

ASSAULT ON LONG BINH TEMPLE, TIEN GIANG PROVINCE

REPORT TO:

- UN Special Rapporteur on the rights to freedom of religion and belief
- UN Special Rapporteur in the field of cultural rights
- UN Special Rapporteur on the right to freedom of peaceful assembly and association

1. GENERAL INFORMATION

- Does the incident involve an individual or a group?

On July 3, 2013, about twenty (20) Caodai followers and independent clergy members who conserve their traditional worshipping practices of the pre-April 1975 period gathered for a religious ceremony at the Long Bình Caodai Temple, Gò Công Tây District, Tiền Giang Province. With the support of the Public Security Police and “thugs,” members of the local office of the pro-government Caodai Governance Council used a truck to knock down the front gate of the temple. They then used batons, clubs and rocks to assault the faithful who defended their temple.

-If it involves a religious or belief group please state the number of people involved and the denomination of the group:

The members of the local office of the pro-government Caodai Governance Council supported by the local Police arrested 6 independent Caodai members, including Mr. Lê Văn Ngọc Diệp, Sub-dignitary, in charge of the Temple. It is suspected that the plain-clothes police officers disguised as Caodaists who took this action. The incident caused injuries to many members of the traditional, independent Caodai Church; the two most heavily injured were Mr. Nguyễn Văn Em and Subordinated Sub-dignitary Lê Thị Kệt.

- Country(ies) in which the incident took place: Socialist Republic of Vietnam

- Nationality(ies) of the victim(s): Vietnamese

- Does domestic law require (re-)registration of religious associations and if yes, what is the current status of the group in question?

Vietnam’s 2004 Ordinance on Religion and Belief requires that all religious organizations must be registered. The group affected is not registered and refuses to join the registered government-sanctioned Caodai Governance Council (Hoi Dong Chuong Quan) so as to avoid government control and to preserve their traditional religious beliefs and practices.

While outlawing all the Caodai groups, the government has set up the pro-government Governance Council, allowing them to register and recognizing them as the only legal Caodai organization that all Caodai followers must join if they want to legally practice their faith. The government has on occasions supported the Governance Council’s imposition of their will on the other Caodai groups, including misappropriating the facilities that once belonged to these groups.

Many Caodai practitioners do not recognize this Governance Council and view it as the puppet of the government, created to control and exterminate the traditional Caodai religion which was founded in 1926.

In January of 2013, Decree 92 came into effect, further restricting the religious activities of independent Caodai groups. Under this new decree, home-based group activities that were somewhat tolerated are now prohibited. For example, in recent months the security forces have disrupted even memorial ceremonies, conducted in the privacy of private homes, to pay respect to ancestors or the deceased.

The local government and police force of Binh Dinh Province as well as of the other provinces in Vietnam such as Vinh Long, Tien Giang, Tay Ninh have all tried to suppress the independent Caodai members who do not recognize the government-sanctioned Caodai Governance Council. The local government and police have threatened independent Caodai members with violence, beaten them and illegally taken over the ownership of several Caodai temples. It is the policy of the Communist Party to destroy the traditional Caodai religion.

Sub-dignitary Hua Phi, Head Of Representative Committee of The Popular Bloc of The Caodai Tayninh Holy See, independent Caodai Church, who practiced the traditional rituals following Caodai religious constitution effective prior to 1975; he is also a Member of Interfaith Committee of Vietnam. He reported that: *“in Vietnam, only the religious sects who follow the direction of the Government will be allowed to function. Those who do not, will meet with harassment, and repression, such as occurred at Long Bình Temple, Gò Công Tây District today”*.

2. IDENTITY OF THE PERSONS CONCERNED

Note: if more than one person is concerned, please attach relevant information on each person separately.

- Family name: Lê
- First name: Văn Ngọc Diệp
- Denomination of his/her religion or belief: Caodai
- Place of residence or origin: Long Bình Village, Gò Công Tây District, Tiền Giang Province.
- Telephone: 0996659260 or 0162.840.2538
- Age: 47 (born in 1966)
- Sex: Male
- Nationality(ies): Vietnamese

Mr. Lê Văn Ngọc Diệp is in charge of the Long Bình Temple, Gò Công Tây District, which belongs to an independent Caodai group.

- Other victims:

Caodai member Nguyễn Văn Em (male)
Subordinated Sub-dignitary (Phó Trị Sự) Lê Thị Kệt (female)

3. INFORMATION REGARDING THE ALLEGED VIOLATION

- Date and time (approximate, if exact date is not known): July 03, 2013, about 7:15 am

- Place (location and country/countries): Long Bình Village, Gò Công Tây District, Tiền Giang Province.

- Please provide a detailed description of the circumstances of the incident in which the alleged violation occurred respectively the nature of the governmental action:

The independent Caodai group declined to transfer the ownership of Long Bình Temple to the local office of the pro-government Governance Council. Thus, members of this office, escorted by the local police force and “thugs,” confronted the members of the independent Caodai group with force on July 3, 2013.

“It happened like that many times before; they requested that the temple be transferred to the new management, but we did not agree, as we want to worship in accordance with the traditional rites and practices. If the new management took it over, they would conduct the praying services in different ways. People do not like the services being conducted in new ways and will not attend the services any more. People only come to the temple where traditional rituals are conducted and Caodai religious constitution effective prior to 1975 is observed.” (as recounted by Sub-dignitary Lê Văn Ngọc Diệp, during an interview with Radio Free Asia (RFA) in July of 2013)

Sub-dignitary Lê Văn Ngọc Diệp, in charge of Long Bình Caodai Temple, Gò Công Tây District, Tiền Giang Province, was tied up and arrested at 9:45 am on July 3, 2013 by members of local office of the pro-government Caodai Governance Council with the support of the local security force. He was taken to Vĩnh Bình Caodai Temple, which was under management of the Governance Council, about two kilometers from Long Binh Temple. He recounted the incidents happened to him and other members of Long Binh Temple as follows:

“I was arrested by several members of the Managing Section of the pro-government Governance Council of Tien Giang Province. They came dressed in plain clothes, instead of in traditional religious costume! They tied me up while transporting me to Vinh Binh Temple; where they forced me to consent with their terms.

In cooperation with the district team, they had used a sand truck to push through the temple’s main gate. There were about 20 members inside the Long Binh Temple; they arrested 6 people including me. This was also similarly reported by a long time member of the temple.

They wanted us to give up the management of the Long Binh Temple; but we did not, because we wanted to maintain the traditional rituals. Using all means they over-powered us and took over the temple by force. Facing this oppression, members of the temple voiced their concerns regarding the illegal acts and decided to file their complaints with the Government.” (as recounted by Sub-dignitary Lê Văn Ngọc Diệp, during an interview with Radio Free Asia(RFA) reporter in July of 2013).

- Which indications exist that the victim(s) has been targeted because of his/her religion or belief?

Sub-dignitary Lê Văn Ngọc Diệp and other five members had been targeted beforehand and were arrested during the turmoil at the Long Binh Temple because they did not want to transfer the temple to the local office of the pro-government Governance Council.

- Identification of the alleged perpetrator(s), name(s) if known and/or function, suspected motive:

The perpetrators involved are members of the local office of the government-sanctioned Governance Council and “thugs” that acted with complete impunity under the protection of the local police force. Some of the victims managed to videotape and photograph some of the perpetrators.

- Are the perpetrator(s) known to the victim?

Yes

- Are state agents or non-state-actors believed to be responsible for the alleged violation?

As explained, perpetrators included members of the local office of the pro-government Governance Council and “thugs” supported by the police and government officials.

- If the perpetrators are believed to be State-agents, please specify (police, military, agents of security services, unit to which they belong, rank and functions, etc.), and indicate why they are believed to be responsible; be as precise as possible.

Per the account of Mr. Lê Văn Ngọc Diệp, he recognized several members of the police force in plain clothes who were among the people breaking in the main gate of the temple. Some other members of the police force in plain clothes were among those escorting him to Vinh Binh Temple. The group carried out these atrocities using 2 vans, each having 15 seats; and 3-4 automobiles with 7 seats each.

State agents consisted of:

1. Mr. Cao Minh Chánh, Police Chief of Gò Công Tây District, Tiền Giang Province.
2. Mr. Bùi Thanh Long, Vice-Police Chief of Gò Công Tây District, Tiền Giang Province.
3. Mr. Phan Văn Quan, Secretary (Bí Thư) of Long Bình Village, Gò Công Tây District, Tiền Giang Province.

4. Mr. Nguyễn Hồng Ngọc, Chairman (Chủ Tịch) of Long Bình Village, Gò Công Tây District, Tiền Giang Province.
5. Mr. Huỳnh Văn Nhut, Police Chief of Long Bình Village, Gò Công Tây District, Tiền Giang Province.
6. Mr. Trần Văn Nghiệp, Chairman of Fatherland Front of Long Bình Village, Gò Công Tây District, Tiền Giang Province.

Members of the local office of the pro-government Governance Council, including:

1. Priest Thuong Binh Thanh
2. Student Priest Thuong An Thanh
3. Followers of 29 pro-government Religious Districts.

There were approximately 600 participants, including government officials, police officers, thugs and members of the local office of the pro-government Governance Council, who attacked and took over Long Binh Temple.

- If identification as State agents is not possible, do you believe that Government authorities or persons linked to them, are responsible for the incident, why?

Please see list of names above.

- If there are witnesses to the incident, indicate their names, age, relationship and contact address. If they wish to remain anonymous, indicate if they are relatives, by-passers, etc.; if there is evidence, please specify.

Mr. Lê Văn Ngọc Diệp and other two victims (please see item #2 above) are the live witnesses of the incident. Their injuries are the concrete evidence of the atrocities of the perpetrators. The identity of Mr. Lê is also specified in item #2 above, who was interviewed by RFA's reporter in July of 2013 regarding the incident.

Picture of Mr. Nguyen Van Em's injury on July 3, 2013.





Picture of Mrs. Lê thị Kệt with injury on July 3, 2013.



Pictures of thugs and police in plain cloths in the back of the temple waiting for attacking the Long Binh temple on July 3, 2013.



Motor cycles, cars and vans used to transport people to Long Binh Temple for attacking.

4. STEPS TAKEN BY THE VICTIM, HIS/HER FAMILY OR ANYONE ELSE ON HIS/HER BEHALF?

- Please indicate if complaints have been filed, when, by whom, and before which State authorities or competent bodies (i.e. police, prosecutor, court):

While the Long Binh Temple was attacked, some independent Caodai followers (the victims) called the Police Post 113 of Gò Công Tây and Police of Long Binh Village to inform the incident, but they did not show up.

- Were any other steps taken?

None

- Steps taken by the authorities:

- Indicate whether or not, to your knowledge, there have been investigations by the State authorities; if so, what kind of investigations? Please indicate progress and status of these investigations as well as which other measures have been taken?

None

- In case of complaints by the victim or its family, how have those authorities or other competent bodies dealt with them? What has been the outcome of those proceedings?

So far there has been no investigation by the police. The perpetrators go unpunished while the victims have been harassed by the authorities. After the incident, Sub-dignitary Lê Văn Ngọc Diệp and others were asked to report to the police station for questioning sessions.

The Government will continue to oppress and harass the independent Caodai disciples (and their families) who would like to practice traditional rites and who do not want to recognize the pro-government Governance Council.

Since 1975, the Vietnamese Government outlawed all conscientious members of any religions. The Government only recognized those religious sects, which were set up by the Communist Party and/or the Government themselves. It is very difficult to conduct any religious activities in Vietnam because those who purely practice religion for the sake of religion cannot have legal standing recognized by the Government.

We respectfully request the United Nations High Commissioner for Human Rights, The Executive and Legislative Branches of the United States of America, governments of democratic nations of the world, and international Human Rights organizations to compel the Vietnam Government to comply with the international conventions on human rights that they pledge to implement as a state member of the United Nations.

5. IDENTITY OF THE PERSON OR INSTITUTION SUBMITTING THIS FORM

INSTITUTION:

THE UNITED CAODAI TAYNINH HOLY SEE OVERSEAS (UCTHSO)
5535 West Ledbetter Drive
Dallas, Texas, 75236
U.S.A.

On behalf of the United Caodai Tayninh Holy See Overseas

General Secretary, Viet Hung Tran

Contact number or address (please indicate country and area code):

- Fax: 514 731 0339

- Direct line: 514 299 0015 or 316 519 4540

- Email: daocaodai1926@gmail.com

- Status: individual, group, non-governmental organization, religious or belief group, intergovernmental agency, Government. Please specify: religious group.

Non-profit organization

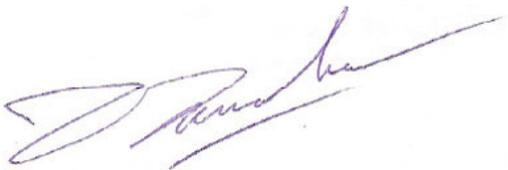
-Do you act with knowledge and on behalf of the victim(s)?

Yes. The victims asked that we file this report.

Please state whether you want your identity to be kept confidential:

Not necessary.

January 14, 2014



Signature of the Author

The following individuals support the statement of the Author:

Sub-dignitary Le Van Ngoc Diep, in charge of Long Binh Temple.
Phone #: 011 84 996659260

Sub-dignitary Hua Phi, Head of Representative Committee of The Popular Bloc of The Caodai Tayninh Holy See - Member of Interfaith Committee of Vietnam.
Phone #: 011 84 1633273240

Lady Sub-dignitary Nguyen Bach Phung, Secretary of Representative Committee of The Popular Bloc of The Caodai Tayninh Holy See - Member of Interfaith Committee of Vietnam.
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Sub-dignitary Nguyen Kim Lan, Deputy Head of Representative Committee of The Popular Bloc of The Caodai Tayninh Holy See - Member of Interfaith Committee of Vietnam.
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