass areas on the side of building.”

Ms. Li continues, “Most of us quietly practiced Falun Gong on the grass area on the side of the Chinese consulate. Only a few of us distributed flyers to passersby or talked to people who were interested. Then, all of a sudden, a few people from the consulate came out and started to swear at us demanding that we move away the two banners right in front of the Chinese Consulate building. We refused, and then one of them took out banners and wood-sticks and threw them onto the ground.”

After arguing with police for several minutes, the three consulate workers returned inside. Falun Gong practitioners resumed their silent appeal and raised their banners. One banner written in Chinese reads, “Stop Persecuting Falun Gong.”

Jiang Zemin Stretches Out His Sullied Hands To Overseas Chinese College Students

Summary: Chinese Consulate officials of the San Francisco Bay area paid a visit to Berkeley and Stanford, two prestigious universities, where they forced Chinese Student Union members to sign a declaration affirming their support of Jiang Zemin’s ludicrous crackdown on Falun Gong.

Date of Incident: Posting date: 5/4/2001

Location of Incident: University of California, at the Berkeley and Stanford University

Victim(s): Chinese Graduate Students

Description:

Jiang Zemin regime, who has directed Chinese Consulate officials on the West Coast of the United States to extend their persecution into American public institutions. Not too long ago, diplomats from the Chinese Consulate in the San Francisco Bay area paid a visit to Berkeley and Stanford, two prestigious universities, where they forced Chinese Student Union members to sign a declaration affirming their support of Jiang Zemin’s ludicrous crackdown on Falun Gong. These “diplomats” created controversy, spread absurd slander about Falun Gong, and inoculated students with the government’s lies and propaganda. Chinese citizen-students studying abroad are now under tremendous pressure.

China’s Harassment of Falun Gong in the Southern California Area

China’s Leadership brings the Persecution Of Falun Gong to American Soil

AUGUST 2001

LIST OF INTERFERENCES WITH FALUN DAFU PRACTITIONERS IN THE SOUTHERN CALIFORNIA AREA SINCE THE CHINESE GOVERNMENT CRACKDOWN ON FALUN DAFU

The Chinese Consulate Interferes with US Internal affairs

December 2000: The Chinese Consul General in Los Angeles, Mr. Lan Lijun, sent a letter to each city in the Southern California to ask the city not to give any positive proclamation and support to Falun Gong, and not to offer registration to Falun Gong. Meanwhile, he slandered Falun Gong in his letter.

Los Angeles County proclaimed December 11 thru December 17 as the “Falun Dafa Week” of that County and issued a certificate to the local Falun Gong practitioners. Mr. Xue Bin, a diplomat from the Chinese Consulate in Los Angeles, lied in a Chinese newspaper that, “There does not exist such a thing. That (the proclamation) is a fabrication.” His words constituted a slander against the local Falun Gong practitioners.

December 2000: The City of Alhambra proclaimed a Falun Dafa Week. However, the Chinese Consulate again sent diplomat to the City office. Later, they claimed in a Chinese Newspaper, “The Mayor of the City of Alhambra has already apologized to the Chinese Consulate for this matter.” It is the right of a US Mayor to issue a proclamation to the citizens, and it should not be interfered by the Chinese Consulate that represents Chinese government. If the Chinese Consulate forced a US Mayor to apologize, it was evidence that the Chinese Consulate was interfering with the internal affairs of the United States.

January 13, 2001: The Consul General, Mr. Lan Lijun, went to the local Chinese Community Associations to ask them to fight against Falun Gong and attack its ac-

tivities in the Southern California. Falun Gong is a legal organization in US. However, the Consul General instigated the local people to attack Falun Gong, and to bring instability to the American democratic society.

November 21, 2000: Falun Gong practitioners signed a contract for participating the China Expo to be held in the Los Angeles Convention Center from December 8 to December 10, and also made the full payment. However, the Chinese Consulate repeatedly pressured the organizer of the China Expo to cancel the booth reserved by Falun Gong practitioners. In order not to bring trouble to the organizer, Falun Gong practitioners decided to withdraw the contract voluntarily.

December 27, 2000: The Consul General, Mr. Lan Lijun, wrote a letter to the Mayor of the City of Santa, to demand him not to issue the Falun Dafa Week proclamation. The Mayor refused his unreasonable demand and issued that proclamation to the local Falun Gong practitioners.

The above facts clearly indicate that the officials from the Chinese Consulate are knowingly violating the US Constitution and interfering with the US internal affairs, and trying to mislead the American people, in order to achieve the goal of persecuting local Falun Gong practitioners.

Consulate Staff Member Steals Truth-Clarifying Materials

On August 3, 2001, at 8:30 am, a few practitioners gathered outside the Los Angeles Chinese Consulate in order to appeal to the Chinese government. Although the consulate had not yet opened, many people had already lined up outside its door waiting to get in. The practitioners had brought with them a large quantity of truth-clarifying materials. For the convenience of the people waiting in line, they placed these materials on top of one of the pillars opposite the visa-service door.

The practitioners then started to meditate with their eyes-closed. Meanwhile, several practitioners noticed a female staff walking out of the front door of the Chinese Consulate and did not pay any attention to her. Ten minutes later, practitioners discovered that the pile of materials was gone. The people waiting outside for the visa service informed the practitioners that that female staff had taken the materials away.

The practitioners then went to find that female staff and asked her to return the materials. This staff did not deny stealing the materials, and began verbally abusing the practitioners.

Practitioners then reported the incident to Los Angeles City Rampart Police, 213-485-4061.

In front of the Chinese consulate:

- Consulate sprayed water in the grass area in front of the Chinese consulate before local Falun Gong practitioners went to hold demonstrations.
- Consulate feeds cats and dogs so the remains they left there are dirty and smelled bad, making it hard for Falun Gong practitioners to stay there for demonstration.
- Grow dense small trees and flowers in front of the consulate, leaving no open space for Falun Gong practitioners to sit and demonstrate in front of the building.
- Most recently, they talked with police and forbid us to put up banners and picture boards in front of the consulate. We need help from local government to allow us to peacefully demonstrate.

Cases of Interference in Pasadena, Monterey Park, El Monte

- 1) Pasadena Borders Bookstore was pressured by its headquarters to stop carrying the Falun Dafa books and allowing a weekly study group last summer after an influential person from the Chinese government heard an interview on KPCC with Pasadena Dafa practitioners discussing the crackdown and called the headquarters to complain. Eventually the Pasadena Borders began selling the books again through special order. Contact: Michael Graziano, Community Relations Coordinator at Pasadena Borders.
- 2) SUP Bookstore in Monterey Park was pressured by its headquarters in Hong Kong to stop selling the Falun Dafa books last July. Up until that point, SUP had been the distributor on Falun Dafa materials in North America.
- 3) The Caltech website was blocked in China last summer until late fall. After the crackdown, the Chinese consulate in Los Angeles asked Caltech to remove the Falun Gong website run by the Caltech Falun Club or else they would continue to block all internet connections of Caltech to China.

Caltech carefully reviewed the contents of the Falun Gong website and denied the Chinese consulate's request. Then China was forced to release the block, because Caltech wouldn't budge. While the block was in place it especially inconvenienced new incoming students from China to Caltech.

- 4) At least three people believed their phones were tapped in the past year. Among them, only one person contacted the FBI. Many practitioners may be unaware of the laws protecting them and need to know the procedure for reporting such suspected things.
- 5) Los Angeles rescinded an award to Li Hongzhi last year.
- 6) In February of 2000, the Los Angeles Chinese consulate asked Caltech to cancel an annual Falun Dafa conference. Not only did Caltech refuse the Chinese consulate's request, they provided two guards to guard both entrances into the auditorium. The Caltech security took action to stop what appeared to be people from the Chinese consulate trying to photograph the attendants.
- 7) At the last sit in at the Chinese consulate, the Chinese consulate's agents were caught on film hosing down the lawn in front before the practitioners arrived. A Chinese newspaper ran the story and picture.
- 8) Following the crackdown, at local practicing sites many practitioners and their cars' license plates were repeatedly photographed by unknown people. Some practitioners think it might have been scare tactics.
- 9) The case of Yun Shan Tian. Yun Shan Tian works for a Chinese subsidiary. In May 1999 she went to the Chinese consulate to extend her passport, as it expired that month. It turned out that the Chinese consulate knew a lot about her. They knew her name; they knew that Li Hongzhi once stayed in her home; they knew she practiced Falun Dafa. The foreign affairs administration which controls travel business called her parent company operation manager and said that because she practices Falun Dafa they won't extend her passport. Her company became scared. The foreign affairs administration then suspended passport access to other employees in China, because of her case. Even though she continued to work for the company, the company told the administration that she was gone. In order to have those restrictions removed on other employees, the boss had to write a guarantee that she was no longer with the company. To keep things under wrap, the boss told her not to practice Falun Dafa in public and not to let others know that she practices Falun Dafa. After July, the foreign affairs administration changed their excuse. They said the reason that they wouldn't extend her passport is that she was on a business trip and thus should go back to China. Currently she has an L1 status but no valid passport. The only way to go back to China is to get a temporary passport from the Chinese consulate.
- 10) When Xiaoxiao Xie, a practitioner in El Monte, California, was demonstrating in front of the Chinese embassy in Washington D.C. and doing the exercises at the Capitol Mall, someone videotaped her and the other practitioners from different angles at a close range. Since then, she has been followed and videotaped at her practicing site in El Monte. She also believes her phone was tapped.
- 11) Guidong Li, a very prominent local Falun Dafa practitioner, tried to extend her passport on March 15, 1999, because it was to expire on March 25. She submitted all required documents and got a receipt (#23075) from the Chinese General Consulate in Los Angeles. One year and four months has passed and she has not received any response from the Chinese consulate. Xue Bin, the spokesperson of the Chinese consulate, was notified of this matter and mentioned he would look into it, but has issued no answer yet.
- 12) John Li, president of Caltech Falun Club, is a prominent volunteer for Falun Dafa. As a result, he has been subject to a lot of interference. Ke Ye, the former Chairman of the Chinese Student and Scholarship Association at the University of Southern California, said that the current association's chairman told him the Chinese consulate is spreading rumors that John Li is working for the U.S. government as a spy and is paid by the CIA to overthrow the Chinese government. An agent working for an unidentified agency told John that the Chinese consulate in Los Angeles has a copy of his passport. She claims that he is being followed. John was also told by Caltech students that the Chinese consulate asked them to watch him and to lobby the Caltech administration to turn against the Caltech Falun Club.

and John Li. John's phone appeared to be bugged and reported it to the FBI several times.

- 13) The case of Dongliang Zhang. Because Dongliang Zhang had incriminating photos of police beating practitioners in China sent by his son in China to him in the United States, his son was physically attacked, forced to quit high school and go into hiding. His story was misrepresented on CCTV, a Chinese television station. His tense circumstances are still unresolved. For the details, read the attached hardcopy of his story.

Harassment at Vincent Lugo Park in San Gabriel

In San Gabriel 20–30 practitioners gather every morning between 6:00–8:00am to practice the peaceful exercises of Falun Gong together. This park became a practice site in 1996. There had been no instances of harassment until the Chinese government began its persecution of Falun Gong in July of 1999. Over the past two years, however, there have been an increasing number of incidents.

In April 2001, a Chinese woman arrived at the practice site and began photographing the group while they practiced the exercises. One of the practitioners, Mr. Chui, asked her to stop taking pictures. She refused and continued taking unauthorized pictures from a distance. On April 25, she was observed entering the Chinese Consulate after office hours by Mr. Chui who was outside the Chinese Consulate participating in a Candlelight Vigil.

On August 2, 2001 at 7:15am, an unidentified short Chinese man, roughly 25 years old, wearing dark green clothes arrived at the practice site and began taking pictures of the practitioners without permission. Dr. Guidong Li, the contact person for the San Gabriel practice site, asked him to stop taking pictures. This man reacted by yelling loudly: "I am from the American government, it could not be better to make trouble for you, etc . . .". When the practitioners warned that they would call the police this man ran away. Dr. Guidong Li followed him to his car and wrote down his license plate number (3WE711). Mrs. Lili Hu, an elderly woman, followed him to ask for the pictures. He refused and hurriedly drove off, nearly hitting her.

Since Hong Kong immigration officials admit to the existence of blacklists in each country (CNN May 22, 2001), practitioners are concerned that these pictures will be used to discriminate against them. Ms. Guidong Li is among many Falun Gong practitioners who were not allowed to renew their Chinese passport by the consulate.

On August 5, 2001 two unidentified men harassed a young female practitioner while the group practiced the meditation with their eyes closed. They knelt down by the practitioner and made vicious remarks in Chinese. She did not respond to them and continued in her meditation. Before the practice ended, these men ran to their car.

General Cases of Interference:

- 1) Twice this year three important websites were hacked: Minghui, Falundafa.org and Buhuo.net. These hackings were reported to the FBI.
- 2) The Falun Dafa radio station, which reports the truth about Falun Dafa to the Chinese people and is run by overseas practitioners, has been jammed by the Chinese government ever since the first day of its broadcasting.
- 3) On July 7 and 8, the consulate-sponsored Chinese television program played 20 minutes each of Parts I and II of a program in Chinese via a local TV station. The program was made by the CCTV, the official Chinese government TV station which has been used to denounce Falun Gong in Mainland China during the past year. There are a lot of scary scenes in the program. It is very likely that showing this could violate U.S. laws.
- 4) There is a 30-minute videotape, which has been shown on CCTV and U.S. public television stations, which contains false information. It claims Li Hongzhi lives in a big house in New York and even shows a picture. In fact, Li Hongzhi doesn't live there at all. This videotape can supposedly be picked up at any Chinese consulate.

China Expo:

- Chinese Consulate exerted pressure to the organizer of China Expo, to not allow Falun Dafa to participate in the event.

Interference to American government:

- Former mayor of Los Angeles, Richard Giordon, withdrew the proclamation he issued to Falun Dafa in 2000 as a result of pressure from the Chinese consulate.

Media slandering:

- In addition, we are witnessing more and more media penetration from the Chinese government slandering Falun Gong in the United States. These penetrations, which employ the same techniques the Chinese government has been using to successfully brainwash its own people in China, fabricate stories to demonize Falun Gong and instigate hatred among Chinese communities against local Falun Gong practitioners in this country. While denying people's freedom of speech and belief and implementing information blockade in China, the Chinese government is vigorously promoting its programs in the free world to brainwash people outside China.
- A most recent example: The December 17, 2001 People's Daily (Chinese Communist Party official newspaper) overseas edition (p4), carried an article about a "murdering" case done by an insane person in Beijing. Like numerous similar slandering articles in China, this article claimed a Falun Gong practitioner did the crime.
- China Press (or *QiaoBao* in Chinese), the voice newspaper of the Chinese government in the United States, frequently carried articles to slander Falun Gong.
- CCTV (*China Central TV station*) is doing more and more slanderous work overseas. For example, those "suicide" and "murdering" pictures have been shown repeatedly to brainwash Americans and Chinese living in the United States.

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