

Vietnam: International Religious Freedom Report 2009

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Vietnam

Bureau of Democracy, Human Rights, and Labor

International Religious Freedom Report 2009

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The Constitution provides for freedom of worship; however, government restrictions remained on the organized activities of many religious groups.

Respect for religious freedom and practice continued to improve in some regards during the reporting period, though significant problems remained. The Government took further steps to implement its 2004 Ordinance on Religion and Belief and supplemental decrees on religious policy issued in 2005 (collectively, the Government's "legal framework on religion"). The Government also facilitated construction of new training facilities, thus furthering the education of thousands of monks, priests, nuns, and pastors. New congregations were registered in many of the 64 provinces, a number of new religious groups were both recognized and registered at the national level, and the Government generally allowed citizens to practice religion more freely. The Catholic Church, Protestant congregations, and other smaller religious groups reported that their ability to gather and worship improved and that the Government eased restrictions on the assignment of new clergy. The Government also permitted Buddhists, Catholics, and Protestants to hold several large-scale religious services throughout the country, with more than 10,000 religious followers participating in each event. The Catholic Church reported the Government approved the establishment of one additional Catholic seminary in Nam Dinh Province. Protestants and Catholics across the north reported improvement in most officials' attitude toward their religion, and in general Protestants and Catholics were allowed to gather for worship without harassment, despite isolated incidents.

During the reporting period, the Government granted national recognition to five Protestant denominations: the Vietnam Seventh-day Adventist Church, the Vietnam Baptist Society (Southern Baptist), the Vietnam Baptist Convention (Grace Southern Baptist), the Vietnam Presbyterian Church, and the Vietnam Mennonite Church. The Government also recognized four additional religions: the Bani Muslim Sect, the Threefold Enlightened Truth Path, the Threefold Southern Tradition, and the Baha'i Community. Also during the reporting period, the Government granted national registration certificates to one additional Protestant denomination, the Vietnam Christian Fellowship, as well as two additional religious groups, the Mysterious Fragrance from Precious Mountains and the Four Gratuities.

Despite progress during the reporting period, significant problems remained with the implementation of the legal framework on religion, especially at the provincial and village levels. These included the slow pace, in some cases inaction, of registration of Protestant congregations in the north and the Northwest and Central Highlands; inconsistent application of procedures for the registration of congregations; and other cumbersome legal requirements and restrictions on religious recruitment. In some areas where registration has been slow, Protestant congregations experienced harassment, such as in Tra Vinh Province in the Mekong Delta and isolated areas in the Northwest Highlands. Some provincial authorities were proactive in implementation of the legal framework on religion, some appeared not to consider consistent implementation of the legal framework as a priority, and others, particularly in the Northwest Highlands, refused to implement it. After three years, the central Government has not yet approved a translation of the Bible in H'mong.

The Government maintained a prominent role overseeing officially recognized religions. Religious groups encountered the greatest restrictions when they engaged in activities the Government perceived as a challenge to its rule or to the authority of the Communist Party. The Government continued not to register and to discourage participation in one unrecognized faction of the Hoa Hao Buddhists. The leadership of the unrecognized Unified Buddhist Church of Vietnam

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(UBCV) reported the Government continued to monitor its activities closely and encouraged leaders to restrict their movements. Government authorities released five former Khmer Buddhist monks imprisoned for their alleged involvement in organizing land rights protests in the Mekong Delta in 2007.

There were few instances of societal violence based on religious affiliation, belief, or practice during the reporting period. In April, Protestant lay pastor Thach Thanh No, affiliated with the Vietnam People's Christian Evangelical Fellowship Church (UKCC-VPCEF) in Tra Vinh Province, was killed by Khmer Krom Buddhists after he met with parishioners from his church. There were allegations he was killed because of his faith, although the Government contested this assertion. Many Catholics and Protestants reported Christians are not considered for senior government positions because of unofficial discrimination within the Government.

The U.S. Embassy in Hanoi and the U.S. Consulate General in Ho Chi Minh City maintain regular dialogue with senior and working-level government officials to advocate for greater religious freedom. U.S. officials met and communicated regularly with religious leaders, including religious activists under government scrutiny. The U.S. Ambassador and other U.S. officials, including the Ambassador at Large for International Religious Freedom, raised concerns about the difficulties religious organizations encountered in obtaining official recognition, problems Protestants faced in the Central and Northwest Highlands, and other restrictions on religious freedom, with the Prime Minister, Deputy Prime Minister, government cabinet ministers, Communist Party of Vietnam (CPV) leaders, senior provincial officials, and others. Former Secretary of State Rice, in meetings with government officials during the reporting period, called for continued improvements in religious freedom. Religious freedom also was covered in the 2008 U.S.-Vietnam Human Rights Dialogue.

Section I. Religious Demography

The country has an area of 127,000 square miles and a population of 86 million. Some estimates suggest more than half of the population is at least nominally Buddhist. The Roman Catholic Church constitutes 8 to 10 percent. Several Cao Dai organizations constitute 1.5 to 3 percent, the primary Hoa Hao organization 1.5 to 4 percent, Protestant denominations 0.5 to 2 percent, and one Muslim organization less than 0.1 percent of the population. Most other citizens consider themselves nonreligious, although some practice traditional beliefs such as veneration of ancestors and national heroes.

Many Buddhists practice an amalgam of Mahayana Buddhism, Taoism, and Confucianism that is sometimes called the "triple religion." The Government Committee for Religious Affairs (CRA) cites an estimate of 10 million (12 percent of the population) practicing Mahayana Buddhists, most of whom are members of the ethnic Kinh community (the country's majority group, also referred to as Viet) and found throughout the country, although many consider this a low estimate. There are proportionally fewer Buddhists in certain highland areas, although migration of Kinh to these areas is changing the distribution. In Ho Chi Minh City alone, there are more than 1,000 active Buddhist pagodas. A Khmer ethnic minority in the south practices Theravada Buddhism and has more than 570 pagodas. Numbering more than 1 million, they live almost exclusively in the Mekong Delta.

In 1981 the officially sanctioned Vietnam Buddhist Sangha (VBS) was established incorporating all Mahayana, Theravada, and Bhikshu Buddhism under its umbrella. All Buddhist groups within the VBS are proportionally represented throughout the leadership structure and organization. In practice Theravada monks meet separately to determine issues such as doctrine, education, and other community needs to raise within the VBS.

The Government requires all Buddhist monks, including Khmer Krom monks who practice the Theravada tradition, to be approved by and work under the government-sponsored, officially recognized Buddhist organization, the VBS. The CRA in theory regulates the number of Buddhist student monks, although the number of Buddhist academies at the local and provincial levels, in addition to four university-equivalent academies, has greatly increased in recent years.

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Since the Government's merger of all Buddhist organizations into the VBS, the Government does not recognize the legitimacy of the UBCV. There are several newly recognized religious organizations that have Buddhist influences, although they are separate and distinct from the VBS. Of these, the Pure-Land Buddhist Home Practice faith has the largest membership with more than 1.3 million followers.

There are an estimated 8 million Catholics, although government statistics place the number at 6.15 million. Catholics live throughout the country, with the largest concentrations in the southern provinces around Ho Chi Minh City, in parts of the Central Highlands, and in the provinces southeast of Hanoi. Catholicism has revived in many areas in recent years, with newly rebuilt or renovated churches and growing numbers of people who want to be religious workers.

Government statistics put the number of Cao Dai at 2.3 million, although Cao Dai officials routinely claim as many as 5 million adherents. Cao Dai groups are most active in Tay Ninh Province, where the Cao Dai "Holy See" is located; in Ho Chi Minh City; and throughout the Mekong Delta. There are separate groups within the Cao Dai religion; the largest is the Tay Ninh sect, which represents more than half of all Cao Dai believers and more than 40 percent of the population of the province. Cao Dai is syncretic, combining elements of many faiths.

According to the Government, there are 1.3 million Hoa Hao followers; affiliated expatriate groups estimate as many as 3 million adherents. Hoa Hao followers are concentrated in the Mekong Delta, particularly in provinces such as An Giang and Dong Thap, where the Hoa Hao were dominant as a social, political, and military force before 1975. The government-recognized Hoa Hao Administrative Committee (HHAC) was organized in 1999. Some Hoa Hao belong to other sects that oppose the HHAC.

The two largest officially recognized Protestant churches are the Southern Evangelical Church of Vietnam (SECV) and the smaller Evangelical Church of Vietnam North (ECVN). The Grace Baptist Church, United World Mission Church, Vietnam Mennonite Church, Vietnam Presbyterian Church, Vietnam Baptist Society (Southern Baptist), and Vietnam Seventh-day Adventist Church also are recognized officially. Other Protestant denominations also are present, including the Vietnam Christian Fellowship (officially registered), as well as others registered locally but not registered on the national level. Estimates of the number of Protestants ranged from government figures of 900,000 to claims by churches of up to 2 million. The strongest growth in Protestant believers occurred from 1996 to 2000. Some new converts belong to unregistered evangelical house churches. Based on adherents' estimates, two-thirds of Protestants are members of ethnic minorities, including minority groups in the Northwest Highlands (H'mong, Dzao, Thai, and others) and in the Central Highlands (Ede, Jarai, and Mnong, among others).

Mosques serving the small Muslim population, estimated at 60,000 to 80,000 persons, operate in Ho Chi Minh City, Hanoi, western An Giang Province, and provinces in the southern coastal area. The Government estimates there are nearly 73,000 Muslim believers. The Muslim community is composed mainly of ethnic Cham, although in Ho Chi Minh City and An Giang Province it includes some ethnic Kinh and migrants originally from Malaysia, Indonesia, and India. Approximately 40 percent of Muslims are Sunnis; the remaining 60 percent practice Bani Islam, a type of Islam unique to the ethnic Cham who live on the south-central coast.

There are several smaller religious communities, the largest of which is the Hindu community. Approximately 50,000 ethnic Cham in the south-central coastal area practice a devotional form of Hinduism. Another 4,000 Hindus live in Ho Chi Minh City; some are ethnic Cham, but most are Indian or of mixed Indian-Vietnamese descent.

There are an estimated 7,000 Baha'is, largely concentrated in the south. Baha'i followers were present prior to 1975, but open practice of the Baha'i Faith was banned from 1975 to 1992 and only received national recognition as a new religion in 2008. In May 2009 the Baha'i Faith held its second national convention with representatives from its 73 registered congregations present.

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There are approximately 1,000 members of The Church of Jesus Christ of Latter-day Saints (Mormons) throughout the country. The Church has two locally recognized congregations in Ho Chi Minh City and Hanoi.

At least 50 active congregations of Jehovah's Witnesses operate. A few are registered locally, each reportedly with several hundred members. Many of the congregations are in the south, with at least 10 in Ho Chi Minh City.

There is one Jewish temple in Ho Chi Minh City. While its members are primarily foreign national expatriates, the congregation is growing.

At least 14 million citizens constituting 17 percent or more of the population reportedly do not practice any organized religion. The Government does not categorize those whose activities are limited to visiting pagodas on ceremonial holidays as practicing Buddhists. Using this stricter definition, the number of nonreligious people would be much higher, perhaps as many as 50 million. No statistics were available on the level of participation in formal religious services, but it was generally acknowledged that this number has been increasing since the early 1990s.

Ethnic minorities constitute approximately 14 percent of the population. They historically practice different traditional beliefs than those of the majority Kinh. Increasing numbers of H'mong, Dao, and Jarai in the Northwest and Central Highlands are converting to Protestantism.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The Constitution, legal code, and a 2003 Communist Party Central Committee resolution on religion provide for freedom of belief and worship, as well as non-belief; however, restrictions exist in policy and practice. The 2004 Ordinance on Religion and Belief serves as the primary document governing religious practice. It reiterates citizens' rights to freedom of belief, freedom of religion, and freedom not to follow a religion, and it affirms that violations of these freedoms are prohibited. It states, however, that the "abuse" of freedom of belief or religion "to undermine the country's peace, independence, and unity" is illegal and also warns that religious activities must be suspended if they negatively affect the cultural traditions of the nation.

The ordinance continues the practice of Government control and oversight of religious organizations. Under its provisions, religious denominations must be officially recognized or registered, and the activities and leadership of individual religious congregations must be approved by "appropriate" lower-level authorities. "Appropriate" authorities must also approve the establishment of seminaries and the organization of and enrollment in religious classes. The naming of priests or other religious officials requires authorities' approval only when a foreign "element," such as the Vatican, is involved. The Ordinance explicitly bans forced renunciations of faith. The Ordinance also relaxes government oversight of religion. For example, religious organizations are required only to inform appropriate authorities of their annual activities or the investiture and transfer of clerics, whereas in the past this required explicit official approval. Further, the Ordinance encourages religious groups to carry out charitable activities in health care and education, which were limited in the past.

The 2005 Prime Minister's "Instruction on Some Tasks Regarding Protestantism" calls on authorities to facilitate the requests of recognized Protestant denominations to construct churches and to train and appoint pastors. The Instruction directs authorities to help unrecognized denominations register their congregations so they can worship openly and move toward fulfilling the criteria for full recognition. The Instruction directs authorities in the Central and Northwest Highlands to help groups of Protestants register their religious activities and practice in homes or "suitable locations," even if they do not meet the criteria to establish an official congregation. The Instruction also directs local officials to

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allow unregistered "house churches" to operate so long as they are "committed to follow regulations" and are not affiliated with separatist political movements.

Implementing Decree 22, also issued in 2005, provides further guidance on the Ordinance on Religion and Belief. It delineates specific procedures by which an unrecognized religious organization may register its places of worship, its clerics, and its activities and thus operate openly. It provides procedures for these groups to apply for official recognition from the Government to gain additional rights. The decree specifies that a religious organization must have 20 years of "stable religious operation" in the country to be recognized by the Government and states that past operation in the country can be counted toward this requirement. The decree further defines specific time periods for the Government to consider requests from religious organizations and requires officials to give an organization an explanation in writing for any rejected application.

Decree 22 also clarifies the procedures for religious organizations and individual congregations to seek official recognition. In principle, recognized religious denominations are allowed to open, operate, and refurbish places of worship, train religious leaders, and obtain permission for publication of materials. To obtain official recognition, a denomination must receive national-level registration, which according to the legal framework involves several legal stages. First, the religious organization must apply for and receive registration in each local administrative area in which it operates. Registration requires a religious organization to file information with relevant authorities about its structure, leadership, and activities. Authorities then have 45 days to raise questions or concerns. National-level registrations have a 60-day consideration period. The CRA must issue a license before an organization is considered registered. After maintaining national registration for one year, the eligible religious group may apply for full legal recognition and must receive government approval of its leadership, structure, and activities.

Decree 22 further specifies that appropriate authorities must provide a written response to requests for official recognition within 30, 45, 60, or 90 days, depending on the scope of the request. In the case of a refusal, a specific reason must be included in the written response, although this requirement also does not appear to be consistently followed. There is no specific mechanism for appeal in the Ordinance, nor are the reasons for denying a request restricted in any way.

Decree 22 stipulates that provincial People's Committees must approve the construction of new religious facilities. The renovation or upgrade of religious facilities also requires notification of authorities, although not necessarily a permit, depending on the extent of the renovation. The Decree stipulates that authorities must respond to a construction permit application within 20 days.

The national-level CRA is charged with disseminating information about the new legal framework to authorities at the provincial, district, commune, and village levels and assuring uniform compliance. Implementation of the legal framework at lower levels of the Government continued to be mixed. During the reporting period, national and provincial authorities held a number of training courses for lower-level officials about the new laws to ensure their understanding and compliance with the legal framework.

The Government does not officially favor a particular religion. Virtually all senior government and CPV officials, as well as the majority of National Assembly delegates, are formally "without religion." Many party and government officials openly practice traditional ancestor worship, however, and some visit Buddhist or Cao Dai pagodas. The CPV claims tens of thousands of the more than three million Communist Party members are religious believers. The prominent traditional position of Buddhism does not adversely affect religious freedom for others, including those who do not practice a religion.

Adherence to a religious faith generally does not seriously disadvantage individuals in nongovernment civil, economic, and secular life, although it likely would prevent advancement to senior CPV or military ranks. The military does not have

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a chaplaincy. Practitioners of various religious groups serve in local and provincial government positions and are represented in the National Assembly. Some clergy and religious followers are members of the CPV-affiliated mass political and social organization, the Vietnam Fatherland Front. CPV and government officials routinely visit pagodas, temples, and churches, making a special point to send greetings and visit Catholic and Protestant churches over Christmas and Easter.

The Government officially recognizes the Buddhist, Catholic, Protestant, Hoa Hao, Cao Dai, Baha'i, Muslim, Pure Land Buddhist Home Practice, Threefold Southern Tradition, and Threefold Enlightened Truth Path faiths as religious organizations. Individual congregations within each registered or recognized organization established after the legal framework took effect must also be registered. Practitioners of alternative Buddhist, Protestant, Hoa Hao, and Cao Dai groups do not participate in government-recognized/registered religious organizations.

The Government allows travel for religious purposes, but the approval of authorities is required for some religious leaders to participate in religious conferences and training courses abroad. Muslims were able to undertake the Hajj, and Buddhist, Catholic, and Protestant officials were generally able to travel abroad for study and for conferences. Catholic leaders regularly travel to the Vatican for consultations. Other unofficial religious leaders regularly travel internationally.

The Government requires all religious publishing to be done by the Religious Publishing House, which is part of the State Publishing House's Office of Religious Affairs, or by other Government-approved publishing houses after the Government first approves the proposed items. From 2006 to 2008, the Religious Publishing House published 1,777 different books and other publications, for a total of 4,511,900 copies. A range of Bibles, Buddhist sacred scriptures, and other religious texts and publications were printed and distributed openly. The Bible is printed in Vietnamese, Chinese, Ede, Jarai, Banar, M'ngong, and English. The Religious Publishing House printed 30,000 copies of the Bible in Bana, Ede, and Giarai ethnic languages between 2006 and 2008.

Article 35 of Decree 22 requires Government approval for foreign missionary groups to proselytize and stipulates that such activities should take place under the sponsorship of a national or local religious organization. It discourages public proselytizing outside recognized worship centers. Some missionaries visited the country despite this official prohibition and carried on informal proselytizing activities.

The Government does not observe any religious national holidays.

The Government does not permit religious instruction in public schools; however, it permits clergy to teach at universities in subjects in which they are qualified. Buddhist monks have lectured at the Ho Chi Minh Political Academy, the main Communist Party school. Several Catholic nuns and at least one Catholic priest teach at Ho Chi Minh City universities. They are not allowed to wear religious dress when they teach or to identify themselves as clergy. Catholic, Protestant, Muslim, and Buddhist groups are allowed to provide religious education to children. Catholic religious education, on weekends or evenings, is permitted in most areas and has increased in recent years in churches throughout the country. Khmer Theravada Buddhists and Cham Muslims regularly hold religious and language classes outside normal classroom hours in their respective pagodas and mosques. Religious groups are not permitted to operate independent schools beyond preschool and kindergarten. Atheism is not officially taught in schools.

Religious affiliation is indicated on citizens' national identification cards and in "family books," which are household identification documents. In practice, many citizens who consider themselves religious do not indicate this on their identification cards, and government statistics list them as nonreligious. Although it is possible to change the entry for religion on national identification cards, many converts find the procedures overly cumbersome or fear government retribution. The Government does not designate religious affiliation in passports.

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Restrictions on Religious Freedom

The Government requires the registration of all activities by religious groups and uses this requirement to restrict and actively discourage participation in certain unrecognized religious groups, including the UBCV and some Protestant, Hoa Hao, and Cao Dai groups.

Government practices and bureaucratic impediments restricted religious freedom. The constitutional right to freedom of belief and religion continued to be subject to uneven interpretation and protection.

Because of the lack of due process and inconsistent oversight, religious activities can be subject to the discretion of local officials. In some cases local officials reportedly told religious leaders that national laws do not apply to their jurisdictions. In other cases different provinces applied the same laws differently. In certain cases recognized and unrecognized Protestant groups were able to overcome local harassment or to overturn negative local decisions after they appealed to higher-level authorities.

Several hundred ECVN congregations continued to await action on their applications to register. Reasons cited for delays in the process or rejection of applications included bureaucratic impediments such as incorrect procedures or forms or incomplete information. Less frequently, local authorities cited vague security concerns and stated either that their political authority could be threatened or that confrontations could occur between traditional believers and recently converted Christians.

In some provinces house churches were required to submit lists of all worshippers as part of the registration process, although the legal framework on religion does not require this information. This practice appeared to be widespread in the Mekong Delta but also occurred in north-central Thanh Hoa Province. In some cases authorities removed this requirement in response to the protests of the registering groups; in other cases the extra-legal requirement was maintained, slowing down the registration process.

In Dak Lak Province, more than 100 SECV "meeting points" remained unregistered.

Other obstacles to religious growth and training remained. Officially recognized religious groups faced some limitations in obtaining or publishing teaching materials, expanding training facilities, sharing their faith, building new houses of worship, and expanding the number of clergy in religious training in response to increased demand from congregations. The Government continued to ease limitations compared to previous years, however.

There are no formal prohibitions on changing one's religion. The cumbersome process of applying for a new national identification card with the new religion may deter some individuals from converting, however. There were reports that local officials in rural communities continued to discourage conversion to Protestantism by threatening converts with difficulties in applying for identity-related documents or losing education and social welfare allowances.

In June 2009 Ho Chi Minh City airport officials prevented a pastor from traveling to the United States. They confiscated his passport, and ordered him to report to police. In 2008 a house church pastor was also denied a passport.

Government policy does not permit persons who belong to unofficial religious groups to speak publicly about their beliefs, but some continued to conduct religious training and services without harassment. Members of registered religious organizations are permitted to speak about their beliefs and may persuade others to adopt their religions in registered places of worship, but they are generally prohibited from doing so elsewhere. The Government controls and monitors all forms of public assembly, including assembly for religious activities; however, during the reporting period, large religious gatherings were allowed.

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As in previous years, the Government opposed efforts by the UBCV to operate charitable activities and continued to restrict the movement of some UBCV leaders, although the UBCV operate many pagodas without restriction. As in previous reporting periods, UBCV leaders reported they were urged to restrict their movements but were able to receive visits from foreign diplomats, see other UBCV members on occasion, and maintain contact with associates overseas; however, these activities were still closely scrutinized. Provincial leaders of the UBCV throughout the southern region reported routine surveillance by local authorities and limited ability to travel and meet with each other because of restrictions. UBCV Supreme Patriarch Thich Quang Do stated he is allowed to leave his pagoda to visit his doctor once or twice a month and can meet with others outside the pagoda.

The Government continued to monitor and impede the activities of certain religious groups based on their political activism. National security and national solidarity provisions in the Constitution override laws and regulations providing for religious freedom, and these provisions reportedly were used to impede religious gatherings and the spread of religious beliefs to certain ethnic groups.

The Penal Code, as amended in 1997, establishes penalties for vaguely defined offenses such as "attempting to undermine national unity" by promoting "division between religious believers and nonbelievers." The Government continued to limit the organized activities of independent religious groups and of individuals who were regarded as a threat to party authority.

The Government formed and recognized the official Hoa Hao body, the Hoa Hao Administrative Council, in 1999. Several leaders of the Hoa Hao community, including several pre-1975 leaders, openly criticized the committee, claiming it was subservient to the Government. Hoa Hao who did not join the Administrative Council have faced some restrictions on their religious and political activities since 1975, in part because of lingering Communist Party suspicions stemming from the Hoa Hao's armed opposition to communist forces dating back to French colonial rule.

The Government remained concerned that some ethnic minorities in the Central Highlands were operating a self-styled "Dega Church," which reportedly mixes religious practice with political activism and calls for ethnic minority separatism. This complicated the registration process for other churches in the area.

SECV and house churches in the Central provinces of Dak Lak, Gia Lai, Kon Tum, Binh Phuoc, and Dak Nong continued to experience close government scrutiny because of feared association with separatist groups overseas.

The Religious Publishing House has not yet acted on a longstanding request to allowing printing of the Bible in the H'mong language due to the fact that the Government recognizes an archaic form of the H'mong language that is not in regular use today and cannot be read by the average H'mong.

The Government allows, and in some cases encourages, links between officially recognized religious bodies and coreligionists overseas; however, the Government discourages contacts between the UBCV and its foreign Buddhist supporters. Contacts between some unregistered Protestant groups and their foreign supporters are sometimes discouraged but occur regularly, including training, and provision of financial support and religious materials. The Government remained critical of contact between separatist "Dega" Protestants in the Central Highlands and overseas supporters.

Specific challenges included unresolved property claims with virtually all churches including the Catholic Church, SECV, and ECVN. Provincial authorities have returned a limited number of properties confiscated from religious organizations after 1975 and remained in protracted discussions on others. Many properties seized were schools and hospitals later incorporated into the state system.

The country's history, and its recent rapid economic development, complicate land issues. As in the case of the former

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Papal Nuncio site in Hanoi, there are claims by both Buddhists and Catholics because land once home to Buddhist pagodas was given to the Catholic Church during the French colonial period. Land is a valuable commodity, and the Government prioritizes rapid economic development. Religious leaders increasingly reported their land disputes were matters of economic rather than religious discrimination.

While the Government and the Catholic Church agreed to the return of one property in 2008, the status of many other properties remained unresolved. In June 2009 a Catholic monastery on disputed property belonging to the Brothers of the Holy Family in Long Xuyen, An Giang Province, was torn down.

In Quang Binh Province in February 2009, the bishop of the Vinh diocese celebrated Mass at the disputed ruins of the Tam Toa Church, which had been bombed in 1968. The provincial government seized the church in 1996 and converted it to a war memorial to "preserve and protect for future generations the memory of American War Crimes." On October 23, 2008, the bishop had signed a Memorandum of Understanding with provincial officials recognizing the historic value of the church and agreed to a land swap in exchange for suitable replacement property. When local authorities offered five parcels of land to build a new church, however, the diocese rejected the properties as not of comparable worth.

In January 2009 a disputed Catholic property in Vinh Long, the convent of the Sisters of the Congregation of St. Paul of Chartre, was torn down and converted into a public park.

Large-scale protests occurred in Hanoi, with as many as 15,000 Catholic parishioners attending a special Mass and prayer vigil conducted by the Archbishop of Hanoi on September 21, 2008, as the result of an ongoing property dispute over the residence of the former Papal Nuncio in Hanoi, which the Government confiscated. On September 19, city officials had announced they would turn the site into a public park, with the former Papal Nuncio's home becoming a library. City officials immediately began demolishing administrative buildings at the site.

Between January and September 2008, Catholic parishioners held large prayer vigils over disputed land the Thai Ha parish previously owned in Hanoi. Eight persons were arrested in August and September. In December they were sentenced to time served for destroying public property and disturbing public order.

Protestants also faced land rights issues. On March 11, 2009, provincial and district officials informed SECV leadership in Dak Lak that they would demolish a church on disputed property in Buon Me Thuot City. This church was the last Protestant building of the ethnic Ede people in the area and had been confiscated after 1975. The local government already had built a school in the yard and wanted to replace the main church building with a kindergarten. The SECV objected and called the Ministry of Public Security and the national CRA. National Communist Party officials justified their actions stating the church had housed weapons and propaganda advocating an independent Dega state.

Recognized Protestant organizations obtained a small number of previously confiscated properties, but other disputes continued. The SECV sought restitution for more than 250 properties; other denominations active in the south pre-1975 also had claims. In December 2008, in Cu Hat Commune in Dak Lak Province, local authorities and police razed a prayer house affiliated with the Good News Mission Church. The church had not received a building permit, and ownership of the land was in dispute. Police reportedly injured five parishioners during the razing of the church. Parishioners then constructed a temporary prayer house, again without a permit. Church leaders reported the church had not experienced difficulties prior to construction of the first prayer house.

Although the Ordinance on Religion and Belief encourages religious organizations to conduct charitable activities in education and health care, the degree of government oversight of these activities varied greatly among localities. In some areas, especially in the south, Catholic priests and nuns operated kindergartens, orphanages, vocational training centers, and clinics and engaged in a variety of other humanitarian projects. Operating without a legal basis, however, has created some difficulties for the Church. One shelter was unable to obtain legal birth records and public school

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enrollment for the children under its care. Charitable activities religious groups undertook in northern Vietnam were more restricted, despite some northern provinces reportedly becoming more permissive during the reporting period.

Abuses of Religious Freedom

Reports of abuses of religious freedom continued to diminish; however, some religious believers continued to experience harassment or repression, particularly those who had not applied for or been granted legal sanction. In a number of instances, local officials forced church gatherings to cease, closed unregistered house churches, and pressured individuals to renounce their religious beliefs.

The dissemination of the legal framework on religion remained an uneven process, especially in the North and Northwest Highlands. Many pastors and priests reported that police and other authorities had not implemented fully these revised legal codes. Some Protestants in these areas reported that local officials used legal pretexts to prevent or complicate registration.

Congregations in Tien Giang province continued to report difficulties during Christmas celebrations. Some were denied permits to hold services, while others obtained permits limiting attendance by non-local pastors and followers.

Assembly of God followers in Dien Bien District, Nong Luong Commune complained of harassment from local officials and inability to register their congregation despite repeated attempts since 2005. They were prohibited from holding Christmas or Easter services and from having ethnic H'mong attend, although they continued to hold weekly services and conducted charitable activities.

Catholics in Son La City faced regular harassment by local officials and police and were prohibited from holding Christmas Mass. Local officials also barred a visiting priest from holding Easter services, and only allowed him to pray with congregants.

Some ethnic minority worshippers in the Central Highlands--particularly in areas suspected to be affiliated with the "Dega Church"--continued to be prevented from gathering to worship. The number of reported incidents was significantly lower than in previous reporting periods and appeared to reflect individual local bias rather than central government policy. In some instances the local officials involved apologized and were reprimanded or fired.

As in previous years, there were indications that provincial officials rebuked local authorities for harassing house churches in contravention of the Prime Minister's Instruction on Protestantism. In a few incidents in Tra Vinh Province, local authorities reportedly harassed groups that submitted registration applications. Other Protestant churches in Quang Ngai, Long An, Binh Duong, and Dong Nai also reported low-level difficulties from local officials after submitting church registration applications.

On June 29, 2009 a dispute at the Bat Nha Pagoda in Lam Dong Province between monks affiliated with the Plum Village (Lang Mai) order led by French-based Zen Master Thich Nhat Hanh and monks affiliated with the VBS became violent after local officials permitted the chief monk of the pagoda affiliated with the VBS to cut off power and water supplies to the Plum Village order. A large mob of angry VBS monks and local thugs stormed the Plum Village facilities, burned the homes of nuns, destroyed many of the Lang Mai facilities, and beat several monks. According to eyewitness accounts, police made no effort to stop the destruction, although they prevented the crowd from entering the common area in a dormitory where Lang Mai monks and nuns sought refuge. The standoff continued for several days. Two weeks later, provincial and central VBS leadership pressured the Bat Nha Pagoda chief monk to allow the Plum Village order to remain temporarily; however, as of the end of the reporting period the Plum Village order remained without power and water.

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Inter-Evangelistic Movement (IEM) followers continued to report difficulties in several locations in Dien Bien Province, where police in past years actively broke up meetings of worshippers and local authorities refused to register IEM meeting points and pressured followers to abandon their faith. In June 2009 lay pastors and parishioners in Dien Bien Dong District, Pu Nhi Commune, reported being summoned, harassed, and beaten by local police. In February 2009 IEM leaders reported the detention of a pastor-in-training in Pu Nhi Commune of Dien Bien Dong District. Sung A So, a student of an IEM-affiliated Bible school in Ho Chi Minh City, was detained for "illegal evangelizing" and fined \$114 (VND 2 million), later reduced to reduced to \$29 (VND 500,000).

Twice in June 2009 police raided congregations affiliated with the Agape Baptist Church in the Ong Dinh Commune of Hung Yen Province. They beat two pastors and forced parishioners to go to police headquarters. Earlier in May 2009, one of these pastors was detained several hours after the deputy police chief disrupted services of his house church and confiscated Bibles. Authorities threatened to charge him with resisting arrest and conducting illegal services.

Also in May 2009 Pastor Nguyen Cong Chinh, a Vietnam People's Christian Evangelical Fellowship Church (UKCC-VPCEF) leader in Gia Lai, alleged he was detained for 12 days at a police "guest house" where he was questioned and accused of abusing religious freedoms in an effort to conduct political activities.

On April 5, 2009, echoing previous incidents of violence against Khmer ethnic minority Protestants in Tra Vinh Province by fellow Khmer, a Protestant lay pastor affiliated with the Church UKCC-VPCEF in Tra Vinh Province was killed allegedly by other members of the Khmer ethnic minority due to his Protestant faith. The Government claimed the individual involved was not a religious believer and stated he died in a traffic accident, but several other sources confirmed that he was a lay pastor and had been beaten to death due to his Protestant evangelizing. Some reports alleged the violence has been instigated by local Buddhist leaders and sanctioned by local officials. Virtually all Protestants throughout the province experienced harassment and difficulties in holding services.

In April 2009 a local leader of the unregistered Hoa Hao Buddhist Church in Dong Thap Province was fined US \$23 (VND 400,000) for "illegal evangelizing" for setting up a Hoa Hao altar at her home on Founder Disappearance Day. On March 21, 2009, while marking Founder Disappearance Day, followers of the unregistered Hoa Hao Buddhist Church in An Giang and Dong Thap Provinces reported police harassment and surveillance. Police visited the homes of followers, instructing them to "pray for a peaceful nation" but discouraging them from meeting with other followers. In November 2008 police searched the home of a local leader of the faith and confiscated computers, a printer, and a video camera, accusing him of illegally pirating VCDs involving the teachings of the unregistered Hoa Hao Buddhist Church. He was fined US \$229 (VND 4 million). In October 2008 police attempted to prevent followers of the unregistered Hoa Hao Buddhist Church in Long Hung B Commune from commemorating a death anniversary. In August 2008 followers of the unregistered Hoa Hao Buddhist Church were again impeded from marking a death anniversary in Vinh Thanh Commune, Lap Vo District, Dong Thap Province. The CRA asserted some Hoa Hao followers were convicted for violating regulations prohibiting this activity.

In February 2009 in Ha Giang Province it was alleged that Lau Nhia Po killed his mother, Va Thi Tho, after her conversion to Christianity. The day after his release in April 2009 he killed another Christian in Sung Can Village, Sung Tra Commune, Meo Vac District. Local authorities allegedly took no further action in response to the killings. According to the Committee for Religious Affairs, Po had a dispute with his mother, at which time she fell and died four days later. The CRA claimed district police investigated the case and did not have sufficient basis to try Po for killing his mother.

In early January 2009 ECVN leaders in Lao Cai Province reported local officials in the Ban Me Commune told Protestants to renounce their faith or face fines.

In December 2008 local officials from Lai Chau Province, Nam Kha Hamlet, Nam Han Commune, Sin Ho District, pressured a lay deacon and 32 Protestant families to renounce their faith, according to church officials.

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In November 2008 local officials from Ha Giang Province, Lung Cang Hamlet, Minh Ngoc Commune, Bac Me District, threatened to fine congregants US \$3 (VND 50,000) and deacons US \$29 (VND 500,000) each if they continued meeting.

There were reports of continued harassment of the Full Gospel Church in Thanh Hoa Province in the fall of 2008. In December 2008 local officials attempted to disperse a joint Protestant Christmas gathering of approximately 600 congregants in Thanh Hoa Province at a hotel in downtown Thanh Hoa city but eventually allowed the service to continue.

The UGOC leadership reported that in southern Long An Province many continued to avoid house churches following incidents of harassment from local officials in November 2007 and April 2008.

In Sa Thay District, Kontum Province an SECV Church was prohibited from holding Christmas services. In July 2008 district and commune officials in Sa Thay threatened to deny social benefits to those who did not renounce their faith and also confiscated religious materials.

Despite recent improvements, some members of the Full Gospel Church in Hieu Tu Commune of Tieu Can District, Tra Vinh, alleged local government agencies, such as the Women's Union and hunger-elimination and poverty-relief related agencies, continued to deny services to Protestants or asked followers to renounce their faith as a precondition for assistance.

The Community Gospel Church of Vietnam in Thanh An Commune, Binh Long District was prohibited from holding Christmas services, although other congregations in the province experienced no difficulties at Christmas.

In the Central Highlands, SECV congregations in some districts of Dak Lak Province stated registration of new meeting points continued to be slow. In November 2008 a Protestant house church in Dak Lak Province agreed to the request of local authorities to stop running a live-in Bible school for lay pastors.

Catholic priest Pham Van Loi continued to live under conditions resembling house arrest reportedly for reasons related primarily to his political beliefs or attempts to form political organizations, despite the apparent lack of any official charges against him. The CRA asserted that Father Loi was not under house arrest and that the Government did not restrict his religious activities. The movement of a number of other UBCV, Cao Dai, Catholic, Hoa Hao, and Protestant dignitaries and believers was occasionally restricted or monitored by police.

In May 2008, on the day of Buddha's birthday celebration, a senior officer from the provincial police came to the UBCV-affiliated Phuoc Hue Pagoda in Quang Tri Province and apologized for earlier harassment in April 2008. At the end of the reporting period, the head monk, Thich Tu Giao, had not received compensation for the alleged April 2008 confiscation of a computer, a digital camera, a cell phone, and approximately US \$6,300 (VND 112 million). The CRA claimed that the chief monk illegally expanded the pagoda onto land owned by another individual and that local officials twice ordered the monk to dismantle the portion of the pagoda that had been illegally constructed. According to CRA, because Thich Tu Giao did not respond to official requests, police were ordered to dismantle the illegally constructed part of the pagoda but did not take any money or other items in the possession of Thich Tu Giao.

In April 2008 Monk Thich Tri Khai was reportedly expelled from Giac Hai Pagoda, Don Duong District, Lam Dong Province by local authorities, who then raided the pagoda and changed the locks. Local police and Vietnam Fatherland Front officials allegedly organized local Buddhists and citizens to publicly denounce Monk Khai in advance of his expulsion. Two UBCV monks attempting to visit Khai were detained and questioned by police. The CRA claimed that in a decision of the Lam Dong Provincial VBS Executive committee, Monk Thich Tri Khai was expelled from the Giac Hai

Rallying For Democracy

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pagoda for sending a letter to the Committee in November 2007 asserting to be the deputy representative of the UBCV in Lam Dong. Some sources at the pagoda reported Monk Thich Tri Khai may have sought medical treatment at a relative's home, but this was not confirmed. CRA claimed it did not know the location of Monk Thich Tri Khai.

During the reporting period, the Government released five ethnic Khmer monks who in 2007 had been defrocked in Cambodia and deported to Vietnam. The monks had been and sentenced to one year in prison for "sabotaging national unity" under Article 87 of the Penal Code in connection with their alleged participation in land rights protests. Two of the monks were released in June and November 2008 and the remaining three in January 2009.

Forced Religious Conversion

Decree 22 states, "Acts to force citizens to follow a religion or renounce their faith...are not allowed." The Prime Minister's Instruction on Protestantism contains a similarly worded statement. Although Government officials stated forced conversions or renunciation of faith had always been illegal, these were the first legal documents to state so explicitly. Religious contacts from the Central and Northwest Highlands reported attempted forced renunciations continued to decrease. A few incidents were reported during the period covered by this report in central Kontum Province, Southern Tra Vinh Province, and Northern Dien Bien and Lao Cai Provinces.

Local officials in several northwestern villages continued to attempt to convince or force H'mong Protestants to recant their faith. Local authorities encouraged clan elders to pressure members of their extended families to cease practicing Christianity and to return to traditional practices.

In early 2009 ECVN leaders reported repeated efforts by local officials to pressure Protestants from Ban Me Commune, Si Ma Cai District in Lao Cai Province, to renounce their faith. On three occasions in January and February, local officials reportedly came to talk to Protestants, confiscated religious materials, and threatened to fine them unless they renounced their faith.

In August 2008 members of the Protestant Life Gospel Church in the Duyen Hai District of Tra Vinh Province were similarly threatened with reduction in social benefits if they did not renounce their faith.

In July 2008 Protestants affiliated with an SECV Church in the Sa Thay District of Kontum Province were pressured to renounce their faith or face a cut in social benefits from the Government. Also in July 2008 in Sa Thay District, a member of the Christ Gospel house church was threatened that his son would be expelled from university if he did not renounce his faith.

In July 2008 a lay pastor affiliated with the IEM Church in Dien Bien Province, Dien Bien Dong District, Pu Nhi Commune, was pressured to renounce his faith by the Commune's People's Committee Chairman.

There were no reports of forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States or who had not been allowed to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

Improvements in respect for religious freedom continued during the reporting period. In many areas Buddhists, Catholics, Protestants, Hoa Hao, and Cao Dai, as well as the Government, reported an increase in religious activity and observance. Compared to previous reporting periods, the Government continued to ease restrictions placed upon most religious groups and greatly expanded the number of religions that received national recognition. Much of the change came from continued strengthening in the implementation of revisions to the legal framework governing religion instituted in 2004 and 2005, as well as a more positive government attitude toward Protestant groups. Many recognized

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and unrecognized religious groups, especially Protestant groups in the Central and Northwest Highlands, reported that the situation for their practitioners continued to improve overall.

Thousands of new church leaders--Catholic, Buddhist and Protestant--were trained with Government sanction. In addition, the central Government continued to train, inform, and encourage provincial and local authorities to comply with regulations under the legal framework on religion. Nonetheless, implementation of the legal framework remained inconsistent.

During the reporting period, the Government permitted large religious gatherings, such as Catholic celebrations at the La Vang Catholic sanctuary, the funeral of Cardinal Tung in Hanoi where more than 5,000 participated, Christmas celebrations in Danang with 3,000 participants, and a large celebration of more than 10,000 for Vesak Day at a stadium in Ho Chi Minh City. Traditional pilgrimage events such as the Hung Kings' Festival, Buddhist ceremonies in Hue, and the Hoa Hao Founding Day and commemoration of the founder's death also occurred without incident. Ho Chi Minh City and Hanoi officials also facilitated large Christmas and Easter celebrations by a variety of Christian denominations.

In April 2009 more than 15,000 Protestants gathered at the Tao Dan Stadium in Ho Chi Minh City to celebrate Easter. In a large-scale show of unity among unrecognized Protestant house churches, pastors from the Assemblies of God, Full Gospel Church, and the United Gospel Outreach Church preached at the service. This event marked the first time unregistered house churches were allowed to hold a large-scale public celebration.

The Government continued to register and recognize religious organizations during the reporting period. As of the end of the reporting period, the Government recognized a total of 27 religious organizations affiliated with 11 recognized religions (Buddhism, Islam, Catholicism, Protestantism, Hoa Hao, Cao Dai, Pure Land Buddhist Home Practice, Bani Muslim Sect, Threefold Enlightened Truth Path, Threefold Southern Tradition, and the Baha'i Community). The Government also has granted national registration to three religious organizations: two distinct religious groups, the Mysterious Fragrance from Precious Mountains and the Four Gratuities, and one Protestant denomination, the Vietnam Christian Fellowship. In addition, approximately 55 ECVN congregations were registered with local authorities in 2008 and the beginning of 2009. In total, 141 ECVN congregations have been registered.

The ECVN Church continued to grow in the Northwest Highlands and in Dien Bien Province in particular. Even though local and provincial officials registered only a handful of congregations in Dien Bien and Son La Provinces during the reporting period, most were able to conduct religious services and activities without incident.

Most SECV congregations and meeting places in the Central Highlands were able to register their activities with local officials and were allowed to operate without significant harassment. In October 2008 the SECV held a two-day celebratory service in Gia Lai Province commemorating the 65th anniversary of Protestantism in the province. More than 25,000 Protestants, local officials, and foreign dignitaries participated in the celebration.

SECV-affiliated churches and house churches generally reported improved conditions during the reporting period in the Central Highlands provinces of Dak Lak, Gia Lai, Kon Tum, and Dak Nong. The SECV reported eight new Protestant SECV congregations and 22 additional SECV meeting points in the Central Highlands and Binh Phuoc Province were registered in the period covered by this report. In Gia Lai, the SECV reported all of its congregations had obtained registration, for a total of 44, and more than 230 meeting points had been registered, with only three meeting points remaining unregistered. One congregation may have multiple meeting points.

The SECV also opened a number of new churches in Gia Lai, Dak Lak, and Dak Nong provinces. Gia Lai authorities facilitated the construction of eight new SECV churches: Ia Grai District, Chu Se District, Mang Yang District, Chu Pah District, Duc Co District, Dak Doa District, and Pleiku City. The SECV obtained four more new construction licenses. The SECV continued to conduct Bible classes in these provinces to provide training to preachers in the region, allowing them

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to receive formal recognition as pastors. Ordination of new pastors is a key step in the formal recognition of additional SECV churches. In Dak Lak Province alone, the SECV has trained and ordained several hundred new lay pastors.

In Gia Lai Province, Catholics and United Baptist congregations noted an improved environment to conduct services, and both were allowed to hold special services to mark the Lunar New Year holiday.

The Full Gospel Church in Thanh Hoa Province reported that, while still unregistered, they have not faced difficulties since early 2009. They were conducting services on a weekly basis in eight different congregations throughout the province. Additionally, local provincial officials allowed more than 600 followers to gather for a Christmas celebration.

Police and other officials in the Northwest Highlands worked with house church leaders in some areas to inform them of the regulations on religion. The Government signed an agreement with the Institute for Global Engagement (IGE), a U.S.-based nongovernmental organization, to conduct nine joint training courses for local officials and religious leaders in 2009. The CRA also conducted training sessions to educate provincial and district officials as well as religious leaders about the new religious regulations to ensure that they would "implement these policies in an orderly fashion." ECVN contacts in the Northwest Highlands confirmed authorities allowed nearly all unregistered congregations to worship in their homes and to meet openly, in accordance with the Prime Minister's 2005 Instruction. In May 2009 Deputy Prime Minister Truong Vinh Trong met with leadership of the ECVN to congratulate the newly elected church leadership and to discuss issues facing the church. The Government announced it had invited the UN Special Rapporteur on Freedom of Religion to visit later in 2009.

In response to continued concerns diplomats and foreign representatives expressed, the Government continued to revise a CRA-produced training manual for local officials in the Northwest Highlands that contained language disparaging Protestantism and instructing officials to encourage recent Protestant converts to return to their traditional animistic beliefs. The original manual was released in 2006. Revisions attempted to remove harsh language that the Government acknowledges was not in compliance with regulations. The new manual includes revised language explicitly stating that the forced renunciation of faith is "absolutely forbidden." The manual frankly recognizes the shortcomings in implementing the religious framework. Some Protestant Churches argued the manual continued to grant too much discretion to local officials in resolving disputes and encouraged disbanding nonregistered congregations.

The Government demonstrated a willingness to allow individual religious organizations to train the next generation of religious leaders, as demonstrated, for example, in allowing the construction of large-scale seminary programs for Catholics, Buddhists and many Protestant religions. The Vietnam Baptist Convention administered a full-time four-year theological seminary program. The first group of 19 students graduated in early 2009 with bachelor's degrees in theology. The second group of 30 students was admitted in 2007. The Baptist Convention also offers theological enrichment courses at regional hubs in Ho Chi Minh City, the Mekong Delta, Danang, Hanoi, and Haiphong. More than 100 pastors nationwide participated in this program. Once the pastors complete the 40 courses included in the part-time theological training they receive a bachelor's degree in theology.

Since its formal recognition in 2007, the United World Mission Church has trained more than 210 preachers, more than 160 of who were trained in 2008 alone. Because most lay pastors affiliated with the Church are ethnic minorities with jobs in agriculture, the Church created a part-time training program 10 days a month for five months. The Church offered room and board to the participating pastors and managed the program from its headquarters in Danang. The Committee for Religious Affairs facilitated the training by registering the program, assisting in creation of the curriculum, and providing speakers and funding. The Church also administered a full-time four-year theological seminary program se