

ASSAULT ON CAODAI TEMPLE IN PHU MY, BINH DINH 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?

At 8am on September 16th, 2012 (the 1st day of the 8th month of the Year of Dragon), the local Government and Public Security Police of Phu My, Binh Dinh and hired thugs accompanied members of the local office of the Pro-government Caodai Governance Council that was setup by the Government in their attempt to take over Phu My Temple, which still belonged to the independent Caodai Church. They beat the traditional members of the independent Caodai Church, who refused to acknowledge the said pro-government Caodai Governance Council and wanted to maintain the traditional rituals in worshipping.

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

The victims included about ten (10) members of the traditional Caodai Church. The attackers included over 30 people, including local Government officials, plain-clothes police, members of the local office of the government-sanctioned Caodai Governance Council, and thugs.

- 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 Cao Dai Governance Council (Hoi Dong Chuong Quan).

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 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 commemorative 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 all tried to suppress the independent Caodai members who do not recognize the government-sanctioned Caodai groups. The local Government and Police have threatened independent Caodai members with force, beaten them and illegally took the ownership of several Caodai Temples. It is the policy of the Communist Party to destroy the Caodai Religion created by our God.

2. IDENTITY OF THE PERSONS CONCERNED

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

- Family name: Nguyễn
- First name: Hữu Khanh
- Denomination of his/her religion or belief: Caodai
- Place of residence or origin: My Phu Dong Hamlet, My Loi Village, Phu My District, Binh Dinh Province.
- Telephone: 011 84 1676858441
- Age: 49 (born in 1964)
- Sex: Male
- Nationality(ies): Vietnamese
- Other victims:

Subordinated Sub-dignitary Nguyễn Công Trứ

Sub-dignitary Nguyễn Nhơn

Sub-dignitary Lê Văn Phụng

Sub-dignitary Cao Văn Minh

Sub-dignitary Nguyễn Hà

Sub-dignitary Le Phuoc Khiem

Details of injuries of the victims:

- Sub-dignitary Nguyễn Hữu Khanh with battered body;

- Subordinated Sub-dignitary Nguyễn Công Trứ with open wound and bleeding, from neck to chin, which was mended with 9 stitches; his health has been deteriorating since the incident took place;
- Sub-dignitary Nguyễn Nhơn with broken nose and hospitalized afterward;
- Sub-dignitaries Lê Văn Phụng, Cao Văn Minh and Nguyễn Hà with bruises everywhere on their bodies;
- Sub-dignitary Lê Phước Khiêm was also injured.

3. INFORMATION REGARDING THE ALLEGED VIOLATION

- Date and time (approximate, if exact date is not known): Sept. 16, 2012 starting at 8am

- Place (location and country/countries): My Phong Village, Phu My District, Binh Dinh 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:

On September 16, 2012, the Day of Worshipping God in Heaven according to the Caodai tradition, about ten (10) Caodai followers conducted activities inside the Phu My Temple. Suddenly some 30 uninvited people appeared. They included the local Government officials, plain-clothes police, members of the local office of the government-sanctioned Caodai Governance Council, and thugs. As the temple's gate was locked, they spread out and pushed down the fence of the temple, then rushed inside to beat up the victims, causing them serious bodily injuries (please see detail item #2 above).

The thugs and members of the government-sanctioned Caodai entity freely beat the occupants of the temple in the presence of government officials and police agents. The victims sought refuge inside the temple. The attackers aggressively pursued these faithful people and hurt them badly. Parasols, sunshades, gongs and bells of the temple fell down everywhere.

At 12:00 noon of the, Sub-dignitary Nguyễn Hữu Khanh announced the temporary closure of the temple because the situation was so tense and most of the attendees could no longer focus on their religious ceremony.

The attackers broke the locks and threw open the door to enter the temple. Subordinated Sub-dignitary Nguyễn Công Trứ was severely beaten and took refuge in the sanctuary. Mr. Truong Tu, leader of the group belonging to the government-sanctioned Caodai entity poured petroleum over Mr. Trứ's body with intent to burn him, but got dissuaded by some in his own group.

Finally the attackers, with the support of the thugs, officials of the local government and members of the police force of Binh Dinh Province, took over the temple.

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

Sub-dignitary Nguyễn Hữu Khanh and other victims were targeted, and their temple was taken over because they refused to acknowledge the pro-government Governance Council and wanted to maintain the traditional rituals in worshipping. Furthermore, they are also the members of the Representative Committee of the Popular Bloc of the Tayninh Holy See, an independent Religious Organization, which is not recognized by the Vietnamese authorities and does not follow the pro-government Governance Council that was set up and controlled by the Government.

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

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 Caodai Governance Council and thugs, with the evident support of the police and local 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.

Government officials and security force officers participating in the event were:

1. Mr. Nguyễn Văn Hải – Administrative Head of Mỹ Phong Village, Phu My District, Binh Dinh Province

2- Mr. Nguyễn Văn Thanh – Police Chief of Mỹ Phong Village, Phu My District, Binh Dinh Province.

3- Mrs. Nguyễn Thị Nghĩa - Assistant Administrative Head of Mỹ Phong Village, Phu My District, Binh Dinh Province.

4- Mr. Nguyễn Văn Tâm - Vĩnh Bình Village Security Officer, Mỹ Phong Village, Phu My District, Binh Dinh Province.

5- Police force members in plain clothes.

6. Mr. Trương Tư, leader of the local office of the Caodai Governance Council.

- 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?

Yes, see the above paragraphs of item #3.

- 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. Nguyễn Hữu Khanh and other six 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. Nguyễn is also specified in item #2 above, who was interviewed by Reporter Thanh Quang of RFA Radio Station on September 16, 2012 regarding the incident.



PTS Nguyễn Công Trứ bị đánh tét mặt và cổ

Picture of Subordinated Sub-dignitary's injury on Sept. 16, 2012. His health has been deteriorating since the incident; he has been unable to speak properly and became mentally sick.



Picture of Sub-Dignitary Nguyen Nhon's injury with broken nose on Sept. 16, 2012



Above and below pictures: Thugs or police in plain clothes were beating members of the independent Caidai group on Sept.16, 2012.





Mr. Truong Tu (the leader of local office of pro-government Governance Council) was shaking hands with a local official. He wanted to burn Subordinated Sub-dignitary Nguyen Cong Tru.

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 Phu My Temple was under attack, Sub-dignitary Cao Văn Minh placed a phone call to Mr. Nguyễn Đắc Tuấn, an official of the Government Religious Committee, requesting him to intervene, but he excused with the reason of conflicting schedule for going to a dinner commemorating a deceased acquaintance.

Sub-dignitary Nguyễn Hà called Mr. Mạc Đình Trung, an officer of the Binh Dinh Police Force, but he did not come.

- Were any other steps taken?

The victims have filed complaints on the incident to Phu My District Authority.

- Steps taken by the Authorities:

None

- 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. The Government will continue to oppress and harass Caodai disciples (and their families) who would like to practice traditional rituals and follow the Caodai religious constitution before 1975. The Vietnamese authorities would never allow independent religious organizations to practice their faiths.

We, the United Caodai Tayninh Holy See Overseas, strongly condemn the violations of religious freedom committed by the local Government and by Police Force of Phu My District, and of Binh Dinh Province.

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

Viet Hung Tran, General Secretary

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 on their behalf.

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 Nguyen Huu Khanh, Acting Caodai District Head of Phù Mỹ Temple, Province of Bình Định - Member of Representative Committee of The Popular Bloc of The Caodai Tayninh Holy See.

Phone #: 011 84 1676858441

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.

Phone #: 011 84 988477719

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.

Phone #: 011 84 988971117