



**Economic and Social  
Council**

Distr.  
GENERAL

E/CN.4/2004/NGO/194  
10 March 2004

ENGLISH ONLY

---

COMMISSION ON HUMAN RIGHTS  
Sixtieth session  
Item 11 of the provisional agenda

**CIVIL AND POLITICAL RIGHTS**

**Written statement\* submitted by the Transnational Radical Party,  
a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2004]

---

\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Written Statement of the Transnational Radical Party, a non-governmental organization in General Consultative Status with the Economic and Social Council of the UN, on time n. 11. Civil and political rights, including the questions of: (a) Torture and detention; (b) Disappearances and summary executions; (c) Freedom of expression; (d) Independence of the judiciary, administration of justice, impunity; (e) Religious intolerance; (f) States of emergency; (g) Conscientious objection to military service.

The Transnational Radical Party (TRP) remains extremely concerned by the repeated violence encountered by ethnic as well as religious minorities and by the non application of international standards vis-à-vis the respect of human rights in the Lao People's Democratic Republic (LPDR).

Among the ethnic minorities in Laos, the Hmong minority has been persecuted and hunted after in the Special Zone of Saysomboune for over 28 years by the LPDR authorities. In December 2003, nearly 3000 Hmongs, mostly women, children and elderly people were killed in this enclave, and, without an urgent international humanitarian action, the rest of the population will be confronted with death.

In spite of article 30 of the LPDR Constitution, which states that "Lao citizens have the right and freedom to believe or not to believe in religions", persecutions from the LPDR authorities against Christian minorities have been increasing since 2000. "Decree N. 92" of July 2002, on the "Management and Protection of Religious Activities in the LPDR", publicized by the LPDR as a new measure in favour of religious freedom, regulates, in the least detail, the control of the ruling Party on all religious organizations and reinforces the official monitoring of activities and daily movements of Christians congregations in Laos. In 2003, under the charges of "subversive activities", "social trouble makers" (practicing their religion) or being "in possession of poison" (i.e. the Bible), more than 100 Christians were jailed, while over 30 Christians were expelled from their villages and a parish leader was arrested and eventually murdered.

According to information gathered by the Lao Movement on Human Rights (LMHR), arrests, intimidations and violent threats over Christians are still ongoing, while the Bible has become a dangerous "poison" in the country. In fact, a recent official statement from the spokesman of the Ministry of Foreign Affairs on the arrest of 11 Christians in the southern province of Attapeu right after Christmas clearly stated that the charge for their apprehension was "possession of poisons". The only "object of offense" confiscated by the authorities on that occasion was the Bible that those people were using.

On 9 January 2004, the official magazine of the LPDR, "Vientiane Times", published a press release of the Ministry of the Foreign Affairs, stating that "the Lao authorities only summoned and detained the people for questioning for possession of poisons" and that "those people were not charged, but were detained for further investigation". The TRP echoes the concerns expressed by the LMHR in a recent communiqué on the fact the LPDR authorities turn victims into criminals. The above-mentioned 11 Christians, from 20 to 47 years old, were imprisoned until 11 January 2004, and not only "summoned" for interrogation, as they refused to disavow their faith.

Repressions against Christians continue with high intensity and harshness in the district of Sanamsay, province of Attapeu where threats, intimidations, violence and psychological pressures of all kinds have been reported in late January in several villages such as Dongsung, Dongseua, Gonyard, Kang, Donthapad and Donphai.

The TRP wishes also to express its concerns on the fate of the Most Venerable Thich Huyen Quang, Patriarch of the Unified Buddhist Church of Vietnam (UBCV), which is considered illegal in Vietnam. The 86-year-old UBCV Patriarch, who has spent 21 years under house arrest without trial (1982-2003), has been held in total isolation since 9 October 2003, when he was arrested with UBCV Deputy leader Thich Quang Do and several senior UBCV monks for organizing a Special Assembly of the banned UBCV in Binh Dinh to elect a new leadership. Although none of them have been formally charged, Thich Huyen Quang and Thich Quang Do are both under investigation for “possessing state secrets”, a crime which carries the death penalty in Vietnam.

The TRP wishes to bring to the attention of the Commission a statement issued by the Venerable Thich Huyen Quang and publicized by the Que Me Vietnam Committee on Human Rights, in the document, the religious leader exhorted Buddhists not to lose hope, but to look upon these fluctuations as a lesson in impermanence. “The advent of every New Year shows us how to advance our condition by learning the universal law of impermanence” said Thich Huyen Quang “we can find happiness and destroy suffering if only we realize that all things are impermanent, and use this knowledge as a means of deliverance, instead of remaining prisoners within the bonds of slavery, ignorance and fanaticism”. The statement is a clear example of the non-violent nature of the thinking and practices of the UBCV. The TRP wishes also to remind the members of the Commission that the arrest of the major figure of the UBCV followed the great hopes generated by the meeting between the UBCV Patriarch and Prime Minister Phan Van Khai on 2 April 2003.

Despite almost 30 years of repression by the Vietnamese authorities, the UBCV is still very much alive in Vietnam. The religious repression, the TRP believes, is in patent violation of the major provisions contained in the International Covenant on Civil and Political Rights ratified by Vietnam. The TRP believes that the Commission should do its utmost to urge the Socialist Republic of Vietnam to comply with its international obligations and constitutional provisions.

The TRP wishes also to bring to the attention of the members of the Commission the fact that over the last few months, the United States Congress and the European Parliament have called several times on Vietnam to re-establish the UBCV’s legitimate status and to release all prisoners of conscience in Vietnam, a measure, the TRP believes, which is in line with the Vietnamese Constitution.

The TRP has also been following closely another human rights situation concerning Vietnams, that is the lack of respect of human rights for the indigenous people living in the country’s Central Highlands. The hill tribes, also known with the French name of Montagnards, have suffered from a brutal repression since the end of the Vietnam War some thirty years ago and, for this reason, have shrunk from over 3 million to around half a million people.

The Montagnards, an ethnic minority that practices various Christian faiths, is systematically denied the right to participate in the social and political life of a country where existence is allowed only to groups that are recognized by the ruling party. Several Montagnard Christian churches have been destroyed and worshippers have been obliged to renege their faith and engage in bloody rituals on public places. According to the Montagnard Foundation (MF), a U.S.-based group active within the Permanent Forum on Indigenous People, a recent wave of extra-judicial killings has also interested the region. Several independent reporters and organization, among which Human Rights Watch and Amnesty International and the MF have thoroughly documented those brutal fact.

Since a series of peaceful demonstration held in the central highlands in February 2001, the entire region has been kept under martial law. The protraction of such an extreme emergency measure is should be of great concern for the Commission. Also of concern remains the situation of several hundreds individuals who fled to neighboring Cambodia to seek shelter form the Government's crackdown. Several international actors have expressed unease at the way in which the whole ordeal was managed by local authorities and at time the Cambodian Office of the UN High Commission on Refugees. In this context, The TRP welcomes the recent statements issued by UN Special Representative to Cambodia, Mr. Lueprecht, who expressed his concerns in the way in which a group of Montagnards who fled Vietnam fearing persecutions, was being treated in Phnom Penh.

For its work in favor of the rights of the Montagnards the TRP is currently under scrutiny at the UN Committee on Non-Governmental Organizations, a worrying demonstration that the situation in Vietnam's Central Highlands is far from being without problems.

The TRP wishes also to bring to the attention of the members of the Commission the worrying situation of violence and death threats that has characterized Cambodia throughout 2003 after the July political elections. In June last year, the TRP sent a delegation to Phnom Penh for two months as several of its Cambodian members expressed their concerns on the lack of security for dozens of citizens that were participating in the political elections.

While the TRP believes that those members of the international community that devoted a lot of attention to the way in which the elections were carried out should remain engaged in the process of the creation of a government, which has proved unsuccessful so far. Furthermore, the TRP would like to emphasize how the forces of violence and threats have been playing behind the scenes of the process of the formation of the government killing journalists, individuals affiliated with free trade unions and the two minor political parties, namely the FUNCINPEC and the Sam Rainsy Party.

In late January, death threats were also issued against members of Parliament belonging to the SRP, Namely Mr. Son Chhay, who in 2002 joined the TRP. The TRP hopes that the Commission will address the situation of lack of security and freedom in Cambodia with the aim of reinforcing the mandate of the UN personnel present there and monitor constantly the situation.

The lack of freedom of religion is also of continuing great concern the People's Republic of China for Buddhists, Muslims, as well as all Christian denominations. The systematic

persecutions against the Falungong have remained intense provoking the death of dozens of people and impeding their full participation in the life of the country. Of growing concerns are also the infiltration of such a behaviour into the Chinese community living overseas, particularly in Europe.

The persecution against the Catholic Church in China is also quite worrying. The government has issued a series of directives that regulate all aspects of the faith, from gatherings to publications, from services to pilgrimages and that outlaw those communities that do not want to register with the government as “unpatriotic”. The government has oftentimes raided “hidden” churches, disrupted services, beaten participants and searched their homes.

The TRP is also concerned of a fundamental aspect of the civil and political life of the Kosovar Province, its electoral system. The TRP believes that the proportional representation established in Kosovo does not provide the fair participation of the population in the process of the selection of its governing body. In fact, the provision of a fixed quota for the Serbian minority has resulted in their holding almost a quarter of the legislative while the minority represents around 5% of the population. Such an imbalance, in addition of providing a worrying interpretation of how democracy should work, is not assisting the province in its path towards a better future.

Lastly, the TRP would like to bring to the attention of the Commission the worrying situation of civil and political rights in Italy, which should become of international concern, especially when the Country is called to elect its members of the European parliament.

The malfunctioning of Italy's justice system has been sanctioned by the European Court of Human Rights at the pace of four sentences a day last year. Over the last decade, the Constitutional Court has deprived citizens 45 times out of 89 of the possibility of voting on perfectly admissible referenda. When referenda are voted upon, the lists of those who are eligible to vote include dead people or thousands of missing.

The media situations is also of great concern as it is in the hands of political parties and fair participation, though documented by specialized independent media centers, is not a given.

-----