



**veto!**  
Human Rights Defenders' Network

Vietnam

Suppression of religious freedom among ethnic minorities

# The 25-year persecution of the Hmong's Duong Van Minh religion



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Cover photos: Screenshots from a video clip on the government's assault and destruction of a shed for storing funeral objects of the Duong Van Minh religion in Lè Hamlet, Hùng Lợi Village, Yên Sơn District, Tuyên Quang Province, S.R. Vietnam, on Oct 15, 2013, available on YouTube:  
<https://www.youtube.com/watch?v=-Fy3gR4OSGM>



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## 1. Summary and Recommendations

In October 2013 about 100 Hmong from Cao Bang, Bac Kan, Tuyen Quang and Thai Nguyen went to Hanoi twice to demand the freedom to practice their Duong Van Minh religion.<sup>1</sup> They stayed in public parks and went daily to government offices to request that the central government stop the local government officials from harassing and arresting Duong Van Minh believers, and destroying the believers' outbuildings used to store funeral items. They also requested the government to publicly renounce its official slandering of Mr. Duong Van Minh, the person who started showing the Hmong the "new path" in 1989, including a reformed approach to funerals that involve the construction and use of sheds for storing funeral objects (SSFO).

The various government offices kept passing the buck to one another, without anyone giving a reply to the requests. Worse, public security officers assaulted the petitioners through raids conducted during the day and at night to force them to return to their homes, causing serious injuries to several petitioners. The government arrested at least 10 Duong Van Minh believers and charged most of them with "abusing the religious freedom right" under Article 258 of Vietnam's Criminal Code. Courts gave out prison sentences to a number of victims, particularly those who are fluent in Vietnamese and represented the other believers when they went into government offices. Among the larger group who returned to their homes, about ten took refuge in the forests and hills after the local public security units subjected them to repeated interrogations.

By January 1, 2014, the government had destroyed all 24 SSFO of Duong Van Minh believers in four provinces, Cao Bang, Bac Kan, Tuyen Quang and Thai Nguyen. Government security forces used batons and electric batons during their raids on the outbuildings, seriously injuring many victims, primarily women and children. In their attack on the outbuilding in Khuoi Vin Hamlet, Cao Bang, public security officers seriously injured several victims through their use of chemical weapons.

As a member of the United Nations' Human Rights Council beginning in January 2014, Vietnam should abide by the council's pledge to uphold the highest standards in the promotion and protection of human rights.<sup>2</sup> As a signatory (in 1982) to the International Covenant on Civil and Political Rights (ICCPR) and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), Vietnam should respect and fully enable the human rights mentioned in those documents. In suppressing the Duong Van Minh religion, Vietnam has violated ICCPR's Article 18 on the right to freedom of thought, conscience and religion and ICERD's Article 5 on civil rights.

Vietnam's systematic and intensive suppression of the Duong Van Minh religion began in 1989 and has gone on for 25 years, originating from the Communist Party's narrow and indefensible definition of religion and beliefs. This definition is contrary to ICCPR Article 18 and the UN Human Rights Committee's General Comment No. 22 (on Article 18). This definition should not be the basis for deciding which religious organizations may operate in Vietnam. The

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<sup>1</sup> The Duong Van Minh religion is a variant of Christian religion for Hmong ethnics. The Duong Van Minh has up to 10,000 believers living in the four Northeastern provinces of Vietnam. It is not recognized by the Vietnamese government although it has sought for a permit during the last 25 years.

<sup>2</sup> Resolution on Human Rights Council, A/RES/60/251, adopted by the General Assembly of the United Nations on 15 March 2006

government's pressuring believers to give up their religion or any other suppressive acts aiming to a renouncement of faith constitute a violation of an inalienable human right, the right to have or adopt one's religious belief as defined in paragraphs 1 and 2 of ICCPR Article 18.

Furthermore, the suppression of the Duong Van Minh faith is contrary to ICERD Article 5, and Articles 2 and 6 of the UN's Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The government has declared that some religions are evil even though those are similar in doctrine and rites to other religions. Vietnam has been gradually accepting an increasing number of different Protestant denominations among the "Kinh", the dominant ethnic group in Vietnam, but continues to be suspicious of the variants of Christianity among ethnic minorities (e.g. the Duong Van Minh faith). This amounts to discrimination on the basis of ethnicity. The government has been benefiting from the Hmong's lack of proficiency in Vietnamese and lack of knowledge about the law in suppressing the Duong Van Minh faith through intimidation and violence.

Duong Van Minh believers have been resorting to non-violent means in defending their right to religious freedom over the past 25 years. They wish to obtain the government's authorization to practice their religion openly.

## **Recommendations**

### ***To the Vietnamese Government***

- Withdraw all directives concerning the suppression of the Duong Van Minh religion and authorize this religious organization to operate freely;
- Respect the right to have and adopt religious belief as an inalienable, internationally recognized human right; forbid all measures used to force believers to renounce the Duong Van Minh religion;
- Cancel all harassment measures against Mr. Duong Van Minh and stop blocking him from receiving medical treatment;
- Release all those detained or imprisoned for being a Duong Van Minh follower;
- Forbid the destruction of the sheds for storing funeral objects of Hmong people;
- Investigate past attacks against Duong Van Minh believers, including all instances of property confiscation or destruction, of physical harm and injuries, and of discrimination; compensate the victims;
- Modify the definition of belief and religion in the 2004 Ordinance on Beliefs and Religions to interpret in broader way the right to religious freedom and issue the Law on Beliefs and Religions in compliance with the International Covenant on Civil and Political Rights;

### ***To the Special Rapporteur on Freedom of Religion or Belief on the occasion of his forthcoming visit to Vietnam:***

- Take action on behalf of imprisoned believers of the Duong Van Minh religion;
- Meet with Mr. Duong Van Minh and relatives of Hmong detainees;
- Visit places of destroyed sheds for storing funeral objects of the Duong Van Minh religion.

## 2. Methodology of gathering information for this report

The following sources were used for this report:

- Interviews with Mr. Duong Van Minh in January and February 2014;
- Interviews with Duong Van Minh believers;
- Documents supplied by Duong Van Minh believers;
- Vietnamese government's documents and web postings;
- Video clips showing the destruction of SSFO in different locations

All individuals interviewed provided informed consent to participate. Several in-depth and confidential dialogs were conducted from October 2013 through March 2014. On March 16, 2014, Mr. Duong Van Minh wrote an authorization for VETO! to present his case and the persecution of Duong Van Minh believers to the UN, international organizations, and the international community.

This report made use of only documents in Vietnamese, the official language of Vietnam. Interpreters were used in interviews because many Hmong people do not speak Vietnamese.

We will preserve the confidentiality of a number of sources for their safety's sake. VETO! maintains the original sources and can show them as needed. All photos and video clips are attributed to sources if they are other than those maintained at VETO! Office.

**Abbreviation:** SSFO [shed(s) for storing funeral objects]

## 3. International standards on the right to freedom of religion or belief

### 3.1. International Covenant on Civil and Political Rights (ICCPR)

#### Article 18:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

### 3.2. General Comments CCPR/C/21/Rev.1/Add.4 (1-5)

General Comment No. 22 on the Right to Freedom of Thought, Conscience or Religion, adopted by the Human Rights Committee under Article 40, Paragraph 4, of the international Covenant on Civil and Political Rights (ICCPR):<sup>3</sup>

1. The right to freedom of thought, conscience and religion (which includes the freedom to hold beliefs) in article 18 (1) is far-reaching and profound; it encompasses freedom of thoughts

<sup>3</sup> General Comment No. 22 of the Human Rights Committee on the Right to Freedom of Thought, Conscience or Religion [http://ccprcentre.org/doc/ICCPR/General%20Comments/CCPR.C.21.Rev1.Add4\\_%28GC22%29\\_En.pdf](http://ccprcentre.org/doc/ICCPR/General%20Comments/CCPR.C.21.Rev1.Add4_%28GC22%29_En.pdf)



on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others. The Committee draws the attention of States parties to the fact that the freedom of thought and the freedom of conscience are protected equally with the freedom of religion and belief. The fundamental character of these freedoms is also reflected in the fact that this provision cannot be derogated from, even in time of public emergency, as stated in article 4 (2) of the Covenant.

2. Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community.

3. Article 18 distinguishes the freedom of thought, conscience, religion or belief from the freedom to manifest religion or belief. It does not permit any limitations whatsoever on the freedom of thought and conscience or on the freedom to have or adopt a religion or belief of one's choice. These freedoms are protected unconditionally, as is the right of everyone to hold opinions without interference in article 19 (1). In accordance with articles 18 (2) and 17, no one can be compelled to reveal his thoughts or adherence to a religion or belief.

4. The freedom to manifest religion or belief may be exercised "either individually or in community with others and in public or private". The freedom to manifest religion or belief in worship, observance, practice and teaching encompasses a broad range of acts. The concept of worship extends to ritual and ceremonial acts giving direct expression to belief, as well as various practices integral to such acts, including the building of places of worship, the use of ritual formulae and objects, the display of symbols, and the observance of holidays and days of rest. The observance and practice of religion or belief may include not only ceremonial acts but also such customs as the observance of dietary regulations, the wearing of distinctive clothing or headcoverings, participation in rituals associated with certain stages of life, and the use of a particular language customarily spoken by a group. In addition, the practice and teaching of religion or belief includes acts integral to the conduct by religious groups of their basic affairs, such as, inter alia, the freedom to choose their religious leaders, priests and teachers, the freedom to establish seminaries or religious schools and the freedom to prepare and distribute religious texts or publications.

5. The Committee observes that the freedom to "have or to adopt" a religion or belief necessarily entails the freedom to choose a religion or belief, including, inter alia, the right to replace one's current religion or belief with another or to adopt atheistic views, as well as the right to retain one's religion or belief. Article 18 (2) bars coercions that would impair the right to have or adopt a religion or belief, including the use of threat of physical force or penal sanctions to compel believers or non-believers to adhere to their religious beliefs and congregations, to recant their religion or belief or to convert. Policies or practices having the same intention or effect, such as for example those restricting access to education, medical care, employment or the rights guaranteed by article 25 and other provisions of the Covenant are similarly inconsistent with article 18 (2). The same protection is enjoyed by holders of all beliefs of a non-religious nature.

### **3.3. International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)**

#### **Article 5**

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

- (a) The right to equal treatment before the tribunals and all other organs administering justice;
- (b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;
- (d) Other civil rights, in particular:
  - (i) The right to freedom of movement and residence within the border of the State;
  - (ii) The right to leave any country, including one's own, and to return to one's country;
  - (v) The right to own property alone as well as in association with others;
  - (vii) The right to freedom of thought, conscience and religion;
  - (viii) The right to freedom of opinion and expression;
  - (ix) The right to freedom of peaceful assembly and association;

### **3.4. Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief**

#### **Article 2:**

1. No one shall be subject to discrimination by any State, institution, group of persons, or person on the grounds of religion or other belief.

2. For the purposes of the present Declaration, the expression "intolerance and discrimination based on religion or belief" means any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

#### **Article 6 (a):**

In accordance with article I of the present Declaration, and subject to the provisions of article 1, paragraph 3, the right to freedom of thought, conscience, religion or belief shall include, inter alia, the following freedoms:

- (a) To worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

### **4. The Duong Van Minh religion ("đạo Dương Văn Minh")**

Many Hmongs who advocate for the Duong Van Minh faith in Cao Bang, Bac Kan and Tuyen Quang said that they do not know if the Duong Van Minh faith is a religion or not according to the Kinh's definition.<sup>4</sup> All they want is to be allowed to believe in and follow Mr. Duong Van Minh's "new way" teachings because these have enabled them to adapt to modern life.<sup>5</sup> They do not understand why the government forbids them from following those teachings. Mr. Duong Van Minh taught them to give up the cult of spirits, yet the government accused this faith of superstition. Mr. Duong Van Minh taught them to put a deceased person in a coffin and leave it in their house for no more than a day before burying the body. Yet the government forces them to resurrect the Hmong "tradition" of suspending the bodies of dead people for 7 days and 7

<sup>4</sup> "Kinh" is the majority ethnic group in Vietnam whose native tongue is Vietnamese.

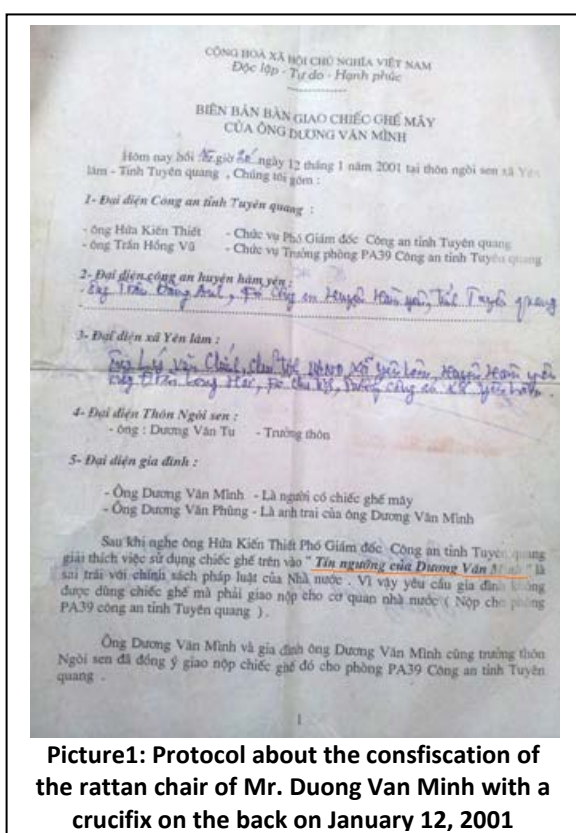
<sup>5</sup> Several interviews involving Hmong men between October 2013 and March 2014.

nights. They believe that the government errs when it imprisons Duong Van Minh believers and destroys the SSFO (these are for storing certain ceremonial items made from wood that the Duong Van Minh believers use at funerals).

In the Vietnamese language, “đạo Dương Văn Minh” (Duong Van Minh religion) has the same meaning as “tôn giáo Dương Văn Minh”. Here “đạo” is a synonym of “tôn giáo” and both mean faith or religion <sup>6</sup>. But “đạo” also means the path, the way that the faithful must follow to fulfill their religion's teachings. “đạo” has an even broader meaning outside of religion, i.e., behavior or righteous life, as in “đạo làm người” which means “correct behavior for human beings”, or “sống phải đạo” which means “leading a righteous life”. Therefore following Mr. Duong Van Minh's teachings can also mean “living the Duong Van Minh way”, a less religious interpretation.

Following police forces' assault on Oct. 15, 2013 on Hmong demonstrators in Hanoi, 35 Hmong representatives wrote in a letter of grievance addressed to Prime Minister Nguyen Tan Dung in

which they stated: “We are Hmong people who do not advocate for any particular religion, who follow the government's call for citizens to modernize in all aspects”. <sup>7</sup> The majority of the Hmong whom VETO! has interviewed perceived Mr. Duong Van Minh's teachings as the “New Way”. They believe that they behave consistently with the Communist Party's and the government's call to modernization. The only difference in their case is that they acknowledge the person who advocates for modernization, Mr. Duong Van Minh.



**Picture1: Protocol about the confiscation of the rattan chair of Mr. Duong Van Minh with a crucifix on the back on January 12, 2001**

The government suppresses the Duong Van Minh faith because it doesn't consider "the Duong Van Minh organization" as a religious organization which conducts “activities which arise from religious beliefs” in compliance with Vietnamese law. The government views the organization as “illegal” because it lacks official permission. The Communist Party and government have frequently brought up this perspective in recent years. However, until at least 2001, the provincial

government in Tuyen Quang still viewed the Duong Van Minh organization as a religious belief. The public security protocol issued when they confiscated Mr. Duong Van Minh's rattan chair on January 12, 2001 contains the following material: <sup>8</sup>

*“Based on explanations advanced by Mr. Hua Kien Thiet, Deputy Director of Public Security for Tuyen Quang Province, the use of the chair for the purpose of Duong Van Minh religious belief is contrary to official legal policy. We request that the family stops using this rattan chair by*

<sup>6</sup> So Buddhism is called “đạo Phật” or “Phật giáo”, Catholicism “đạo Thiên Chúa” or “Thiên Chúa giáo”, Islam “đạo Hồi” or “Hồi giáo”, etc.

<sup>7</sup> Handwritten “Letter of Grievance” submitted to Prime Minister Nguyen Tan Dung on Oct. 16, 2013 (copy available at VETO!)

<sup>8</sup> “Protocol about the confiscation of Mr. Duong Van Minh's rattan chair”, issued on January 12, 2001 (copy available at VETO!)

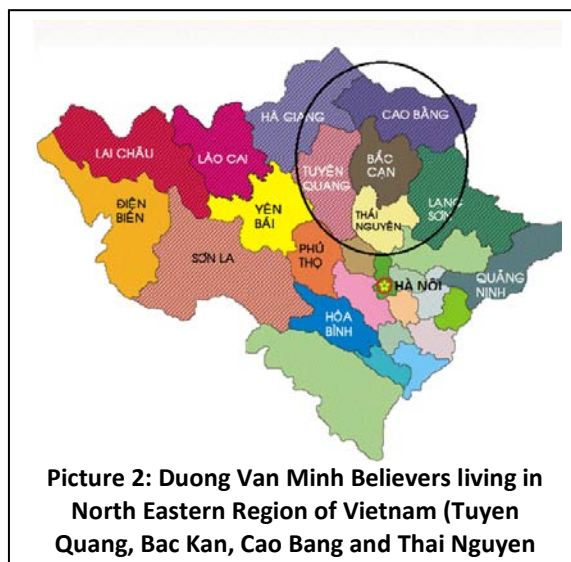
*submitting it to the custody of the government (PA39 Office, Tuyen Quang Public Security."*  
**(Picture 1)**

Mr. Hua Kien Thiet is currently the director of Public Security for Tuyen Quang, Mr. Duong Van Minh's home province.

#### 4.1. The Hmong's geographic and cultural areas

As one of the 54 ethnic groups making up the Vietnamese population, the Hmongs live primarily in mountainous areas in Northern Vietnam. Outside of Vietnam, the H'mongs live in Southern China, Northern Laos and Thailand. Based on Vietnam's statistics, the 2009 Hmong population in Vietnam was 1 million <sup>9</sup>, 1.25% of the total population (80 million).

Relating to the housing area of the Duong Van Minh believers in North Eastern Vietnam **(Picture 2)** the statistics also show the number of to be approximately 50 000 Hmongs in Cao Bang, 17 500 in Bac Kan, 17 000 in Tuyen Quang and 5000 in Thai Nguyen. Beginning in the late 1980s, many Hmong started to move from Northern Vietnam to the Central Highlands for economic reasons and, for some, to escape religious persecution.



The Hmong in Vietnam has a distinct culture and set of customs. Traditionally relying on shifting agriculture, the Hmongs have difficulty adapting to the Vietnamese government's inconsistent policy of discouraging nomadic behavior and shifting agriculture. Local government units have issued "sổ đỏ" (red registers), i.e., allocating crop land through land-use permits to a number of Hmong families. Even for those with red registers, the local government arbitrarily dictates how they may use the allocated land. For example, several Duong Van Minh believers agreed to have SSFO erected on their allocated land without asking for official approval because the structure is small, typically occupying an area smaller than a pigsty. When the government orders them to tear down the outbuildings, they see religious discrimination in the government's policy.

The government's unwise economic, cultural and social policies have led the Hmong to believe that the government wants to discriminate against and oppress ethnic minorities. Dr. Tran Huu Son, Chief of the Bureau of Culture, Sports and Tourism in Lao Cai Province, observed the consequences of the government's blundering policy towards the Hmong religious practices:

*"In reality, from 1955 until now, in the Northern mountainous region, there have been many wrong assessments and consequently, many wrong directives. In the late 1950s and early 1960s, due to the lack of maturity, led by leftism and by the consideration that the minorities' ceremonies are archaic, many local government units forbade traditional celebrations. Many officials saw sacred forests and shrines at spring heads as superstition, leading to actions for de-sacring the sacred forest, raging on deforestation, causing serious environmental*

<sup>9</sup> 2009 Census of Population and Residences in Vietnam. Hanoi, pp 134-225. Accessed on March 11, 2014, <http://www.gso.gov.vn/default.aspx?tabid=512&idmid=5&ItemID=10798>



*degradation. In the 1970s and 1980s, local officials viewed shamans as purveyors of superstition and forbade them from conducting their activities. This disrupted the Hmong's culture, causing them to forgo their traditions and follow instead the Vang Chu belief..."*<sup>10</sup>

Nevertheless, Dr. Tran Huu Son continued to urge the Hmongs to change their wedding and funeral traditions because he viewed those as archaic.<sup>11</sup> Yet, when Mr. Duong Van Minh showed the Hmong how to replace archaic wedding and funeral rites with modern practices, the government forbids this and wants the Hmong to go back to their outdated ways. This is merely an arbitrary measure by the government in trying to deal with the upsurge in the conversion of Hmong to evangelical denominations.

#### 4.2. Religious issues of Hmong people since the late 1980s

Aside from ancestor worship, the Hmong believe in several gods and spirits, e.g., the local god of the soil, the god protecting each village, the spirits of trees and stones, etc., but they do not have a god for all Hmong. As previously stated, the government's policy of forbidding traditional Hmong religious belief led to numerous Hmongs converting to Protestants after they listened to evangelical programs broadcast from abroad in the late 1980s. The government perceived Protestant churches to be American religions that serve the United States' goal of a “*diễn biến hòa bình*” (peaceful evolution) of Vietnamese society aiming to overthrow of the Communist government in Vietnam. Consequently, the government of Vietnam concentrates on eradicating Protestantism from late 1980's on.

In a widespread book published by the state-sanctioned publishing house in 2001, an official considers Protestant denominations and the Hmong's *Vàng Chử* faith to be "illegal":<sup>12</sup>

*“In the 1980s, in the North-western and North-eastern regions of North Vietnam, there appeared a movement for the re-establishment of an independent Hmong State by the Hmong minority, which would include those living in China, Laos, Thailand and Myanmar. They also spread a religion called “Vàng Chử” meaning “the King appears”. This religion also worships Jesus Christ and makes the Bible in the H’mong language its dogma. However, its rituals and organisational structure are completely different from common Evangelicalism, especially from the sects introduced into Vietnam earlier. “Vàng Chử” is based on the tradition of the H’mong people, who were, like the Vietnamese, conquered by the Han. At first, “Vàng Chử” was a religion of the H’mong. But later, it joined Catholicism to gain a more formal status. Afterwards it turned to Evangelism for the latter seems more suitable. Up to now, “Vàng Chử” has been evangelised. However, since it does not have a legal organisation or society, no matter how it is called, it is an illegitimate missionary body. Up to now, the so-called religions of “Vàng Chử” and “Thìn Hùng” have relied on the dogma of Evangelism to be spread among the ethnic minorities in North Vietnam, especially in the*

<sup>10</sup> „Một số vấn đề bảo tồn, phát huy yếu tố tích cực vận động xóa bỏ tập tục lạc hậu trong văn hoá truyền thống ở vùng cao“ (A number of issues in preserving, developing positive factors in the campaign on eradication of archaic customs in traditional culture in mountainous regions' culture in Lao Cai), Dr. Tran Huu Son, Chief of the Bureau of Culture, Sports and Tourism in Lao Cai Province, 27/10/2008, <http://www.vanhoalaocai.vn/1989/TinChiTiet/Mot-so-van-de-bao-ton-phat-huy-yeu-to-tich-cuc-van-dong-xoa-bo-tap-tuc-lac-hau-trong-van-hoa-truyen-thong-o-vung-cao.pvd>

<sup>11</sup> “Vận động đồng bào các dân tộc khắc phục một số phong tục tập quán lạc hậu” (Working with ethnic minorities to change a number of archaic customs), Dr. Tran Huu Son, Chief of the Bureau of Culture, Sports and Tourism in Lao Cai Province, 5/2/2008, <http://www.vanhoalaocai.vn/1393/TinChiTiet/Van-dong-dong-bao-cac-dan-toc-khac-phuc-mot-so-phong-tuc-tap-quan-lac-hau.pvd>

<sup>12</sup> “Religious Problems in Vietnam: Questions and Answers”, English book by Nguyen Minh Quang, a researcher on religion, Thế Giới Publishing House, Hanoi, 2001

*North-western region. Their operation is illegal. Nominally, they are religions. In fact, they are far from this nature. All Evangelical pastors and preachers should be recognized by the State. Yet, "Vàng Chử" and "Thìn Hùng" are practised illegally. The practitioners do not follow the dogma and rules of Evangelism and do not observe the baptismal rituals and do not have pastors. The areas of their operation are not approved by the local government. During their operation, "Vàng Chử" and "Thìn Hùng" stir splits among ethnic groups and encourage ethnic minorities not to fulfil their citizen's obligations. They demand the establishment of another fatherland. They also use some superstitions to frighten and deceive the ethnic minorities whose educational standard remains very low.*

*These two "religions" have become highly politicised reactionary organisations. In China, "Vàng Chử" is outlawed.*

*In 1989, the 32nd Assembly of Evangelism did not allow the practising of "Vàng Chử" and "Thìn Hùng" nor recognise them as members of its Church. In the Central Highlands, since the FULRO was smashed, Evangelism has been propagated illegally among the ethnic minorities and has seen a significant development in its membership.*

Obviously the ruling Communist Party of Vietnam has directly led the government and social forces in an assault on Christianity and Vàng Chử. Mr. Dao Duy Tung, member of the Politburo and Secretary of the Central Committee, Communist Party of Vietnam, signed Directive No. 45-CT/TW on September 23, 1994, concerning needed activities in the Hmong areas. The directive considered the Christian religions:<sup>13</sup>

*"Taking advantage of the extremely difficult life of the people, their poverty, and archaic, outmoded customs that are yet to be stamped out, Christianity, Evangelicalism and the Vang Chu religion have been expanding. A number of individuals have been using their authority, religious doctrine, and superstition, to coerce and mislead people, causing serious consequences in a number of locations... Concurrently, adversarial forces have a strategy, plans, manpower and concrete measures allowing them to use this opportune time to sabotage our country's revolutionary achievements."*

While Mr. Dao Duy Tung did not reveal who are the adversaries or their concrete measures for sabotaging the revolutionary government's work, he did announce countermeasures, including isolating and detaining Hmong Christians and Vang Chu followers, and *"denying individuals and organizations, including foreign non-government organizations, access to areas where ethnic minorities engage in unsanctioned religious activities"*: (ibid.)

*The government's tactics involve isolating those who "under religious guise, use superstition, deceit, causing disunity within families, clans, or villages". The government supports clan elders in bringing these people before public critique on their wrong doings, without relying on arrests. Those who commit crimes with serious consequences shall be persecuted in compliance with the law. When judging these, we must gather sufficient evidence, charge the correct perpetrators with the crimes specified by law, bring clan elders, local dignitaries and the local populace to our viewpoint so that the government gains broad popular support.*

In 1999, when being criticized by the international community for Vietnam's expanding campaign against evangelical churches, the Communist Party established the "Steering Committee 184" to adjust the implementation of its religious policy in view of the need for closer

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<sup>13</sup> "Chỉ thị về một số công tác ở vùng dân tộc Mông" (Directive regarding a number of activities in Hmong ethnic areas), No. 45-CT/TW, Secretariat of the Central Committee, Communist Party of Vietnam, 23/9/1994, website of the Vietnamese National Parliament, [http://www.na.gov.vn/sach\\_qh/chinhhsachpl/phan1/p1\\_iv\\_12.html](http://www.na.gov.vn/sach_qh/chinhhsachpl/phan1/p1_iv_12.html)



relations with Western countries whose people include Protestants. In a top secret document issued in 1999, the Steering Committee 184 observed: <sup>14</sup>

*As our international relations are expanded, the Christians in the minority areas have additional resources and finances from foreign Christian organizations and a number of the evangelists have additional tools to use to entice the masses to follow the Christian religion. According to the Christians, if you follow America you get help, the Soviet Union has collapsed, socialism is about finished – follow the Party and the Revolution and you will always be poor. Only by following the Lord can you escape your poverty. The highland peoples need their own land and need to establish their own country and resist the invasion of the Vietnamese, and so on. Some evangelists even spread superstition, and scare people with stories about the end of the world, use force and threats to coerce people to follow the Christian religion. Because of this, the development of Christianity in the minority areas seems exploitative and takes on the appearance of political opposition and is fraught with the danger of causing social unrest, dividing the peoples, and alienating them far from our regime. The minority peoples, for a whole variety of reasons, have followed the Christian religion and don't understand the poisonous plot of the evil gang. As for our leaders, cadres and Party members, they emphasize the dangers of exploitation by the Christian religion, and vigorously pursue the work of secretly following those who would organize counterrevolution, desiring to wipe out the Christian religion, the earlier the better. Using the methods of "fighting" the contagion of Christianity in the minority areas (such as – using force to make people renounce their religion, fining people, arresting and confining missionaries to prevent their activities) has the opposite effect of making the people even more curious to listen to the exploiters, and the evil gang tries even harder to twist and drag people to follow Christianity. Actually the numbers grow more slowly if we have a relaxed policy, and if we crack down hard, Christianity grows faster.*

According numerous Vietnamese government documents, Mr. Duong Van Minh had been a follower of the Vang Chu faith which is an Hmong variant of the evangelical religions<sup>15 16</sup>. But among the Duong Van Minh believers that VETO! Has interviewed several had not heard of the Vang Chu faith. In any case, the Duong Van Minh faith includes a Christian element, since the cross is used in the funeral rite. Duong Van Minh believers view God as the Creator in traditional Hmong beliefs and identify the cross with the deity crossbow in Hmong mythology.

### 4.3. Impact of the Duong Van Minh religion

The exact number of believers is not known. A number of believers believe that there are 10 000 of them. According to a document issued by the Steering Committee for Northwestern Region<sup>17</sup> of the Vietnamese Communist Party in April 2012, there are 6 000 Duong Van Minh believers in the four North-Eastern provinces: <sup>18</sup>

<sup>14</sup> "Program 184B - Developing the Economy and Culture, Normalizing Society and Building Political Infrastructure in the Mountainous Regions Where Minority Peoples are Christian Believers" [TOP SECRET], Steering Committee 184, Hanoi, 05/03/1999, translated by Freedom House

<sup>15</sup> "Niềm tin yêu của đồng bào dân tộc Mông" (**The trust of Hmong ethnics**), Ủy Ban Dân tộc (Committee for Ethnic Affairs), Ethnic online, 25/8/2005, <http://cema.gov.vn/modules.php?mid=2457&name=Content&op=details>

<sup>16</sup> "Xóm Lũng Gà, tỉnh Cao Bằng vận động bà con từ bỏ tà đạo" (**Government in Lung Ga Hamlet, Cao Bang Province advocates for renouncing evil religion**), website of the Communist Party of Vietnam, July 24/7/2008, [http://www.cpv.org.vn/cpv/Modules/News/NewsDetail.aspx?co\\_id=0&cn\\_id=239078](http://www.cpv.org.vn/cpv/Modules/News/NewsDetail.aspx?co_id=0&cn_id=239078)

<sup>17</sup> It is unclear why the Steering Committee for Northwestern Region is now responsible for the North-Eastern Provinces.

<sup>18</sup> Thông báo kết luận Hội nghị Triển khai các giải pháp ngăn chặn, tiến tới xóa bỏ đối với tổ chức bất hợp pháp Duong Van Minh trên địa bàn một số tỉnh Tây Bắc (**Concluding Communiqué of the Conference on Implementing Measures to Prevent and Eventually Eradicate the Illegal Organization Dương Văn Minh Some Northwestern Provinces**)

*“After over 20 years of operation, the illegal Duong Van Minh organization has grown in Cao Bang, Bac Kan, Thai Nguyen and Tuyen Quang to 1032 households, 6226 individuals, all Hmong, from 44 hamlets, 34 villages, 1 small town in 16 districts. Among them, there are 21 cadres in hamlets, 4 prestigious persons, 1 member of the village’s People’s Council, 1 secretary of the youth organization, 5 persons of political organizations, 3 policemen and 16 members of the Communist Party.”*

This document reveals the Party's concern about its loss of influence among party members, government employees, and political organizations that are the Party's satellites:

*“It is noteworthy that a number of government officials (hamlet chief and deputy chief, policemen, party members, ...) show support for the illegal Duong Van Minh organization.”*

So the suppression of the Duong Van Minh faith could therefore be politically motivated.

#### **4.4. About Mr. Duong Van Minh**

Mr. Duong Van Minh, an Hmong, was born in 1961 in Cao Bang and initially lived in Cao Bang. Later, he moved to Ngoi Sen Hamlet, Yen Lam Village, Ham Yen District, Tuyen Quang Province.

The Duong Van Minh faith first appeared in 1989 at the height of the government's crackdown on evangelical churches and suffered from that crackdown.

VETO! interviewed Mr. Duong Van Minh twice. The first interview was on January 20, 2014, when he was in Hospital 198 of Ministry for Public Security in Hanoi, to ask him about his kidney problem and his prison conditions. The second interview took place on February 5, 2014, when Mr. Duong Van Minh learned that no Hanoi hospital would agree to give him a dialysis.

On March 16, 2014, Mr. Duong Van Minh wrote an authorization for VETO! to present his case and the persecution of Duong Van Minh believers to the United Nations, international organizations, and the international community.<sup>19</sup>

##### **4.4.1 Belief**

In 1989, Mr. Duong Van Minh suddenly told his wife that he was God's youngest son and God had sent him to instruct mankind for 3 months. God told him that the Hmong worship of spirits had come to an end and shamans were no longer needed. In 1990 Mr. Duong Van Minh had a gate erected and a signpost showing a cross and stars. Later, he had a building erected, with a cross on the roof, and invited Hmong people to join him in prayers to God. He instructed them that they should go to medical clinics for treatment when they are sick. He counseled them to love one another.<sup>20</sup> Later, the government seized the building and turned it into a school.

The government's anti-Duong Van Minh material claims that he had predicted the end of the world following the explosion of the earth in 2000. According to Duong Van Minh believers, Mr. Duong Van Minh only talked about the end of the Hmong's spirits worship, and he also said that

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[SECRET], No. 09-TB/BCĐTB, Central Presidium of the Steering Committee for the Northwestern Region, Communist Party Vietnam, 25/4/2012

<sup>19</sup> Authorization for VETO to present his case and the persecution of Duong Van Minh adherents to the UN, international organizations, and the international community, March 16, 2014 (available at VETO!)

<sup>20</sup> Report on the Duong Van Minh Reform, sent by a Hmong believer on May 5, 2014 (available at VETO!). We interviewed him on March 13, /2014.

after the 3-month instruction period, he had become again a normal human being. The government's accusation that believers brought him money and gifts, hoping that he would call on spirits to cure illness, has no basis. The believers consider the government's slanderous material to be lies and lying is contrary to the Hmong's love of truth. A few adherent families (not the majority) stopped sending their children to school after teachers followed the government's line because they do not want their children to learn how to lie. Some families refused any kind of government assistance after the government spread lies about the Duong Van Minh faith being the cause of their impoverishment. The government cited these cases as evidence that the Duong Van Minh faith intends to sabotage government policy (see the case of Thào Quán Mua, Section 7.2).

#### **4.4.2. Arbitrary imprisonment for the first time**

In 1990, Ha Tuyen public security officers arrested Mr. Duong Van Minh and a follower, Mr. Dao Dinh Hoang. A protocol on confiscated personal items of Mr. Duong Van Minh written on April 30, 1990 listed: a picture frame, a vase, plastic flowers, 2 sheets with Chinese characters and a package of sugar (sic!). The Ha Tuyen court sentenced them to 5 years in prison for "spreading superstition with serious consequence" and "defrauding others" under Articles 157, 199, 141 of the criminal code. VETO! believes that the arrest and imprisonment of Mr. Duong Van Minh is political motivated at the height of the persecution campaign against ethnic Christians in the 1980s and 1990s.

Upon his release in 1995, Mr. Duong Van Minh hid in the forest, fearing an attempt on his life.

In 2001, he returned to his home. He built a rattan chair with the picture of a green cross on its back. He was building a base for the chair when the government confiscated the chair. In view of the chair's symbolism, 6 Hmong sent a petition to the People's Committee in Ham Yen District, Tuyen Quang Province, requesting the chair's return. The petition cited the fact that Mr. Duong Van Minh *"had not done anything bad during the past 6 years and he had no intention to overthrow the government or to discredit the government"*. Mr. Dương Văn Tu, Ngòi Sen hamlet chief endorsed the petition.<sup>21</sup> Subsequently, the government harassed the petitioners. Years later Mr. Tu was arrested on October 10, 2013 (see 7.1).

In 2001 Mr. Duong Van Minh began teaching Hmong believers a new way to live and to conduct rites such as birthdays, weddings, funerals and New Year's celebrations. Funerals are the most important events for Duong Van Minh believers. The government's assaults on and destruction of SSFO are all related to funerals.

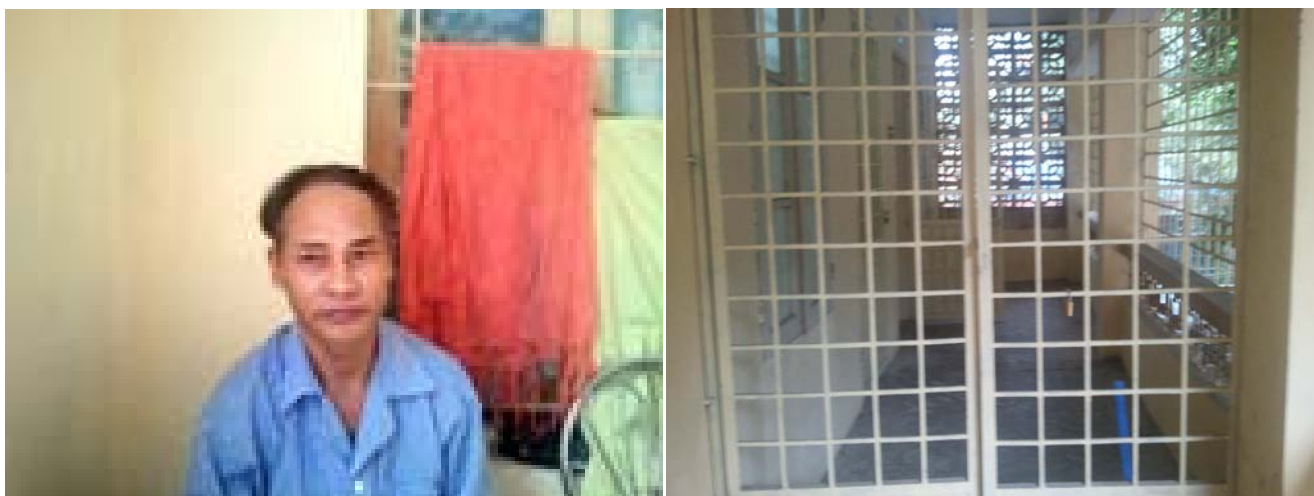
#### **4.4.3. Arbitrary imprisonment for the second time**

Mr. Duong Van Minh suffers serious renal insufficiency and needs 3 dialysis sessions each week. He also suffers from arthritis and a weak heart <sup>22</sup>. In February 2012 he clandestinely went to Hanoi for dialysis. After Duong Van Minh believers in the 4 provinces erected 24 SSFO concurrently in four Provinces Cao Bang, Bac Kan, Tuyen Quang and Thai Nguyen on May 16, 2013, on June 5, 2013 public security issued the order to track him down because they believed that he had called for the erection of the outbuildings. On June 17, 2013, they found out that he had gone to Khánh Lương Hospital in Hanoi. As he was returning to his rented room from the hospital, public security officers seized him and took him to the Public Security Ministry's Hospital 198 (No. 9 Trần Bình, Cầu Giấy District, Hanoi). Subsequently, public security officers searched his rented room, arrested his daughter Dương Thị Lê and his sister-in-law Đào Thị Sái, and brought them back to Tuyên Quang.

<sup>21</sup> Messrs. Dương Văn Tu, Dương Văn Phùng, Đào Đức Hoảng, Thào A Cháng, Thào Quán Mùa, Dương Văn Dừng signed this petition on October 2, 2006 (Available at VETO!)

<sup>22</sup> Hospital visit's slip issued by Hospital 198 on January 24, 2014 (Available at VETO!)

They physically attacked two other believers, Messrs. Dương Văn Páo and Đào Văn Tính, and confiscated their cell phones <sup>23</sup>. On June 24, 2013, public security in Tuyên Quang issued the notification about the end of the search for Mr. Duong Van Minh. <sup>24</sup>



**Picture 3 & 4: Mr. Duong Van Minh in the confinement area of the Police Hospital 198 in Hanoi**  
(Picture taken on 24/1/2014)

Public security officers incarcerated Mr. Duong Van Minh in Hospital 198 from June 17, 2013 until January 29, 2014 without an arrest warrant from the Public Security Ministry or a court's order **(photo 3)**. Mr. Duong Van Minh had asked several times that they should either release him or try him in court, but got no reply. Hospital staff only knew him as "a target of public security" or an "indicted person", but never learned the specific nature of his "crime". <sup>25</sup>

During his entire hospital confinement, he was not allowed to leave his confinement area that consisted of 2 rooms behind doors and windows with metal bars **(photo 4)**. Three public security officers watched him day and night; they stayed in the first room. Mr. Duong Van Minh and a relative stayed in the other room (another relative may take a turn to stay with him to relieve the first relative). With the public security officers' approval, relatives may visit Mr. Duong Van Minh.

At least two Hmong believers were arrested when they attempt to visit him: Messrs. Thảo Quán Mua and Dương Văn Tu (see 7.1 and 7.2), on the charge of "abusing the right to freedom and democracy" under the criminal code's Article 258. <sup>26</sup>

#### **4.4.4. Preventing from accessing medical treatment**

On January 24, 2014, Mr. Duong Van Minh requested permission to celebrate the Lunar New Year in Tuyen Quang Province with his family. Public security agreed to let him visit his family from January 29, 2014 to February 2, 2014, provided he signed an agreement "*to go and return on time, not leave his neighborhood, not organize big celebrations, not erect gates, not erect stages, only use Vietnam's national flag, not display banners, stars, and signs that are not approved by local*

<sup>23</sup> Interview of D, Duong Van Minh adherent, Feb 7, 2014

<sup>24</sup> Notification of the end of the search for Dương Văn Minh, by public security for Hàm Yên District, Tuyên Quang Province, June 24, 2013 (Available at VETO!)

<sup>25</sup> Interview of D, ebd

<sup>26</sup> "Bắt 2 đối tượng thuộc tổ chức Dương Văn Minh" (Two Elements of the Duong Van Minh organization arrested), website The Inspector, Oct 15, 2013 (in Vietnamese)  
[http://thanhtra.com.vn/bat-2-doi-tuong-thuoc-to-chuc-duong-van-minh\\_t221c1144n65551.html](http://thanhtra.com.vn/bat-2-doi-tuong-thuoc-to-chuc-duong-van-minh_t221c1144n65551.html)



*authorities, and not organize noisy dancing and singing".* He refused to sign the promissory form.<sup>27</sup> On January 29, 2014, public security let him visit his family during 3 days. At the end of this period, public security officers brought him back to Hanoi on February 2, 2014. However, Mr. Duong Van Minh refused to return to his confinement area in Hospital 198. Public security retaliated by refusing him dialysis treatment in the hospital.

Although he had not requested admission to Hospital 198 or signed any kind of payment and fees agreement, public security demanded that he should pay Hospital 198 an amount of 132 million VND (approximately 6600 USD) before they allowed him to leave the hospital. This is a stupendously large sum for an impoverished Hmong family. Through believers' contributions, his family paid the hospital the required sum on February 10, 2014.<sup>28</sup>

Between January 29 and February 19, 2014 he got only one dialysis treatment, the only one during the period in which he resisted confinement. The February 19 treatment took place only because hospital staff had already inserted tubes into his body by the time public security officers showed up to stop the treatment. Public security intimidated staff in other hospitals after his relatives inquired at those hospitals, and Mr. Duong Van Minh could not get any dialysis treatment. His condition was fairly serious because he needs 3 treatments each week.

#### 4.4.5. Meetings with the US and EU diplomats

With VETO!'s assistance, Mr. Duong Van Minh met with a U.S. Embassy representative on February 7, 2014 (**Picture 5**), and with a European Union representative on February 14, 2014 (**Picture 6**) in Hanoi to inform them of his personal difficulties and the plight of Duong Van Minh believers. On February 11, 2014, Mr. Hứa Kiến Thiết, Director of public security for Tuyên Quang, met with his sister-in-law to propose treatment for him at Hospital 198. Mr. Duong Van Minh refused because he did not want public security surveillance. From February 20 onwards, hospitals in Hanoi no longer refused to treat him, probably as a result of Western embassies' support for Mr. Duong Van Minh.



Picture 5 & 6: Mr. Dương Văn Minh met representatives of the US Embassy (l) on 7/2/2014 (with Att. Nguyen Thi Duong Ha in the background) and of the EU Delegation (r) on 14/2/2014 in Hanoi.

#### 4.4. "The new way of life"

<sup>27</sup> "Promissory form", prepared by public security on January 24, 2014 (Handwritten document available at VETO!)

<sup>28</sup> Receipt for paid fees, Hospital 198, Feb 10, 2014 (Available at VETO!)

In 1986 the Communist Party of Vietnam instituted a "modernization" campaign to mitigate the sorry state of the economy (later known as "market economy guided by socialism"). The government promoted in the countryside the need for modernization and the eradication of outdated, backward customs and superstition.

Duong Van Minh believers also embraced "the new way" that they considered being consistent with the government's policy. They could not understand the government's ordering them to go back to backward customs. They followed Mr. Duong Van Minh's teachings on new ways for conducting rites at birthdays, funerals, weddings and lunar New Year's celebrations.<sup>29</sup>

The following are Mr. Duong Van Minh's 12 guidelines for his followers:<sup>30</sup>

- Do not drink alcohol, tea and beer;
- Do not gamble in order to keep your savings;
- Do not steal;
- Do not quarrel;
- Do not scream, swear, and engage in physical violence;
- Do not kill, rob, burn houses;
- Do not fight over land;
- Do not commit adultery;
- Do not use trickery to get food and drinks;
- Do not use drugs or engage in prostitution;
- Do not eat blood, whether cooked or uncooked; do not eat meat from animals that were strangled or died accidentally;
- Support and love one another in difficult times.

## 5. Viewpoints of the Communist Party and Government in Vietnam

The Communist Party of Vietnam is the ruling party and has the monopoly on power in Vietnam. At each administrative level, authorities are advised by the Party at the same level.

Directives against the Duong Van Minh religion came from Party's Central Committee i.e. Steering Committee for Northwestern Region and are disseminated to party organizations in provinces, districts, villages and hamlets. Party's officials of level must advice and monitor the corresponding government's implementation of the Party's order to "eradicate the illegal Duong Van Minh organization". The role of the Government Committee for Religious Affairs is unclear because it has no executive power (see 5.4.1).

The documents listed below show the chain of commands to destroy the SSFO of the Duong Van Minh religion in the Van Thu Hamlet, beginning with the Steering Committee at the Central Committee of the Communist Party and ending with the People's Committee of District Hoa An(See Table 1):

Steering Committee for Northwestern Region (see 5.1) → Communist Party in Cao Bang Province (see 5.3.2) → Communist Party of Hoa An District (see 5.4.2.1) → People's Committee of Hoa An District (see 5.4.2.2) → People's Committee of Nam Quang Village → People's Committee of Van Thu Hamlet.

<sup>29</sup> Handwritten "Grievance" submitted to Prime Minister Nguyen tan Dung on Oct. 16, 2013 (copy available at VETO!)

<sup>30</sup> Excerpt from "Proposal submitted to the Village People's Committee", Lý Văn Ninh signed on behalf of Hmong residents of Nam Tuấn Village, Hòa An District, Cao Bằng, July 8, 2012 (copy of handwritten document available at VETO!)



| Administrative Level | System of the Communist Party of Vietnam  | Advising Competence | Government System  |
|----------------------|---|---------------------|--|
| Central<br>↓         | Central Presidium of the Steering Committee for Northwestern Region (Ban Chỉ đạo Tây Bắc) | →                   | Prime minister, Ministry of Interior [Government Committee for Religious Affairs (Ban Tôn giáo Chính phủ) ?] |
| Province<br>↓        | Communist Party of Vietnam in Cao Bang Province (Tỉnh ủy Cao Bằng)                        | →                   | People's Committee of Cao Bang Province (Ủy Ban Nhân dân tỉnh Cao Bằng)                                      |
| District<br>↓        | Communist Party of Vietnam in Hoa an District (Huyện ủy huyện Hòa An)                     | →                   | People's Committee of Hoa an District, (Ủy Ban Nhân dân huyện Hòa An)  |
| Village              | Nam Quang Village (xã Nam Quang)  |                     |  |
| Hamlet               | Van Thu Hamlet (xóm Văn Thụ)  |                     |  |

**Table 1: Directive hierarchy in Vietnam**

### 5.1. Conference of the Steering Committee for Northwestern Region

The Steering Committee for Northwestern Region is a committee of the Communist Party of Vietnam in charge of the policy for political security, social order and safety, economic development and social welfare for the provinces located in the Northwest part of Vietnam. The Chair of the Northwest Steering Committee is the Deputy Prime Minister Nguyen Xuan Phuc, a member of the Politburo of the Communist Party of Vietnam.

On April 5, 2012, the Steering Committee for Northwestern Region convened a conference on “*Implementing measures to prevent and eventually eradicate the illegal organization Duong Van Minh on some areas of the North West Province*” to deal with Duong Van Minh Religion<sup>31</sup>; because the Communist Party believed that the direction to “eradicate” the Duong Van Minh Religion was not well coordinated and the implementation were not thoroughly executed:

*„The actions to stop the activities of illegal Duong Van Minh organization have several limitations. One reason for this situation is the lack of a legal basis for resolving the activities of Duong Van Minh organization, the coordination of directives between the central agencies and localities were not synchronized; the tasks of detecting and handling of negative behavior and violations of the objects in the illegal organization Duong Van Minh were not yet resolutely and thoroughly ”.*<sup>32</sup>

According to the Concluding Communiqué of this special meeting<sup>33</sup> the participants list includes leaders of agencies involved in the plan to eradicate the Duong Van Minh Religion:

<sup>31</sup> It is unclear why and since when the Steering Committee for Northwestern Region is responsible for the Northeastern Region. Many official documents and web articles mention this committee in connection to suppressive actions against the Duong Van Minh religion in Northeastern Provinces Cao Bang , Bac Kan , Thai Nguyen , Tuyen Quang. The above mentioned document reported about a conference taken place in Province Cao Bang on April 5, 2012 with attendants coming from the four Northeastern provinces.

<sup>32</sup> “Chỉ thị của Ban Thường vụ Tỉnh ủy về Ngăn chặn, xóa bỏ tổ chức bất hợp pháp DVM trên địa bàn tỉnh Cao Bằng” (Order of the Standing Committee of the Communist Party in Cao Bang Province regarding the prevention and erasing of the illegal organization Dương Văn Minh on the Cao Bang Province), No 37 -CT/TU, Communist Party in Cao Bang Province, 31/5/2012 (Document available at VETO! Office)

<sup>33</sup> Thông báo kết luận Hội nghị Triển khai các giải pháp ngăn chặn, tiến tới xóa bỏ đối với tổ chức bất hợp pháp Dương Văn Minh trên địa bàn một số tỉnh Tây Bắc (Concluding Communiqué of the Conference on the Deployment of measures to prevent in order to eradicate the illegal organization Duong Van Minh in some Northwestern Provinces) [SECRET], No. 09-TB/BCĐTB, Central Presidium of the Steering Committee for Northwestern Region of the Communist Party of Vietnam, 25/4/2012

- Central Committee of People Mobilization,
- Committee for Ethnic Minorities,
- Central Committee of the Vietnam Fatherland Front,
- General Directorate of Security II (Ministry of Public Security) ,
- Government Committee for Religious Affairs (Ministry of Interior) ,
- The Communist Party, the People 's Committees, the authorized branches and divisions of the Provinces of Cao Bang, Bac Kan, Thai Nguyen, Tuyen Quang.

The said communiqué also stated that the reason for the meeting was the Duong Van Minh religion has not been destroyed and they are now demanding that the freedom of religion and belief be respected:

*After 20 years of our continuous fighting to stop them, yet so far that organization (Duong Van Minh) still exists, more complex elements emerged, they tend to operate openly, challenging the government authority, and require that their organization be recognized. (ibid.)*

The conference has designed plan for propaganda and plan to stop and eradicate the Duong Van Minh religion, the following measures were included:

- *Promote activities to fight against the illegal Duong Van Minh organization. Competent forces shall advice the Party, state agencies shall classify members of the Duong Van Minh organization (such as the ringleader, those are long time members, those follow because of ignorance, coercion or intimidation) and to devise appropriate solutions for each class.*
- *Actively combating and resolving those in violation of the law;*
- *Actively attacking the hotspots which manifest the opposition to the government, publicly claim or demand things which are against the policies of the Party and State;*
- *Consistently eradicate " the sheds for storing funeral objects " ;*
- *All festivals shall be in conformance with traditions or customs and not contrary to the regulations of the State. (ibid.)*

**(see Document 1: 120425 Communiqué of Steering Committee NorthWestRegion)**

## **5.2. Ordinance on Beliefs and Religions, and Decree No. 92/2012/NĐ-CP**

Vietnam does not yet have a law on religions. Therefore, restrictions on religious freedom in Vietnam are based on ordinances similar to bylaws, which are not established by parliamentary vote and only issued by the Standing Committee of the National Assembly. Therefore Vietnamese ordinances on religions are not in compliance with article 18 (par. 3) ICCPR.

Additionally the Ordinance on Beliefs and Religions of 2004 <sup>34</sup> provides a very narrow definition of beliefs and religions which is not in compliance with par. 1 and 2 on belief and religion of the General Comments CCPR/C/21/Rev.1/Add.4 of the Human Rights Committee.

The Communist Party and Government of Vietnam don't consider the activities of Duong Van Minh religion as "activities which arise from religious beliefs" in accordance with the definition of this Ordinance, when citing its par. 1, article 3:

*"Activities which arise from religious beliefs express themselves as ancestor worship; memorializing and honoring those who have rendered great services to the country and the*

<sup>34</sup> Ordinance of the Standing Committee of the National Assembly (Human Rights Watch unofficial translation) No. 21/2004/PL-UBTVQH11 of June 18, REGARDING RELIGIOUS BELIEF AND RELIGIOUS ORGANIZATIONS

*community; the worship of divinities and traditional symbols as well as other folk beliefs and activities that represent fine, valuable historical, cultural, moral and social values.” (ibid.)*

Either they don’t consider the Duong Van Minh religion as a “religious organization” in accordance with the definition of this Ordinance, when citing its par. 3, article 3:

*“A religious organization is an assembly of believers of the same tenets, cannons, rites, and has a clear organizational structure recognized by the State.” (ibid.)*

In addition to the Ordinance on Beliefs and Religions, the activities of the Duong Van religion is also limited by the Decree No. 92/2012/NĐ-CP of the Government dated November 8, 2012, regarding *“Detailed Regulations and Implementing Measures of Ordinance on Beliefs and Religions”*<sup>35</sup>. This Decree replaces the first Decree No. 22/2005/ND-CP dated March 1, 2005 and restricts the prerequisites for religious groups to apply for permit. Currently, the Communist Party and the Government in Vietnam are using par. 3, Article 5 (requisite conditions for registration pertaining to religious activities), and par. 1, Article 6 (requisite conditions for registration for religious operations) of Decree 92/2012/NĐ-CP to conclude that:

*“The Duong Van Minh Organization is not eligible for registration and for conducting religious activities. Therefore, Duong Van Minh organization is not recognized as a legitimate religious organization.”*<sup>36</sup>

It is noteworthy that since 2006 followers of Duong Van Minh religion has repeatedly petitioned or met the authorities at commune, district, province levels, and central government to request them ceasing the persecution and allowing Duong Van Minh religion to officially operate; but no adequate response from the authorities were received.

Although it has existed since 1989 the Duong Van Minh religion cannot obtain any permits; thus, it is considered as outlawed. In Vietnam the *“permit for conducting religious activities”* and the *“permit for conducting religious operations”* are two permits each religion should obtain before one can apply for the *“permit recognizing as a religious organization with legal standing”*.

### **5.3. Documents of the Communist Party in Provinces Tuyen Quang and Cao Bang**

Tuyen Quang and Cao Bang are two provinces with the highest rates of Duong Van Minh believers. Within the boundaries of these two provinces, there are 15 out of a total of 24 SSFO erected in 2013; thus, the authorities of these provinces are the most enthusiastic in the campaign to eradicate the Duong Van Minh religion.

#### **5.3.1. Document of the Communist Party in Province Tuyen Quang**

The document entitled *“Internal letter (serving activities in sub-divisions of the Communist Party, villages, hamlets, organized people groups)”* is a booklet with 5,581 copies stamped “Internal circulation” and was distributed to members of the Communist Party of Tuyen Quang province in

<sup>35</sup> Nghị định 92/2012/NĐ-CP “Quy định chi tiết và biện pháp thi hành Pháp lệnh tín ngưỡng, tôn giáo”, (Government Decree No. 92/2012/NĐ-CP regarding “Detailed Regulations and Implementing Measures of Ordinance on Beliefs and Religions”, signed by Prime Minister Nguyễn Tấn Dũng, November 8, 2012,

[http://www.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class\\_id=1&mode=detail&document\\_id=164402](http://www.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class_id=1&mode=detail&document_id=164402)

<sup>36</sup> Document „Nội dung tuyên truyền, đấu tranh xóa bỏ tổ chức bất hợp pháp Dương Văn Minh“ (Contents of propagandas and fight to eradicate the outlawed organization Dương Văn Minh) , Internal Letter No. 190, 01/2014 of The Committee for Propaganda and Education of the Communist Party in Tuyên Quang Province, January 2014, with stamp “document for internal circulation”, 5.581 copy prints, pp 46-54

January 2014. An article in this document titled *"Contents of propaganda for fighting to eliminate illegal Duong Van Minh Organization"*, from page 46 to page 54.<sup>37</sup> **(Picture 7)**

This document put the Duong Van Minh's activities in charge of "proclaiming King and welcoming God":

*"Those are activities propagating superstition, forming ideology of separatism, autonomy, interwoven with activities involved in belief and religion, to dupe people to make illicit profits benefiting the leaders of the organization. These activities caused disturbance regarding beliefs of the Hmong in particular, and thought, economic, cultural and social life of the peoples living in the region in general; they affected the trust of a part in the population in the Party (note: the Communist Party) and State and the healthy religious activities, and caused division amongst ethnics. Therefore, we have to resolutely fight against and eradicate this illegal organization."*(ibid. page 54).

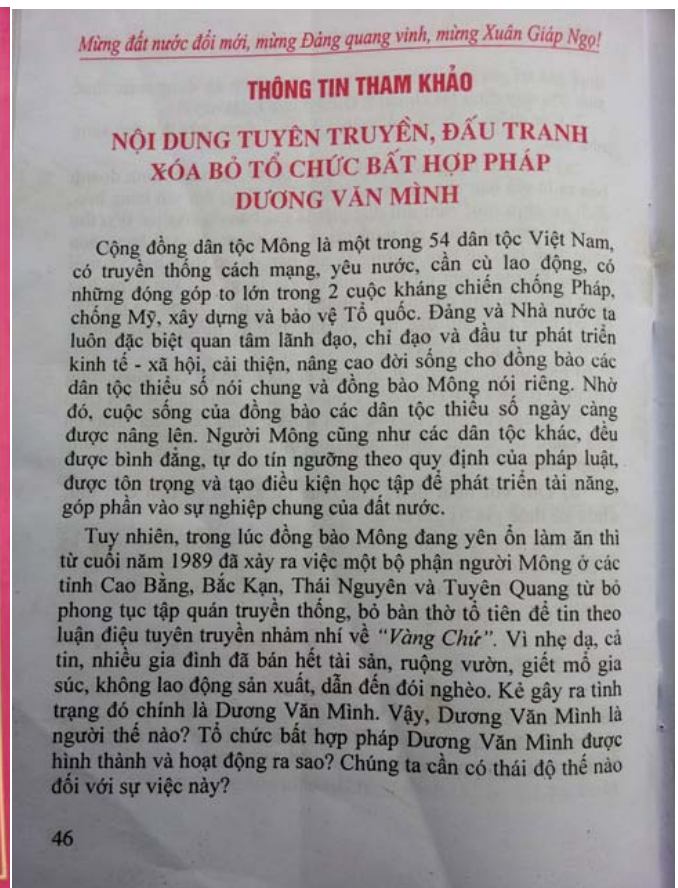
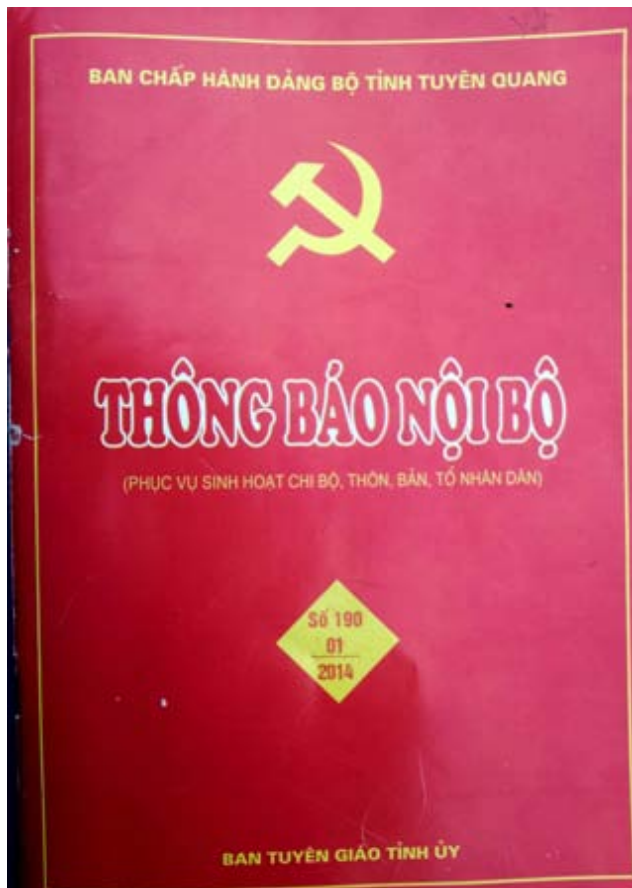
This document instructs *"The provincial Committees for Religious Affairs to mobilize the masses for not believing and not following the Duong Van Minh organization"*. It referred to Document No. 50/TGCP-TGK of the Government Committee for Religious Affairs dated February 2, 2012 to consider that *"the Duong Van Minh Organization has conducted illegal activities, infringing upon private properties, materials, labor time of the people and against the fine customs and traditions of the ethnics, causing internal disunity of the Hmong fellows "*.

The propaganda document mentioned above instructed *"to dismantle the illegally built sheds for storing funeral objects"*, referring to document 518/TGCP-TGK of the Government Committee for Religious Affairs dated June 7, 2013.

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<sup>37</sup> ibid.<sup>35</sup>





Picture 7: Document of the Communist Party in Province Tuyen Quang ordering the eradication of the Duong Van Minh religion

### 5.3.2. Document of the Communist Party in Province Cao Bang

The document entitled *"Directive of the Standing Committee of Provincial Communist Party regarding Deterring, Eradicating the illegal Duong Van Minh organization in Cao Bang province"* of the Communist Party of Cao Bang Province were sent to party offices, government, military personnel and associations at the local level to deter and eradicate the Duong Van Minh religion.<sup>38</sup> This document requires public security (or police) of Cao Bang province in coordination with police of other provinces implementing the following measures:

- Best informing about the areas and people participating in the illegal Duong Van Minh organization;
- Issuing plan for intimidating, summoning and fighting those who support Duong Van Minh organization;
- Preventing hotspots with complex problems of security and public order in the province territory;
- Preventing hostile forces misusing this organization to serve their plots;
- Instructing a properly implementation of regulation on temporary sheltering and absence, expelling from the province those, who are not local residents or people coming for temporary sheltering without legitimate reason;

<sup>38</sup> Chỉ thị của Ban Thường vụ Tỉnh ủy về Ngăn chặn, xóa bỏ tổ chức bất hợp pháp DVM trên địa bàn tỉnh Cao Bằng" (Order of the Standing Committee of the Communist Party in Cao Bang Province regarding Deterring, Eradicating of the illegal organization Dương Văn Minh in the Cao Bang Province), No 37-CT/TU, Communist Party in Cao Bang Province, May 31, 2012

- Close coordination with police of other provinces where the illegal Duong Van Minh organization operates to prevent and eradicate this organization.

(see Document 2: 120531 Order of Communist Party of Cao Bang Province.pdf).

## 5.4. Directives of the Government

### 5.4.1. Controversial dispatch of the Government Committee for Religious Affairs

On 7 June, 2013, short after the concurrent construction of 24 SSFO of the Duong Van Minh religion, the Government Committee for Religious Affairs issued the document No. 518/TGCP-TGK which was sent to the People's Committees of Provinces Cao Bang, Bac Kan, Tuyen Quang and Thai Nguyen. It is not clear what kind of administrative dispatch it is (**Picture 8**).<sup>39</sup> It states:

*"The Duong Van Minh Organization is not yet recognized as a religious organization, but has already conducted activities to misuse the right to freedom of belief and religion, has illegally built SSFO against the law and the traditional customs of the ethnic Hmong, has infringed upon properties, materials, labor time, and has caused social disorder, disunity in a part of Hmong people. "*

The languages in the text bearing the order coming from a central authority to local agencies:

*"Proposed the Chairmen of the provincial People's Committees assigning to departments and agencies to research, and compare with legal regulations and regulations on the implementation of (note: policies for) a civilized lifestyle in the weddings, funerals and festivals, (note: and find out ways) to sanction".*

This dispatch required the Chairmen of the provincial People's Committees to use strong measures against Duong Van Minh organization, namely:

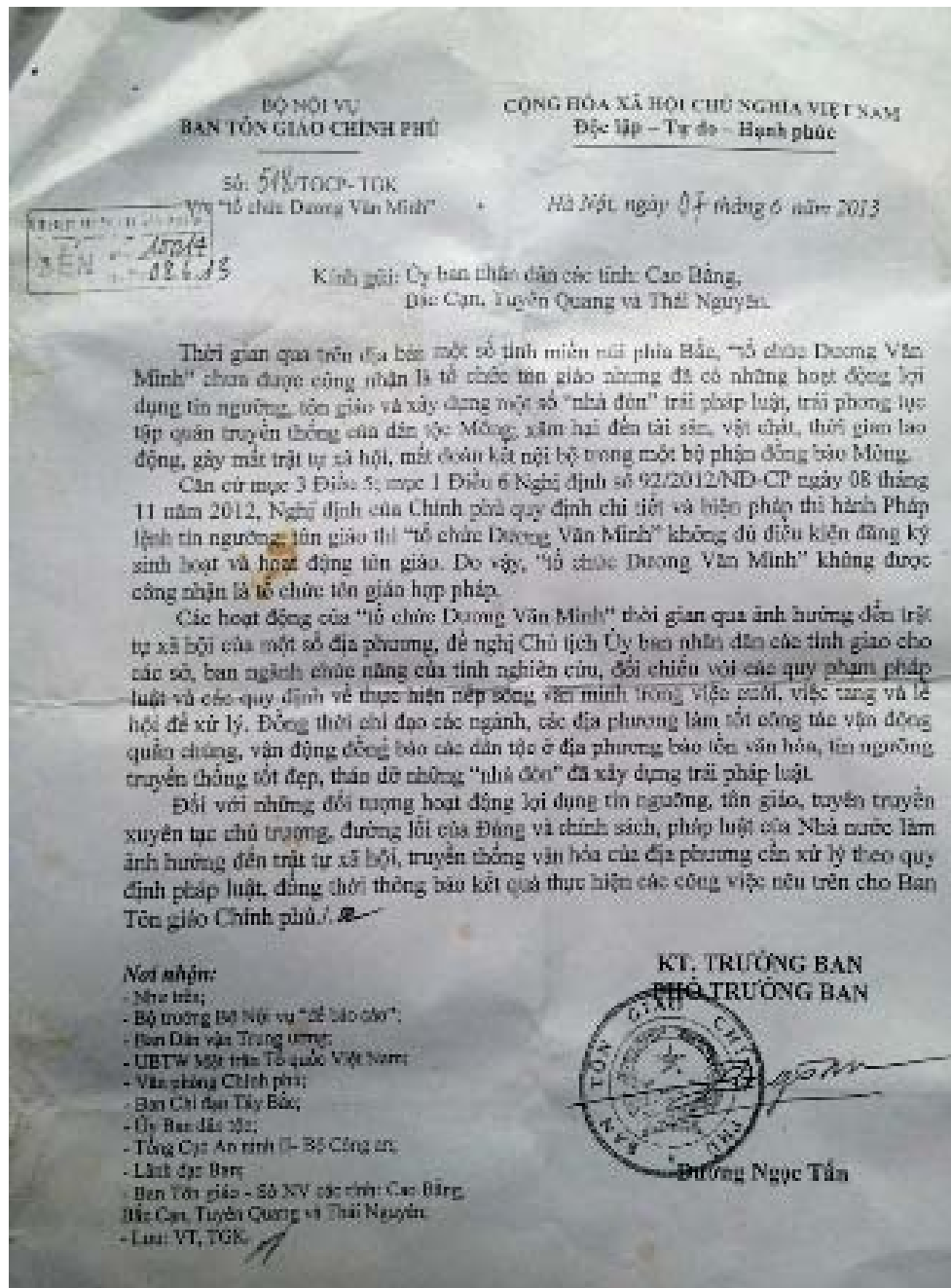
*"(...) dismantling the SSFO, which were built illegally. Those who have activities which are abusing the right to freedom of religion and belief, who have propagated slanders against the objectives and guidelines of the Party, and against the policies and laws of the State, which will affect social order, cultural traditions of the localities, should be sanctioned according to the laws and regulations. The results of the implementation of the above tasks should be reported to the Government Committee for Religious Affairs."*

The Government Committee for Religious Affairs of the Ministry of Interior is the central agency of the Government, which controls religious activities in Vietnam. Theoretically this committee only has the responsibility *"to advise and assist the Minister of Interior in the management policy toward religion in the country"*<sup>40</sup> and thus doesn't have any executive power.

<sup>39</sup> Document No. 518/TGCP-TGK Re. "Duong Van Minh organization", sent from the Government Committee for Religious Affairs to the People's Committees of the Cao Bằng, Bắc Cạn, Tuyên Quang và Thái Nguyên Provinces, June 7, 2013 (There is no information on the document form)

<sup>40</sup> Competences and Responsibilities of the Government Committee for Religious Affairs, Decree No. 134/2009/QĐ-TTg of the Prime Minister issued on November 3, 2009, website of this committee, [http://btgcp.gov.vn/Plus.aspx/vi/News/38/0/153/0/1061/CHUC\\_NANG\\_NHIEM\\_VU\\_CUA\\_BAN\\_TON\\_GIAO\\_CHIN\\_H\\_PHU](http://btgcp.gov.vn/Plus.aspx/vi/News/38/0/153/0/1061/CHUC_NANG_NHIEM_VU_CUA_BAN_TON_GIAO_CHIN_H_PHU)





Picture 8: Directive No. 518/TGCP-TGK of the Government Committee for Religious Affairs (Ministry of Internal Affairs) to the People's Committees of Cao Bằng, Bắc Kạn, Tuyên Quang and Thái Nguyên Provinces on 7/6/2013

But the Government Committee for Religious Affairs has concluded that the Duong Van Minh religion is an illegal organization and recommended that its SSFO shall be dismantled. This “recommendation” has a far-ranging impact on the persecution of the Duong Van Minh believers because it is quoted in various propaganda materials of the ruling Communist Party<sup>41</sup>, judgments<sup>42</sup>,

<sup>41</sup> Document „Nội dung tuyên truyền, đấu tranh xóa bỏ tổ chức bất hợp pháp Dương Văn Minh“ (**Contents of propagandas and fight to eradicate the outlawed organization Dương Văn Minh**), Internal Letter No. 190, 01/2014 of The Committee for Propaganda and Education of the Communist Party in Tuyên Quang Province, January 2014, with stamp “document for internal circulation”, 5.581 copy prints, pp 46-54

<sup>42</sup> Judgement No. 07/2014/HSST of the People's Court of Ham Yen District, Tuyên Quang Province, against Mr. Duong Van Tu and Mr. Ly van Dinh, March 20, 2014 (available at VETO! office)

newspapers<sup>43</sup> and dispatches of other state agencies<sup>44</sup>. For example, in the letter responding to the complaints filed by Mr. Thao Quan Mua in October 2013, the Government Inspector and Head of Citizens Reception Center of the Central Communist Party and State, proposed the Hmong Christians *"to follow the direction of the Government Committee for Religious Affairs per dispatch No. 518/TGCP-TGK."* (See Picture 9) The reference to a not valid document has caused a feeling among the Hmong petitioners that their complaints are not seriously taken by state agencies.



Picture 9: Answer from "Citizens Reception Center of the Central Committee of the Communist Party and State of Vietnam" to Mr. Thao Quan Mua on 7/10/2013

## 5.4.2. Directives at local level

<sup>43</sup> "18 tháng tù cho kẻ cầm đầu xây dựng "nhà đồn" trái phép ở Minh Hương" (18 months imprisonment for a leader who has organized the building of an illegal funeral shed in Minh Huong Village), Tuyen Quang Online, Communist Party of Vietnam in Tuyen Quang Province, March 29, 2014

<http://www.baotuyenquang.com.vn/phap-luat/an-ninh-trat-tu/18-thang-tu-cho-ke-cam-dau-xay-dung-nha-don-trai-phép-o-minh-huong-37528.html>

<sup>44</sup> Answer of Mr. Phan Van Hai, Government Inspector and Head of Citizens Reception Center of the Central Communist Party and State, to Mr. Thao Quan Mua and other 21 followers of Duong Van Minh religion on October 7, 2013 (Document available at VETO! Office)

#### 5.4.2.1. Instruction of the Communist Party in Hoa An District, Cao Bang Province

The Communist Party of Hoa An District, Cao Bang Province has issued Directive 18-CT/HU on February 2013 to launch a concerted campaign against the Duong Van Minh religion <sup>45</sup>. This Directive is based on two directives from higher level: from the Steering Committee for Northwestern Region (see 5.1.) and from the Communist Party of Cao Bang Province (see 5.3.2.) to:

- *Prevent, eradicate the illegal Duong Van Minh organization;*
- *Advocate those aged 16 and older to sign pledge not to believe, listen and follow the instructions of the Duong Van Minh organization;*

#### 5.4.2.2. Plan of the People's Committee of District Hoa An, Province Cao Bang

Based on the aforementioned Directive 18-CT/HU of the Communist Party of Hoa An District, the People's Committee of Hoa An District launched a plan with similar name, No. 49/KH-UBND on May 4, 2013 <sup>46</sup>. This plan has:

- three immediate objectives:
  - *Organizing for people (16 years and older) in the hamlet to sign pledge not to believe, listen and follow the plot of Duong Van Minh organization;*
  - *Helping people to make acquaintance of, keeping in close touch with and being in intimate terms of the "Working Group to Mass Mobilization" ... assembly, training and signing engagement...*
  - *Helping people to have a domestic life which is in close touch with and integrated into the hamlets on the flat land.*
- and several long-term goals which should be reached at any price, as follows:
  - *Progressing towards the elimination of believing and following the illegal propaganda of Duong Van Minh organization;*
  - *Not organizing a birthday party for Duong Van Minh on the 9th day of the 5<sup>th</sup> month of the lunar calendar;*
  - *Not worshipping animal symbols (...) of swallow, toad and cicada that Duong Van Minh promoted;*
  - *Not skipping the worship of ancestors, grandparents per the traditional beliefs of Hmong;*
  - *Not migrating to the areas affected by "Vang Chu".*

The People's Committee of the Hoa An District would offer a variety of cultural activities and arts, provide legal advices and professional careers guidance....

These events aim to attract Hmongs and to consume their time. However, looking to the list of authorities who have to implement this plan: People's Committees, Public Security, army, committees for mass mobilization, Fatherland Front, the Ho Chi Minh Communist Youth Association, Women Association, Peasants Association, Veterans Association..., one would think

<sup>45</sup> Chỉ thị số 18-CT/HU về việc „Phát động tập trung phong trào toàn dân bảo vệ an ninh Tổ quốc (nhằm) xóa bỏ tổ chức bất hợp pháp Duong Van Minh ở xóm Văn Thụ, xã Nam Tuấn“ (**Directive No. 18-CT/HU on "Launching a Concerted Campaign of the entire population to protect security of the fatherland to wipe out the illegal Duong Van Minh organization in Van Thu Hamlet, Nam Tuan Village"**), Standing Committee of the Communist Party in Hoa An District, February 4, 2013 (Available at VETO! Office)

<sup>46</sup> Kế hoạch số 49/KH-UBND về việc „Phát động tập trung phong trào toàn dân bảo vệ an ninh Tổ quốc (nhằm) xóa bỏ tổ chức bất hợp pháp Duong Van Minh ở xóm Văn Thụ, xã Nam Tuấn“, (**Plan No. 49/KH-UBND on "Launching a Concerted Campaign of the entire population to protect security of the fatherland to wipe out the illegal Duong Van Minh organization in Van Thu Hamlet, Nam Tuan Village"**), People's Committee of Hoa An District, Cao Bang Province, May 4, 2013, 5 pages (Document available at VETO!)

that these events are imperative to attend and indeed it is an opportunity for the government to identify those, who do not participate in the events, are those against the government policies and against these agencies and associations.

**(See Document 3: 130504 Launching a Concerted Campaign in Van Thu Hamlet).**

It is noteworthy that the SSFO in Van Thu Village lay in this Hoa An District. It was built on May 16, 2013 and demolished it on September 28, 2013.

#### **5.4.2.3. Decision on Compulsory Measures of District Ngan Son, Bac Kan**

On November 14, 2013 the People's Committee of Ngan Son District, Bac Kan Province delivered an enforcement decision to Hoang Van Slam<sup>47</sup>, a Duong Van Minh believer, when they came to dismantle the SSFO of 7.5 square meters located on a piece of land in the Lung Lia Village, Na Phac Town, Ngan Son District, Bac Kan Province.

Slam's family has been granted the right by the Government to use the said farmland for planting since 2011. On May 16, 2013 he started building a SSFO. On May 17, 2013 the authorities stop him from proceeding on. On October 25, 2013 the Government levied him an administrative fine. On November 14, 2013 the government brought agents to the site tearing down his SSFO.

### **5.5. Two propaganda documents**

Tuyen Quang Provincial Government has distributed widely defamatory propaganda materials against Duong Van Minh religion. The H' Mong believers are indignant at the false fabrications aimed at stigmatizing and discriminating against them in society.

#### **5.5.1. Propaganda booklet in three languages**

The document entitled *"Things cadres, Party members and people need to know about the illegal Duong Van Minh organization"*<sup>48</sup>, it is an 8-page printed in color booklet, written in three languages: Vietnamese, old Hmong and new Hmong languages **(see Picture 10)**. Booklets was published by the Steering Committee implementing Resolution 20 and released around June of 2013, probably aiming at Hmong cadres and public officials. Because several of them have followed Duong Van Minh religion and they do not carry out directives to suppress the Duong Van Minh religion. They probably observed that the Duong Van Minh religion has not done anything illegal at all. The documents specified above included false passages (see the first paragraph of the following quotations) with comments of believers in Tuyen Quang province<sup>49</sup> (see the second paragraph of the quotations);

*"Duong Van Minh was quoted saying: in the year 2000 the earth will explode, people will die, Duong Van Minh followers will be saved by Jesus; they will live happily in the heaven, they do not have to work for food, will become literate without learning, the dead will be resurrected, they will be young forever, ailments will be cured, Hmongs will have their own country. Who wants to ask Duong Van Minh to offer prayers for the sick will have to bring him cash, candies, cigarettes and other things of value for the prayer service."* (See page 2, *ibid.*).

<sup>47</sup> Enforcement decision No. 2895/QD-CC, issued by the People's Committee of Ngan Son District, Bac Kan Province on November 14, 2013 (available at VETO! Office)

<sup>48</sup> Document "Những điều cán bộ, đảng viên và nhân dân cần biết về tổ chức bất hợp pháp Dương Văn Minh" **(Things that cadres, party members and people should know about the outlawed Dương Văn Minh organization)**, Steering Committee for the implementation of the Resolution No. 20, written in Vietnamese, old and new Hmong languages, June 11, 2013, 1000 copy prints

<sup>49</sup> Conversations with many Duong Van Minh believers in January and February 2014

Comment: The members of Duong Van Minh religion, who got in touch with Duong Van Minh have never heard such things. Mr. Duong Van Minh never required money or gifts. Hmong believers confirmed that ethnic Hmongs are Vietnamese citizens and they wanted to follow the policy of the Communist Party and State of Vietnam, and have no intention of setting up a separate country.

### 5.5.2. Propaganda booklet in Vietnamese

Another document entitled *"Outline propaganda activities to prevent illegal Duong Van Minh organization"* <sup>50</sup> distributed by the government of Tuyen Quang Province, consists of 4 pages with colored photographs (**see Picture 11**). Simple propaganda and intimidation are included. A believer of Duong Van Minh in Tuyen Quang province commented of the content of the document <sup>51</sup>.

*"Some individuals have organized illegal Duong Van Minh religion to take advantage of the trust of Hmong people to mobilize, entice and cheat them, appropriating their money, time and labor causing unsafe political, social order and safety in the local area." (See page 1, ibid.).*

Comment: Devotees of Duong Van Minh religion affirmed that they have never been deceived or been appropriated money from. They voluntarily contributed to the common cause, such as the construction of SSFO. The government cannot prove to the opposite in the trials. They meet and dance on Sunday, which is a day off. The ones who caused disturbance are public security officers who are always threatening and harassing them.

*"Duong Van Minh Organizations continued illegal campaigning, urging Hmongs to build funeral homes in the name of having a place for storing funeral objects. This is an action against the customs and traditions, disturbing the daily life of Hmong people in the villages and in violation of State regulations." (See page 2, ibid.).*

Comment: the money contributed to build SSFO are managed transparently and all are used for the purchase of materials. They believe that the procedure of burial recommended by Duong Van Minh is better than the old habits and does not disturb anyone's life.

*"The activities of illegal Duong Van Minh organization have violated the law of the Socialist Republic of Vietnam, the provisions of Article 258 of the Penal Code on charges of abusing democratic freedoms to infringe upon the interests of the State. The illegal construction of the SSFO will be dismantled; who incites people to build the sheds or obstructs the dismantling of the sheds will be dealt with according to law." (See page 3, ibid.).*

Comment: The Duong Van Minh believers have the right to build SSFO. Order of dismantling the sheds was not justified, the rationale of the order was not explained by any level of government; they just merely imposed.

*"...Suggested: people should cooperate with the government to dismantle the sheds, and deal appropriately with those in violation of the laws. Party and State has continued to improve the care for the material and spiritual lives of ethnic minorities ... " (see page 4, ibid.).*

Comment: the Duong Van Minh believers informed that they do not accept the dismantlement of the SSFO per the Government's order.

<sup>50</sup> „Đề cương tuyên truyền ngăn chặn hoạt động tổ chức bất hợp pháp Dương Văn Minh“ (**Outline propaganda activities to prevent illegal Duong Van Minh organization**), Government of Tuyen Quang Province, September 2013

<sup>51</sup> Interview with a DVM believer on March 1, 2014





Picture 10: Propaganda booklet “Things that cadres, party members and people should know about the outlawed Dương Văn Minh organization” (in three languages)



Picture 11: Propaganda booklet “Outline propaganda activities to prevent the illegal Dương Văn Minh organization” (Vietnamese)



## 6. Destroying 24 SSFO in four provinces

### 6.1. Funeral rituals of the Duong Van Minh religion

Hmong people have the burial custom of hanging a corpse on the wall for 7 days and nights and giving rice to the corpse. During that time the family had to kill buffaloes and cows to give a big funeral party to the visitors. Then the corpse was buried without a coffin. Thirteen days after the burial the family had to kill buffaloes and cows to worship the ghost of the dead and hang a crossbow on the wall to prevent the ghost coming back to the house. Hmong believers of the Duong Van Minh religion believe that the traditional funeral custom is unhygienic, expensive and noisy and have changed to the burial procedure taught by Mr. Duong Van Minh.

Mr. Duong Van Minh teaches them to keep the corpse in a coffin and then have the family will sit around it for 24 hours before burial. The Duong Van Minh believers have stopped practicing the custom of beating drums, blowing trumpets noisily and holding expensive funeral parties. They use the following wooden funeral accessories to replace the traditional custom (see Picture 13):

- a crucifix with the words “Sky, Earth, Sun, Moon” on it. The crucifix should replace the deity crossbow in Hmong folklore/myth;
- a long table to place the coffin on;
- a swallow to transport the soul to heaven;
- a toad to replace the traditional sound of drums;
- a cicada to replace the traditional sound of trumpets.

In some regions Duong Van Minh believers use only a table on which a picture of a swallow is engraved. The coffin of the dead is marked with signs in different colors: black for a death at home, blue for death by poisoning and red for death by accident.<sup>52</sup>



Picture 12 & 13: Funeral storage shed built on private land in Tuyen Quang Province and its content:  
A table with engraved swallow for the coffin, a cross, a toad and a cicada on a small table

<sup>52</sup> “Đơn đề nghị gửi Ban Dân Vận Trung ương, đảng Cộng sản Việt Nam” (Petition to the Central Committee for Ethnic Affairs of the Communist Party of Vietnam), signed by Mr. Hoang Van Gianh representing Hmong people in the Provinces Cao Bang, Bac Kan, Tuyen Quang and Thai Nguyen, 12/10/2012 (Document kept at VETO!-Office)

Mr. Duong Van Minh teaches them to build a small shed for storing these funeral accessories which the believers in the village can share. Each SSFO is no bigger than seven square meters. The Duong Van Minh believers have built in total 24 SSFO in the Provinces Cao Bang, Bac Kan, Tuyen Quang and Thai Nguyen in 2007 and 2013 but all were destroyed by the government.

**(See APPENDIX 1: List of 24 funeral storage sheds of Duong Van Minh religion)**

## 6.2. Construction wave of SSFO in three Northern Provinces in 2007

The first construction wave occurred in 2007 and resulted in 13 SSFO in the North Eastern Provinces Cao Bang, Bac Kan and Tuyen Quang. At that time there weren't any SSFO in the Province Thai Nguyen. In the first wave of construction the starting days for the construction were different and ranged from September 2007 to end of December 2007.

The very first 13 SSFO were not destroyed on the same day. The sheds existed from one day to one year. The SSFO in the hometown of Mr. Duong Van Minh (Hamlet Ngòi Sen, Village Yên Lâm, District Hàm Yên, Province Tuyên Quang) had just a wooden frame when government forces arrived and prevented further construction. Most of the SSFO in Province Cao Bang survived about 12 months before they were destroyed. The longest lasting SSFO survived 15 months and was destroyed on Jan 20, 2009. This shows that the Vietnamese provincial and local authorities are not paying most attention to the meaning of the SSFO in the Duong Van Minh religion or didn't have a uniform strategy at that time.

## 6.3. Construction wave of SSFO in four Northern Provinces in 2013

In the second wave the construction of all 24 SSFO in the four Northeastern Provinces Cao Bang, Bac Kan, Tuyen Quang and Thai Nguyen was started simultaneously on 16/5/2013. Herein eleven sheds were built and another 13 destroyed sheds were rebuilt or renovated.

A Duong Van Minh believer reported that the common date on May 16, 2013 was chosen by village elders because it would be a good day. Another reason for the enthusiasm could be the news received in early 2013 that Mr. Duong Van Minh was alive and was being treated in a Hanoi hospital. Years before many Duong Van Minh believers were uncertain when they heard the police saying that Mr. Duong Van Minh died.<sup>53</sup>

The Province Cao Bang has the most sheds (11) and its District Bao Lam has the highest concentration rate with seven sheds. A Duong Van Minh believer in District Bao Lam explained that the population of Hmong people there is higher than the Kinh people and the villages there are far away from each other. So they needed more sheds. **(See Table 2: Concentration of sheds in provinces and districts).**

| Provinces (4) | Number of sheds demolished (24) | Number of districts (12) | Concentration (16 sheds concentrated in just 4 districts)  |
|---------------|---------------------------------|--------------------------|--|
| Bắc kạn       | 2                               | 2                        |  |
| Cao Bằng      | 11                              | 5                        | 7 sheds in District Bảo Lâm                                |
| Tuyên Quang   | 4                               | 3                        | 2 sheds in District Hàm Yên                                |
| Thái Nguyên   | 7                               | 2                        | 4 sheds in District Đồng Hỷ<br>3 sheds in District Võ Nhai |

**Table 2: Concentration of sheds in provinces and districts**

<sup>53</sup> Interview with Mr. D, a Duong Van Minh believer on 15/3/2014

A SSFO costs from 6 to 7 million VND (300 USD – 350 USD) if made of brick. Wooden sheds have lower costs. The building material costs were shared equally and voluntarily by the Duong Van Minh believers. At the trial of Mr. Hoang Van Sang on 14/3/2014, the People's Court in District Yen Son, Province Tuyen Quang accused Mr. Sang of having (illegally) collected money to buy building materials from 97 Hmong people, each giving 65000 VND (approximately 3 USD), totaling 6 million VND (300 USD), to build the SSFO in Village Hùng Lợi, District Yên Sơn, Province Tuyên Quang. But the Hmong testified at the trial that they had contributed voluntarily. Mr. Hoang Van Sang was sentenced to 18 months imprisonment on the charge of “Abusing democratic freedoms to infringe upon the interests of the State” (religious freedom) [article 258 Vietnam's Criminal Code]. (See the case of Hoang Van Sang in 7.3)

Province Thai Nguyen didn't have any SSFO in 2007. In 2013 the Duong Van Minh believers there built six SSFO which were completely destroyed by government forces on Jan 5 and 6, 2014.

## 6.4. The destruction of SSFO in Province Tuyen Quang

### 6.4.1. Overview of the destruction of four SSFO in Province Tuyen Quang

Three SSFO in Province Tuyen Quang were destroyed on 15/10/2013. The building of the SSFO in Hamlet Ban Khe was obstructed and the shed couldn't be built. The sheds in this province existed no more than 5 months. (See Table 3: List of 4 demolished sheds in Tuyen Quang Province)

| Address of the shed for storing funeral objects                             | Construction (dd/mm/yyyy) | Demolition (dd/mm/yyyy) | Prior demolition          |                         |
|---|---------------------------|-------------------------|---------------------------|-------------------------|
|   |                           |                         | Construction (dd/mm/yyyy) | Demolition (dd/mm/yyyy) |
| Hamlet Bản Khê, Village Thượng Nông, District Nà Hang, Province Tuyên Quang | <b>16/5/2013</b>          | <b>16/5/2013</b>        | <b>25/12/2007</b>         | <b>20/1/2009</b>        |
| Hamlet Ngòi Sen, Village Yên Lâm, District Hàm Yên, Province Tuyên Quang    | <b>16/5/2013</b>          | <b>15/10/2013</b>       | <b>Jul 2007</b>           | <b>Jul 2007</b>         |
| Hamlet Lè, Village Hùng Lợi, District Yên Sơn, Province Tuyên Quang         | <b>16/5/2013</b>          | <b>15/10/2013</b>       | No                        | No                      |
| Thôn Minh Tiến, Village Minh Hương, District Hàm Yên, Province Tuyên Quang  | <b>16/5/2013</b>          | <b>15/10/2013</b>       | No                        | No                      |

Table 3: List of 4 demolished sheds in Tuyen Quang Province

### 6.4.2. CASE STUDY 1: The demolition of the SSFO and arrest of four believers in Hamlet Ngòi Sen

In the eyes of the Vietnamese government Hamlet Ngòi Sen, Village Yên Lâm, District Hàm Yên, Province Tuyên Quang is a hotspot because it is the location of Mr. Duong Van Minh and many of his active believers.

In 2007 the Duong Van Minh believers there started the construction of a wooden SSFO until it was stopped by government forces. According to the judgment No. 07/2014/HSST<sup>54</sup>, from 2007 to 2013, three representatives of the Duong Van Minh believers, Mr. Duong Van Tu, Mr. Ly Van Dinh and Mr. Dao Van No:

*“have sent many petitions to local and central authorities asking for the recognition of the Duong Van Minh religion and the construction of the SSFO. They received many times the answer that the Duong Van Minh belief is an illegal organization and not recognized (note: by the state) and the construction of SSFO is unlawful.”*

On 16/5/2013 Mr. Duong Van Tu brought a petition by 45 Hmong people to the Chairman of the People’s Committee of the Village Yen Lam, Mr. Pham Dinh Huynh, asking him for the permission for a SSFO but Mr. Huynh refused to receive the petition. The Duong Van Minh believers started the construction of the SSFO (2,2 m x 1,7 m). The three representatives had advanced the amount of 5 660 000 VND (approximately 280 USD) for buying building materials. Reliable source in Tuyen Quang said the SSFO was built on the property of Mr. Hoang Van Dinh, a Duong Van Minh believer. The source said that in the days following the construction the public loudspeakers propagated that the SSFO stored weapons and mines owned by the Duong Van Minh organization.

By end of September 2013 the Duong Van Minh believers were worried when they heard that a second SSFO in Province Cao Bang was destroyed. Therefore **Mr. Duong Van Tu** decided to travel to Hanoi to hand to the central government a complaint signed by 30 believers in Province Tuyen Quang. He was arrested there on Oct 10, 2013. The kidnap-like arrest of two other believers - **Mr. Ly Van Hau** and **Mr. Hoang Van Pao** - on Oct 14, 2013 caused uncertainty among the Duong Van Minh believers in Province Tuyen Quang. Later the police reported that they had been arrested because of having destroyed a forest in 2007.

On Oct 15, 2013, the government sent about 1 000 persons to destroy the SSFO in Hamlet Ngòi Sen: 500 persons directly participated in the destruction and 500 other persons blocked all access (**Picture 14**). They were local police (in moss green uniforms), riot police (in black uniforms with shields with label “CSCĐ 113”), traffic police (in yellow uniforms), army, civil defense force and many other persons in plainclothes (**Picture 15**). Signboards forbidding filming and photographing were installed. Video cameras, photo cameras and mobile phones belonging to Hmong people were confiscated.

About 80 Duong Van Minh believers, most of them are women and teenagers, gathered around the SSFO for peaceful protest, crying and chanting “Oh God! Oh God!”<sup>55</sup>. Government forces carried each of the protesters out of the area. Some were beaten but nobody was severely injured. Forces in uniforms set siege to protect men in plainclothes using hammers, crowbars and wooden bars to destroy the SSFO (**Picture 15**) and dig the foundation of the shed (**Picture 16**). They carried the smashed building materials away. The destruction was completed in a half hour. A video clip on the demolition taken from a hidden place in Hamlet Ngòi Sen shows that the Hmong believers were absolutely peaceful: <https://www.youtube.com/watch?v=8GooyJz3DOY>

<sup>54</sup> Verdict of People’s Court of District Ham Yen, Tuyen Quang Province, No. 07/2014/HSST, Trial of Duong Van Tu and Ly Van Dinh on 20/3/2014

<sup>55</sup> A witness told VETO! that the believers are prepared because they knew the date of the destruction in advance. The people gathering around the SSFO for peaceful protest were women and teenagers. Men were required not to participate for avoiding escalation. (interview on 14/3/2014)



Later **Mr. Ly Van Dinh** was arrested on Nov 19, 2013. **Mr. Dao van No** was searched by the police and went underground. On March 20, 2014, the People's Court of District Ham Yen has sentenced Mr. Duong Van Tu to 21 months and Mr. Ly Van Dinh to 15 months imprisonment on the charge of "Abusing democratic freedoms to infringe upon the interests of the State" (religious freedom) [article 258 Vietnam's Criminal Code].<sup>56</sup> (see case of Duong Van Tu and Ly van Dinh in 7.1) Additionally the police have arrested two other Duong Van Minh believers from Province Tuyen Quang, **Mr. Hoang Van Sang** and **Mr. Thao Quan Mua**, on Oct 10, 2013.



Picture 14: Surrounding after dispersing the Hmong protesters in Ngoi Sen on Oct 15, 2013



Picture 15: Demolition of the shed in Hamlet Ngoi Sen on Oct 15, 2013

<sup>56</sup> Verdict of People's Court of District Ham Yen, Tuyen Quang Province, Trial of Duong Van Tu and Ly Van Dinh on 20/3/2014





Picture 16: Digging up the foundation of the shed in Hamlet Ngòi Sen on 15/10/2013

#### 6.4.3. Video clips on destruction of SSFO in Province Tuyen Quang

Following video clips on destruction of SSFO are available on YouTube:

- Hamlet Ngòi Sen, Village Yên Lâm, District Hàm Yên, Province Tuyên Quang  
<https://www.youtube.com/watch?v=8GooyJz3DOY>
- Hamlet Lè, Village Hùng Lợi, District Yên Sơn, Province Tuyên Quang  
<https://www.youtube.com/watch?v=-Fy3gR4OSGM>

### 6.5. The destruction of SSFO in Province Cao Bang

#### 6.5.1. Overview of the destruction of 11 SSFO in Cao Bang

The Province Cao Bang with its 11 sheds has the most SSFO of the four Northeastern provinces.

Cao Bang is also the home of the first two destructions in 2013 (in Hamlet Lũng Gà and Hamlet Văn Thụ), only two days after their construction on May 16, 2013. Maybe these destructions have a character of a pilot project to test the reaction of the Duong Van Minh believers.

Generally the amount of destroyed SSFO in Province Cao Bang is: two in May 2013, one in September 2013 and eight in November 2013. All seven SSFO in District Bao Lam were destroyed on Nov 24, 2013. To carry out the destruction of these seven SSFO in District Bao Lam, the Cao Bang government must mobilized in total from 3 500 to 5 000 officers because in each village of the District it must engaged at least 500 policemen, soldiers and militia. The SSFO in Province Cao Bang lasted only from two days to six months. **(See Table 4: List of 11 demolished sheds in Province Cao Bang)**

| Address of the funeral storage shed  | Construction (dd/mm/yy) | Demolition (dd/mm/yy) | Prior demolition        |                       |
|--|-------------------------|-----------------------|-------------------------|-----------------------|
|  |                         |                       | Construction (dd/mm/yy) | Demolition (dd/mm/yy) |
| Hamlet Phiêng Roọng, Village Thạch Lâm, District Bảo Lâm, Province Cao Bằng  | 16/5/2013               | 24/11/2013            | 14/11/2007              | 25/11/2008            |
| Hamlet Phiêng Phăng, Village Nam Quang, District Bảo Lâm, Province Cao Bằng. | 16/5/2013               | 24/11/2013            | 16/11/2007              | 30/12/2008            |
| Hamlet Khuổi Vin, Village Lý Bôn, District Bảo Lâm, Province Cao Bằng        | 16/5/2013               | 24/11/2013            | 16/11/2007              | 4/12/2008             |
| Hamlet Nà Pháo, Village Vĩnh Quang, District Bảo Lâm, Province Cao Bằng      | 16/5/2013               | 24/11/2013            | 17/09/2007              | 21/11/2008            |
| Hamlet Nà Thẩn, Village Thạch Lâm, District Bảo Lâm, Province Cao Bằng.      | 16/5/2013               | 24/11/2013            | 18/11/2007              | 25/11/2008            |
| Hamlet Nà Hếng, Village Nam Quang, District Bảo Lâm, Province Cao Bằng       | 16/5/2013               | 24/11/2013            | 19/09/2007              | 10/12/2008            |
| Hamlet Lũng Gà, Village Văn Dính, District Hà Quảng, Province Cao Bằng       | 16/5/2013               | 18/5/2013             | 20/12/2007              | 22/7/2008             |
| Hamlet Văn Thụ, Village Nam Tuấn, District Hoà An, Province Cao Bằng         | 16/5/2013               | 28/9/2013             | 24/12/2007              | 16/1/2009             |
| Hamlet Cốc Nghè, Village Cổ Linh, District Pắc Nặm, Province Bắc Kạn         | 16/5/2013               | 19/11/2013            | 25/12/2007              | 16/9/2008             |
| Hamlet Nà Nhuộm, Village Nam Cao, District Bảo Lâm, Province Cao Bằng        | 16/5/2013               | 24/11/2013            | 25/12/2007              | 8/1/2009              |
| Hamlet Bồ Đích, Village Quốc Toản, District Trà Lĩnh, Province Cao Bằng      | 16/5/2013               | 18/5/2013             | No                      | No                    |

**Table 4: List of 11 demolished sheds in Province Cao Bang**

#### **6.5.2. CASE STUDY 2: The demolition of the SSFO and severe assault against believers in Hamlet Khuoi Vin**

The crackdown in Hamlet Khuổi Vin, Village Lý Bôn, District Bảo Lâm, Province Cao Bằng on 24/11/2013 is the most severe because government forces have used excessive violence and at least three different chemical weapons to severely injure the Hmong believers. VETO! believes that this crackdown was well prepared due to the fact that Village Khoi Vin has the most pious Duong Van Minh believers.

The SSFO in Village Khuoi Vin was firstly built in November 2007 and lasted until its destruction in December 2008. Thereafter the Duong Van Minh believers sent many petitions to central, provincial and local government agencies but didn't get an adequate answer.

On May 16, 2013 the Duong Van Minh believers started the renovation of the SSFO and finished it on May 22, 2013 **(Picture 17)**. On Sep 10, 2013 the government invited the Duong Van Minh believers to a meeting, told them that the Duong Van Minh religion is an illegal organization and read the so-called dismantlement-decision. A video tape passed to VETO! documented the first part of this meeting **(Picture 18)**. On this occasion, Mr. Nông Bày Chuyên, Chief of the Organizational Committee of the Communist Party in District Bao Lam, read an instruction from the Communist Party in District Bao Lam, saying that the Duong Van Minh believers had *“obstructed the dismantlement, and had photographed and filmed the dismantlement to serve the plot against the government. Going in crowd for complaining to the People’s Committee of the village, district and province had badly affected the political security and public order.”*<sup>57</sup>

On Nov 24, 2013 Government forces comprising of 500 policemen (in moss green uniforms), riot police (in black uniforms bearing shield), the traffic police (in yellow uniforms), the army, civil defense force and people plainclothes moved to Village Khuoi Vin to destroy the SSFO **(Picture 19)**. About 100 believers were standing around the SSFO and have chained one to other. They were crying. They were dragged, chased, beaten with electric batons and bars **(Picture 20)**. Some young Hmongs laying on the ground were kicked and jumped on. Lý Thị Dinh, a 12 years old girl, was injured severely on the head **(Picture 22)**. Mrs. Ma Thị Dậu were beaten with a bar three times in the back and fell unconscious **(Picture 23 & 24)**.<sup>58</sup> The government forces took control after 10 minutes. The destruction of the SSFO lasted about 15 minutes **(Picture 21)**. Bricks and fibro-cement sheet roof were smashed.

When the riot police carried Mrs. Ma Thị Dậu away many Duong Van Minh believers followed them to know where they were going. After a pursuit of about 3 km the riot police threw out gas bottles to stop them. About 30 Hmong fainted when they inhaled the gas **(Picture 25)**. Mrs. Hoàng thị Dinh (1) had leg and arm burns because the gas bottle exploded very near to her **(Picture 26 & 27)**. The face and the nose of another woman of the same name, Mrs. Hoàng thị Dinh (2), were still swollen 3 days after the incident and she claimed of shortness of breath **(Picture 28)**. The health station of the Village Ly Bon refused to treat the victims or to transfer them to the district hospital. The victims have picked three gas bottles in different colors: green, yellow and grey.

The green bottles were exploded and couldn’t be identified **(Picture 29)**.

The yellow bottle has 3 letter blocks with following markings **(Picture 30)**:

- First block: “Bộ Công An” (English: Ministry of Public Security) and “E12-H56”
- Second block: “Quả C-K-N” (English: Bottle C-K-N)
- Third block: “Năm sản xuất: 20” (English: Year of production: 20) and “Năm hết hạn: 20” (English: Year of expiration)

The grey bottle has 3 letter blocks with following markings **(Picture 31)**:

- First block: “Bộ Công An” (English: Ministry of Public Security) and “E112-H3..” (not ligible)
- Second block: “Quả N-N-V” (English: Bottle N-N-V)
- Third block: “Năm sản xuất: 20” (English: Year of production: 20) and “Năm hết hạn: 20” (English: Year of expiration)

<sup>57</sup> Video clip on the meeting with government’s officers in Village Khuổi Vin on 10/9/2013 and on the destruction of the SSFO on 24/11/2013 was provides by a Duong Van Minh believer (Video clip kept at VETO! office)

<sup>58</sup> Interview with Mrs. Ma Thị Dậu on 15/3/2014 (Document kept at VETO! office)





Picture 17: Finishing the shed in Hamlet Khuoi Vin on Oct 22, 2013



Picture 18: Meeting with Party's and Government officers in Khuoi Vin on Sep 24, 2013





Picture 19: Police surrounded the funeral storage shed in Khuoi Vin on Nov 24, 2013



Picture 20: Hmong believers beaten savagely in Hamlet Khuoi Vin on Nov 24, 2013





Picture 21: Demolition of the funeral storage shed in Hamlet Khuoi Vin on Nov 24, 2013



Picture 22: Ly Thi Dinh (12 years old) was hit on the head (Khuoi Vin on Nov 24, 2013)





Picture 23: Mrs Ma Thi Dau was beaten unconscious (Hamlet Khuoi Vin on Nov 24, 2013)



Picture 24: Injuries on the back of Mrs Ma Thi Dau (Hamlet Khuoi Vin on Nov 24, 2013)





Picture 25: 30 persons unconscious due to the use of chemical weapons (Nov 24, 2013)



Picture 26: Burns on arms of Mrs Hoàng Thi Dinh (1) due to chemical weapons (Nov 24, 2013)



Picture 27: Burns on legs of Mrs Hoàng Thi Dinh (1) due to chemical weapons (Nov 24, 2013)





Picture 28: Swollen face of Mrs Hoang Thi Dinh (2) due to chemical weapons on Nov 24, 2013



Picture 29, 30, 31 (left to right): Chemical weapons used at the crackdown in Khuoi Vin on Nov 24, 2013

### 6.5.3. Video clips on destruction of SSFO in Province Cao Bang

- In Hamlet Văn Thụ, Village Nam Tuấn, District Hoà An, Province Cao Bằng on Sep 28, 2013: <https://www.youtube.com/watch?v=L9eh4CeZkd0>
- In Hamlet Khuổi Vin, Village Lý Bôn, District Bảo Lâm, Province Cao Bằng on Nov 24, 2013: <https://www.youtube.com/watch?v=4DXGJa5UK3s&feature=share>



## 6.6. The destruction of SSFO in Province Bac Kan

### 6.6.1. Overview of the destruction of 11 SSFO in Bac Kan

The two SSFO in Province Bac Kan were destroyed in November and December 2013 and have lasted from six to seven months. (See Table 5: List of 2 demolished sheds in Province Bac Kan)

| Address of the funeral storage shed                                      | Construction (dd/mm/yy) | Demolition (dd/mm/yy) | Prior demolition        |                       |
|--|-------------------------|-----------------------|-------------------------|-----------------------|
|  |                         |                       | Construction (dd/mm/yy) | Demolition (dd/mm/yy) |
| Hamlet Đồng Luông, Village Quảng Chu, District Chợ Mới, Province Bắc Kạn | 16/5/2013               | 21/12/2013            | 31/12/2007              | 4/11/2008             |
| Hamlet Lũng Lạ, Town Nà Phặc, District Ngân Sơn, Province Bắc Kạn        | 16/5/2013               | 14/11/2013            | No                      | No                    |

Table 5: List of 2 demolished sheds in Province Bac Kan

### 6.6.2. Video clip on destruction of SSFO in Bac Kan

Video clip on an attempt to destroy the SSFO in Hamlet Lũng Lạ, Town Nà Phặc, District Ngân Sơn, Province Bắc Kạn on May 18, 2013 (See 5.4.2.3. Decision on Compulsory Measures of District Ngân Sơn, Bac Kan). The SSFO was finally destroyed in Nov 14, 2013.

<https://www.youtube.com/watch?v=WwmMMbrpUOQ>

## 6.7. The destruction of SSFO in Province Thai Nguyen

Seven SSFO were destroyed in Province Thai Nguyen. All are new built in 2013, unlike in the Provinces Tuyen Quang, Cao Bang and Bac Kan in which the first SSFO were built in 2007. Except one SSFO whose construction was obstructed from the beginning, the other SSFO in Province Thai Nguyen were destroyed on Jan 5 and 6, 2014. Thus the six SSFO in this province existed for about eight months and longer than those in other localities. (See Table 6: List of 7 demolished sheds in Province Thai Nguyen)

| Address of the funeral storage shed  | Construction (dd/mm/yy) | Demolition (dd/mm/yy) | Prior demolition        |                       |
|--|-------------------------|-----------------------|-------------------------|-----------------------|
|  |                         |                       | Construction (dd/mm/yy) | Demolition (dd/mm/yy) |
| Hamlet Lân Thùng, Village Phương Dao, District Võ Nhai, Province Thái Nguyên | 16/5/2013               | 16/5/2013             | No                      | No                    |
| Hamlet Trung Sơn, Village Quang Sơn, District Đồng Hỷ, Province Thái Nguyên  | 16/5/2013               | 5/1/2014              | No                      | No                    |
| Hamlet Đồng Ương, Village Dân Tiến, District Võ Nhai, Province Thái Nguyên   | 16/5/2013               | 5/1/2014              | No                      | No                    |
| Hamlet Kim Sơn, Village Thần Xa, District Võ Nhai, Province Thái Nguyên      | 16/5/2013               | 5/1/2014              | No                      | No                    |
| Hamlet Liên Phương, Village Văn Lang, District Đồng Hỷ, Province Thái Nguyên | 16/5/2013               | 6/1/2014              | No                      | No                    |
| Hamlet Mỏ Nước, Village Văn  | 16/5/2013               | 6/1/2014              | No                      | No                    |

|  |                  |                 |           |           |
|--|------------------|-----------------|-----------|-----------|
| Lang, District Đồng Hỷ,<br>Province Thái Nguyên                                |                  |                 |           |           |
| Hamlet Bản Tền, Village Văn<br>Lang, District Đồng Hỷ,<br>Province Thái Nguyên | <b>16/5/2013</b> | <b>6/1/2014</b> | <i>No</i> | <i>No</i> |

**Table 6: List of 7 demolished sheds in Province Thai Nguyen**

## 7. Imprisoned Duong Van Minh believers

Currently at least ten believers of the Duong Van Minh religion are detained. Among them eight believers are charged with “Abusing democratic freedoms to infringe upon the interests of the State” (religious freedom) [article 258 Vietnam’s Criminal Code] and four were sentenced to prison terms up to 21 months. (see **Table 7: List of 10 imprisoned Hmong believers of Duong Van Minh Religion**)

|    | Name            | Arrest day<br>dd/mm/yyyy | Trial day &<br>Sentence | Charge (§ Vietnam’s Criminal<br>Code)   | Province    |
|----|-----------------|--------------------------|-------------------------|---|-------------|
| 1  | Duong Van Tu    | 10/10/2013               | 20/3/2014<br>21 months  | Abusing democratic freedom,<br>§258 VCC | Tuyen Quang |
| 2  | Ly Van Dinh     | 19/11/2013               | 20/3/2014<br>15 months  | Abusing democratic freedom,<br>§258 VCC | Tuyen Quang |
| 3  | Thao Quan Mua   | 10/10/2013               | 27/3/2014<br>18 months  | Abusing democratic freedom,<br>§258 VCC | Tuyen Quang |
| 4  | Hoang Van Sang  | 10/10/2013               | 14/3/2014<br>18 months  | Abusing democratic freedom,<br>§258 VCC | Tuyen Quang |
| 5  | Ly Van Hau      | 14/10/2013               | Pending                 | unknown                                 | Tuyen Quang |
| 6  | Hoang Van Pao   | 14/10/2013               | Pending                 | unknown                                 | Tuyen Quang |
| 7  | Duong Van Thanh | 14/2/2014                | Pending                 | Abusing democratic freedom,<br>§258 VCC | Bac Kan     |
| 8  | Hoang Van Su    | 14/2/2014                | Pending                 | Abusing democratic freedom,<br>§258 VCC | Bac Kan     |
| 9  | Vu A Su         | 22/11/2013               | Pending                 | Abusing democratic freedom,<br>§258 VCC | Cao Bang    |
| 10 | Hoang Van Sinh  | 23/3/2014                | Pending                 | unknown                                 | Bac Kan     |

**Table 7: List of 10 imprisoned Hmong believers of Duong Van Minh Religion**

The main argument used by Vietnamese People’s Courts to sentence the Duong Van Minh believers is provided by the Government Committee for Religious Affairs (Vietnamese: Ban Tôn giáo Chính phủ), stating that the Duong Van Minh religion had been an illegal organization. The defendants and believers of the Duong Van Minh religion are aware that even if they apply for the construction of the SSFO the authorities wouldn’t give them the permission. In the past 25 years they had sent many applications and complaints to local and central government’s authorities but only get a prolonged silence or an absurd rejection. Therefore construction of SSFO without waiting longer for permission is exercising of the right to freedom of religion or belief in view of excessive administrative restrictions.

Article 258 of the Vietnam’s Criminal Code is a vague-worded and catch-all provision and therefore liable to permit interference by the authorities. The ban of the Duong Van Minh religion and of construction of SSFO violates the right to freedom of religion, belief (article 18 ICCPR), the ban of sending complaints violates the right to freedom of opinion and expression (article 19 ICCPR) and the ban of organizing demonstrations violates the right to peacefully assembly (article 21 ICCPR).

### 7.1. Duong Van Tu and Ly van Dinh

**Mr. Duong Van Tu**, born in 1967, is living in Hamlet Ngòi Sen, Village Yên Lâm, District Hàm Yên, Province Tuyên Quang. Mr. Tu was dismissed Chief of Hamlet because of his Duong Van Minh religion. He was arrested on Oct 10, 2013.

**Mr. Ly Van Dinh**, born in 1963, is living in Hamlet 1A Thống Nhất, Village Yên Phú, District Hàm Yên, Province Tuyên Quang. His membership in the Communist Party of Vietnam was suspended in November 2013 because he is a Duong Van Minh believer. He was arrested on Nov 19, 2013.

On Mar 20, 2014, the People's Court of District Ham Yen has sentenced Mr. Duong Van Tu to 21 months and Mr. Ly Van Dinh to 15 months imprisonment on the charge of "Abusing democratic freedoms to infringe upon the interests of the State" (religious freedom) [article 258 Vietnam's Criminal Code]. **(Picture 32)**

**Mr. Dao Van No** is searched by the police and going underground.

According to the judgment of the People's Court of District Ham Yen, Province Tuyen Quang, Mr. Duong Van Tu and Mr. Ly Van Dinh joined the Duong Van Minh religion in 1989<sup>59</sup>. Duong Van Tu, Ly Van Dinh, Dao Van No and other Hmong believers built the SSFO in Hamlet Ngòi Sen in 2007 which was subsequently destroyed by government's forces. From 2007 until 2013 the three men had then sent "*many petitions to local and central authorities asking for the recognition of the Duong Van Minh religion. They advanced the amount of 5.660.000 VND (approximately 280 USD) for buying building materials for the SSFO in Hamlet Ngòi Sen in 2013*" (ibid.). A reliable source in Tuyen Quang said the SSFO was built on the property of Mr. Hoang Van Dinh, a Duong Van Minh believer. Vietnamese authorities claimed that it was "*built on a plot reserving for a community house in Hamlet Ngòi Sen, Village Yên Lâm*" (ibid.). The source said that in the days after the construction the public loudspeakers propagated the SSFO of the Duong Van Minh organization had stored weapons and mines. On Oct 10, 2013 Mr. Duong Van Tu was traveling to Hanoi to handover to the central government a complaint signed by 30 believers in Province Tuyen Quang. He was arrested there. Mr. Ly Van Dinh was arrested in Province Tuyen Quang on Nov 19, 2013. In February 2014 his family said that he could not move his arm freely because it was beaten with an electric truncheon at the arrest.

The website of the Communist Party in Province Tuyen Quang reported that "*Attorney Tran Thu Nam, representing the two defendants at the court on Mar 20, 2013, had summed up that the construction of the SSFO is based on the voluntary of the people; the defendants have only offended regulations on land and construction which don't need to be prosecuted. But the prosecutor has opposed that the construction of SSFO is aimed to serve the 'Duong Van Minh belief which is an illegal organization according to the official dispatch No. 518/TGCP-TGK of the Government Committee for Religious Affairs. Furthermore, the defendants have incited the people and violated deliberately the law. They only have informed the local authority about the construction of the SSFO with one application*"<sup>60</sup>

<sup>59</sup> Judgement No. 07/2014/HSST of the People's Court of District Ham Yen, Province Tuyen Quang in the trial of Mr. Duong Văn Tu and Lý Văn Dinh on Mar 20, 2014 (Document available at VETO!-Office)

<sup>60</sup> "36 tháng tù cho 2 kẻ xây dựng 'nhà đòn' trái phép ở Yên Lâm (**36 months imprisonment for 2 persons who have built illegal funeral shed in Yen Lam Village**), Tuyen Quang Online, Communist Party of Vietnam in Tuyen Quang Province, Mar 22, 2014 <http://www.baotuyenquang.com.vn/phap-luat/an-ninh-trat-tu/36-thang-tu-cho-2-ke-xay-dung-nha-don-trai-phep-o-yen-lam-37213.html>



Picture 32: Mr. Duong Van Tu (l) and Mr. Ly Van Dinh (r) at the trial in District Ham Yen, Province Tuyen Quang on Mar 20, 2014 (Tuyen Quang online)



Picture 33: 600 H'Mông believers called for release of Duong Van Tu and Ly Van Dinh at the trial in District Ham Yen, Province Tuyen Quang on Mar 20, 2014



About 600 believers of the Duong Van Minh religion demonstrated for the release of Mr. Duong Van Tu and Mr. Ly Van Dinh on Mar 20, 2014 (**Picture 33**). They walked over 10 km to reach the court. On the way the police have stopped them to tear their banners at about 8:00 AM. Mr. Hoàng Văn Minh was arrested and released at 7.30 PM. At around 3.00 pm, when hearing the summing-up of the lawyer over the outside loudspeakers they chanted “Freedom for Duong Van Tu and Ly Van Dinh”. Subsequently, the mobile police 113 have attacked them with truncheon, electric batons and tear gas. According to a report sent to VETO! <sup>61</sup> eleven persons were beaten unconscious and brought to the hospital after the trial ended. <sup>62</sup> The police have arrested eight other Hmong believers, took their finger prints and released them at 7.30 PM on the same day. <sup>63</sup>

## 7.2. Thao Quan Mua

**Mr. Thao Quan Mua**, born in 1964, is living in Hamlet Minh Tiến, Village Minh Hương, District Hàm Yên, Province Tuyên Quang. Mr. Mua was arrested on Oct 10, 2013. At the trial on Mar 20, 2014, the People’s Court of District Ham Yen has sentenced Mr. Thao Quan Mua to 18 months imprisonment on the charge of “Abusing democratic freedoms to infringe upon the interests of the State” (religious freedom) [article 258 Vietnam’s Criminal Code]. (**Picture 34**)

According to the website of the Communist Party in Province Tuyen Quang, Mr. Mua joined the Duong Van Minh religion in 2000. <sup>64</sup> The government believes he was the organizer of the construction of the SSFO in Hamlet Minh Tiến in 2007 and 2013. But Mr. Mua reiterated at the trial on Mar 27, 2014 that the construction has followed a common aspiration of the Duong Van Minh believers and he hasn’t incited them. The construction in 2007 couldn’t finish because of the authorities’ intervention. The articles wrote that: “*With others he has then sent petitions to central and local authorities asking them for the recognition of the Duong Van Minh belief and permission for constructing the SSFO.*” (ibid.)

In 2013 he and other Duong Van Minh believers planned to build a SSFO in Hamlet Minh Tiến, Village Minh Hương, District Hàm Yên, Province Tuyên Quang on May 16, 2013. Foreseeing that the authorities would not issue a permission and hinder the construction he has applied pro forma for the permission on May 16, 2013 but on the other side started with the construction on the same day. The SSFO was finished on May 19, 2013.

Since the authorities ordered him to demolish the SSFO Mr. Mua “*appointed persons to take care of and protect the SSFO. Convinced by his words a dozen of persons has neglected their work and engaged in the monitoring. As he saw that many (note: government’s) working groups are coming to explain and persuade people of the state policy he wrote petitions,*

<sup>61</sup> Report of a Hmong witness on the demonstration on Mar 20 2014 (Document available at VETO! office).

<sup>62</sup> Eleven Hmongs were beaten unconscious on Mar 20, 2014: Ms. Lý Thị Sầu, Ms. Lý Thị Đầu, Ms. Đào Thị Chua, Ms. Đào Thị Chia, Ms. Dương Thị Hà, Ms. Lý thị Xuân, Ms. Hoàng Thị Sầu, Ms. Ngô Thị Sỹ, Mr. Dương Văn Lành, Mr. Hạng Seo Cu and Mr. Lý Văn Châu.

<sup>63</sup> Additionally to Mr. Hoàng Văn Minh other eight Hmongs were arrested at the sit-in on Mar 20, 2014: Ms. Đào Thị Xi, Mr. Dương Văn Sơn, Mr. Lý Văn Thông, Mr. Lý Văn Páo, Mr. Sùng Seo Pùa, Mr. Hoàng Văn Dinh, Mr. Dương Văn Sinh and Ms. Lý Thị Dung.

<sup>64</sup> “18 tháng tù cho kẻ cầm đầu xây dựng “nhà đồn” trái phép ở Minh Hương” (18 months imprisonment for a leader who has organized the building of an illegal funeral shed in Minh Hương Village), Tuyen Quang Online, Communist Party of Vietnam in Tuyen Quang Province, Mar 29, 2014

<http://www.baotuyenquang.com.vn/phap-luat/an-ninh-trat-tu/18-thang-tu-cho-ke-cam-dau-xay-dung-nha-don-trai-phep-o-minh-huong-37528.html>

*collected signatures of believers of the illegal organization Duong Van Minh and brought it to the 'Citizens Reception Center of the Central Committee of the Communist Party and State of Vietnam' asking for recognition of the Duong Van Minh belief and protection of the SSFO." (ibid.)*

While submitting a petition Mr. Mua was arrested in Hanoi on Oct 10, 2013. The SSFO in Hamlet Minh Tiên, Province Tuyên Quang was destroyed by government's forces on Oct 15, 2013.

The trial against Mr. Thao Quan Mua on Mar 18, 2014 was delayed after starting a while, probably because of the demonstration of around 1.000 Duong Van Minh believers in front of the court. At the trial on Mar 27, 2014, the People's Court of District Hàm Yên sentenced Mr. Thao Quan Mua to 18 months imprisonment. The court said that Mr. Mua had *"infringed upon the public order, the administrative work of state agencies; directly infringed the right to land management of the People's Committee of Village Minh Huong; affected the trust of part of Hmong ethnics in the implementation of Party's guidelines, State's policies and laws; damaged the prestige, the effective management and administration of government, agencies, committees, branches, society organizations; caused disorder in the local area, caused bad rumors in the society ... Additionally the activities of Thao Quan Mua have infected some poor families who followed the illegal Duong Van Minh organization so they didn't accept state's subvention, their children were dropped out of schools, refused state's financial assistance, which affected the education and training plan of the local authorities."* (ibid.)



Picture 34: Mr. Thao Quan Mua at the trial in District Ham Yen, Province Tuyen Quang on Mar 27, 2014 (Tuyen Quang online)

**Picture 35: 1000 H'Mông believers called for release of Thao Quan Mua at the trial in District Ham Yen, Province Tuyen Quang on Mar 18, 2014**

### **7.3. Hoang Van Sang**

**Mr. Hoang Van Sang**, born in 1962, is living in Hamlet Lè, Village Hùng Lợi, District Yên Sơn, Province Tuyên Quang. Mr. Sang was Deputy Chief of the Hamlet and policeman. He was arrested on Oct 10, 2013. At the trial on Mar 14, 2014, the People's Court of District Yen Son has sentenced Mr. Hoang Van Sang to 18 months imprisonment on the charge of "Abusing democratic freedoms to infringe upon the interests of the State" (religious freedom) [article 258 Vietnam's Criminal Code].<sup>65</sup> **(Picture 36)**

According to the website of the Communist Party in Province Tuyen Quang Mr. Sang joined the Duong Van Minh religion in 1989.<sup>66</sup> In 2007 the Duong Van Minh believers started the building of the SSFO in Hamlet Lè, Village Hùng Lợi, District Yên Sơn, Province Tuyên Quang which was later destroyed by the government. The article wrote that at the national parliament's election in May 2011, Mr. Sang had refused the voter card. *"He had propagated that the State doesn't care about the aspirations of the Hmong ethnics so he refused (note: to vote). Because he was the group leader (note: of the Duong Van Minh religion), Deputy Chief of the Hamlet and policeman the believers of the illegal Duong Van Minh organization also refused their voter cards. Hoang Van Sang has continued to refuse rice seeds given by the State, prevent his children and grandchildren receiving the state's financial assistance for poor families and ethnic minorities. Some believers of the illegal Duong Van Minh organization have followed him and didn't allow their children to go to school or to receive state's assistance..." (ibid.)*

<sup>65</sup> Hmong Ordered Jailed for Defying Vietnamese Government Campaign (English), Radio Free Asia, Mar 14, 2014

<sup>66</sup> "Xét xử công khai vụ "nhà đồn" trái phép ở Hùng Lợi" (Open trial regarding the illegal funeral shed in Hung Loi Village), Tuyen Quang Online, Communist Party of Vietnam in Tuyen Quang Province, 15/3/2014

Attorney Tran Thu Nam summed up at the trial on 14/3/2014: „*The Hmongs have voluntary joined the Duong Van Minh religion and not because of Mr. Hoang Van Sangs incitement. Mr. Hoang Van Sang is one of the believers of the Duong Van Minh religion and has with other people financially contributed in the construction of the SSFO which was for religious worship and derived from the voluntary. Everyone has recommended, proposed and authorized Mr. Hoang Van Sang in buying building materials.*

*Thus we cannot say that Mr. Hoang Van Sang has incited anyone because among those who have financially contributed to the construction of the SSFO there is nobody who complained or asked Mr. Hoang Van Sang to pay back their money. There is no victim amongst the folk. Those who refused rice seeds or prevented their children to go to school are not incited by Mr. Hoang Van Sang. They testified before this court that the loudspeakers had bad-mouthed the Hmong people so they became headaches and didn't want to receive anything. It was happened not because of the incitement of Mr. Hoang Van Sang.”*<sup>67</sup>

The trial against Mr. Hoang Van Sang was the first one in a series of trials against believers of the Duong Van Minh religion that the government has announced in advance. Some hundreds Hmong protesters have gathering in front of the People's Court of District Yen Son and called for his release. **(Picture 37)**



**Picture 36 & 37: Mr. Hoang Van Sang (l) (Tuyen Quang online) and Hmong believers protesting in front of the court house at the trial in District Yen Son, Province Tuyen Quang on Mar 14, 2014**

<sup>67</sup> “Phiên tòa xử ông Hoàng Văn Sang, dân tộc H'Mông theo đạo Dương Văn Minh” (Trial against Mr. Hoang Van Sang, an ethnic Hmong of the Duong Van Minh religion), Interview with Att. Tran Thu Nam after the trial, Radio Free Asia, 14/3/2014

[http://www.rfa.org/vietnamese/in\\_depth/tria-hmong-nw-fune-ri-03142014083229.html](http://www.rfa.org/vietnamese/in_depth/tria-hmong-nw-fune-ri-03142014083229.html)



#### 7.4. **Ly Van Hau and Hoang Van Pao**

**Mr. Ly Van Hau and Mr Hoang van Pao** (born in 1973), are living in Hamlet Ngòi Sen, Village Yên Lâm, District Hàm Yên, Province Tuyên Quang. They were arrested on Oct 14, 2013.

According to reliable sources their families have actively contributed to the construction of the SSFO in Hamlet Ngòi Sen. Not verified sources said that their families could visit them in the Detention Center on Apr 12, 2014. According to the source, police said that they had to serve their three years' prison sentences given at a trial in 2007. In judgments against the two Duong Van Minh believers from which VETO! has a copy they are charged with destroying trees in a forest during a famine in 2007. Mr. Pao had caused a damage of 2,5 Mio VND (approximately 120 USD). It is unclear why these sentences are reanimated after nearly 7 years and if they are connected with the current oppression campaign against the Duong Van Minh believers.

#### 7.5. **Duong Van Thanh and Hoang Van Su**

**Mr Duong Van Thanh**, born in 1981, and **Mr. Hoang Van Su**, born in 1989, are living in Hamlet Lũng Lía, Town Nà Phặc, District Ngân Sơn, Province Bắc Kạn. They were arrested on Feb 14, 2014 in Province Bac Kan on the charge of "Abusing democratic freedoms to infringe upon the interests of the State" (religious freedom) [article 258 Vietnam's Criminal Code].

According to reliable sources Mr. Thanh and Mr. Su have actively contributed to the construction of the SSFO in Hamlet Lung Lía and taken part in demonstrations of the Duong Van Minh believers in Hanoi. VETO! has documents showing that Mr. Thanh was summoned many times by the police in May, June and September 2013.

Mr. Thanh and Mr. Su are currently held at the Detention Center of the City Bac Kan.

#### 7.6. **Vu A Su**

**Mr. Vu A Su**, born in 1986, is living in Hamlet Nà Pháo, Village Vĩnh Quang, District Bảo Lâm, Province Cao Bằng. He was arrested on 22/11/2013 in Province Cao Bang on the charge of "Abusing democratic freedoms to infringe upon the interests of the State" (religious freedom) [article 258 Vietnam's Criminal Code].

According to a reliable source Mr. Su had spoken with officers coming to destroy the SSFO in his hamlet on 24/11/2013. After the incident he showed a poster with pictures of the funeral accessories on the Hamlet's market. The poster was later confiscated by the police. The source said that his family didn't get the permission to visit him because the police said that he hadn't confessed.

Mr. Vu A Su is currently held at the Detention Center of the City Cao Bang.

#### 7.7. **Hoang Van Sinh**

**Mr. Hoang Van Sinh**, born in 1986, is living in Hamlet Lũng Lía, Town Nà Phặc, District Ngân Sơn, Province Bắc Kạn. He was summoned to the police of town Na Phac, Province Bac Kan on 23/3/2013 and arrested there. He was charged with "Abusing democratic freedoms to infringe upon the interests of the State" (religious freedom) [article 258 Vietnam's Criminal Code]. Before his arrest Mr. Sinh was dismissed Chief of Hamlet Lung Lía.

Mr. Sinh is the younger brother of Mr. Hoang Van Su (see 7.5). He has actively contributed to the building of the SSFO in Hamlet Lung Lía. VETO! has documents showing that Mr.

Sinh was summoned five times by the police in the two weeks between September and October 2013. The given reason was “solving problems” without any further information. Mr. Hoang Van Sinh is currently held at the Detention Center of the City Bac Kan.

## **8. Other suppressive and discriminating measures on the grounds of victims’ religion or belief.**

### **8.1. Negative propaganda**

Local authorities use printed materials, public loudspeakers placed around villages and meetings to spread bad propaganda about the Duong Van Minh religion (see propaganda materials, 5.5). Politically, the propaganda machine called the Duong Van Minh religion and its believers “reactionary”. In Vietnam reactionary is a person against the ruling Communist Party and the government thus should be arrested or sanctioned. Additionally the Duong Van Minh believers are called unethical. Additionally the Duong Van Minh believers felt hurt because this propaganda is either fabricated or generalization of errors made by individuals which aims to isolate the Duong Van Minh believers in the Hmong community. Many Hmong fear harassment and avoid contact with Duong Van Minh believers. The so called schism among the Hmong is therefore not derived from the belief or the way of life of the Duong Van Minh believers but initiated by the government’s propaganda and interference. This negative propaganda has insulted the honor of Hmong people so many believers’ families responded by not sending their children to school or refusing the government’s assistance. The government branded them as anti-state policy. (See case Hoang Van Sang, 7.3)

### **8.2. Forcing to sign renouncement declarations**

Since 1989 the ruling Communist Party of Vietnam and authorities in the Provinces Cao Bang, Tuyen Quang , Thai Nguyen and Bac Kan have advocated and carried out a policy of forcing the Duong Van Minh believers’ families to sign renouncement pledge, which is now called “commitment paper for not believing and following the propaganda of the illegal Duong Van Minh organization” (see 5.4.2). The signing of renouncement of the Duong Van Minh religion is carried out in village meeting or by police when visiting families. Police were armed with guns and handcuffs to augment the pressure. The families are threatened that if they refuse they will no longer enjoy the support of the government.

A not verified source said that in early April 2014 two believer’s families in Province Bac Kan were visited by police armed with handcuffs. They have signed the renouncement pledge. Some Duong Van Minh believers in this province panicked and fled into the forest.

The case of Sung Van Tu in 8.3 shows that the pressure was also practiced in state-sanctioned organizations such as the Association of Veterans.

### **8.3. Expelling from the Communist Party, state agencies and state-sanctioned organizations**

As mentioned in 4.3, the Communist Party feared the political influence of the Duong Van Minh religion when it has realized that *„21 cadres in hamlets, 4 prestigious persons, 1 member of the village’s People’s Council, a secretary of the youth organization, 5 persons*

*of political organizations, 3 policemen and 16 members of the Communist Party” have joined the Duong Van Minh religion.*<sup>68</sup>

Hmongs working in state agencies are usually people with good Vietnamese proficiency whereas many Hmong don't have good Vietnamese skills. If they are arrested and sentenced the Hmong Duong Van Minh religion would lose the ability to complain against violations of the right to religious freedom.

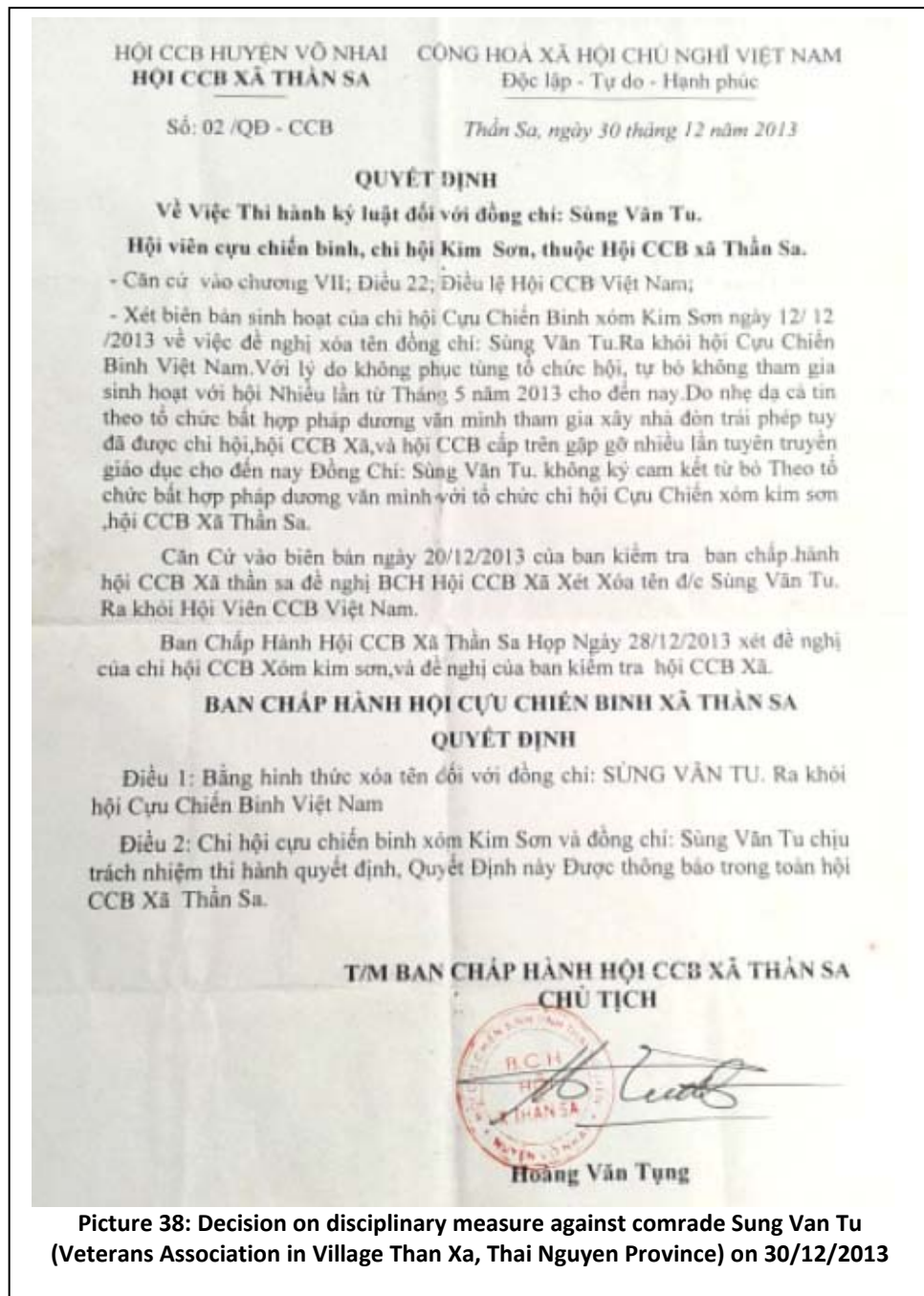
According to reliable sources, at least the following chiefs of hamlet were expelled from the ruling Communist Party of Vietnam and dismissed their functions because they are Duong Van Minh believers, some of them were sentenced later:

- **Mr. Lý Văn Ninh**, Chief of Hamlet Văn Thụ, Village Nam Tuấn, District Hoà An, Province Cao Bằng; Mr. Ninh has written many complaints on behalf of the Duong Van Minh religion. He is summoned frequently and interrogated by the police each time when he leaves the village.
- **Mr. Hoàng Văn Phùng**, Chief of Hamlet Nà Hếng, Village Nam Quang, District Bảo Lâm, Province Cao Bằng; Mr. Phùng refused to apply for leaving the Communist Party of Vietnam. Subsequently he was expelled from the party.
- **Mr. Dương Văn Tu**, Chief of Hamlet Ngòi Sen, Village Yên Lâm, District Hàm Yên, Province Tuyên Quang; Mr. Tu was arrested on 10/10/2013 and sentenced to 21 months imprisonment on the charge of “Abusing democratic freedoms to infringe upon the interests of the State” (religious freedom) [article 258 Vietnam’s Criminal Code] on 20/3/2014. (see 7.1)
- **Mr. Hoàng Văn Sang**, policeman and Deputy Chief of Hamlet Lè, Village Hùng Lợi, District Yên Sơn, Province Tuyên Quang; Mr. Sang was arrested on 10/10/2013 and sentenced to 18 months imprisonment on the charge of “Abusing democratic freedoms to infringe upon the interests of the State” (religious freedom) [article 258 Vietnam’s Criminal Code] on 14/3/2014. (see 7.3)
- **Mr. Hoàng Văn Sinh**, Chief of Hamlet Lũng Lía, Town Nà Phặc, District Ngân Sơn, Province Bắc Kạn). He was arrested on 23/3/2013 on the charge of “Abusing democratic freedoms to infringe upon the interests of the State” (religious freedom) [article 258 Vietnam’s Criminal Code]. Before his arrest Mr. Sinh was dismissed Chief of Hamlet Lung Lía. (see 7.7)
- **Mr. Lý Văn Đình** (Hamlet 1A Thống Nhất, Village Yên Phú, District Hàm Yên, Province Tuyên Quang); His membership in the Communist Party of Vietnam was suspended in November 2013 because he is a Duong Van Minh believer. He was arrested on 19/11/2013 and sentenced to 15 months imprisonment on the charge of “Abusing democratic freedoms to infringe upon the interests of the State” (religious freedom) [article 258 Vietnam’s Criminal Code] on 20/3/2014. (see 7.1)

Additionally the following Duong Van Minh believers were dismissed from their functions in state-sanctioned organizations:

<sup>68</sup> Thông báo kết luận Hội nghị Triển khai các giải pháp ngăn chặn, tiến tới xóa bỏ đối với tổ chức bất hợp pháp Duong Van Minh trên địa bàn một số tỉnh Tây Bắc (**Concluding Communiqué of the Conference on the Deployment of measures to prevent in order to erase the illegal organization Dương Văn Minh in some North -Western Provinces**) [SECRET], No. 09-TB/BCĐTB, Central Presidium of the Steering Committee for Northwestern Region of the Communist Party Vietnam, 25/4/2012

- **Mr. Ly Van Dung**, Secretary of the Communist Youth Organization Ho Chi Minh in Hamlet Ngòi Sen, Village Yên Lâm, District Hàm Yên, Province Tuyên Quang; He was dismissed in December 2013;
- **Mr. Hoang Van Giang**, Deputy President of the Farmers Association in Village Nam Quang, District Bảo Lâm, Province Cao Bằng. He was dismissed in May 2012.
- **Mr. Sùng Văn Tu** was expelled from the Veterans Association in Village Thần Xa, District Võ Nhai, Province Thái Nguyên because he has „joined the illegal Duong Van Minh organization and contributed in the illegal construction of SSFO “ (see **Picture 38**: “Decision on disciplinary measure against comrade Sung Van Tu” below).



**Picture 38: Decision on disciplinary measure against comrade Sung Van Tu (Veterans Association in Village Than Xa, Thai Nguyen Province) on 30/12/2013**



Persons who were expelled from the ruling Communist Party in Vietnam or state agencies will have a bad record as “suspicious person” in their political register and thus have problem to find a new job.

#### **8.4. Harassments**

The Duong Van Minh believers, especially activists, are frequently harassed in their daily life:

##### **8.4.1. Summons**

They are frequently summoned for interrogation at the police stations. This measure has caused fear and uncertainty among the believers (see instruction to summon, interrogate and intimidate issued by the Communist Party in Province Cao Bang, 5.3.2). At least a dozen persons have gone underground to avoid arrest. Four of these persons who had going hidden in the forests and mountains up to 4 months were introduced to officers of the US. Embassy in Hanoi on Jan 24, 2014. After the meeting three persons returned to their houses. Their escort person was interrogated once by the police who signaled that they are aware of the meeting.

##### **8.4.2. Illegal house searches**

This measure has caused a lot of uncertainty because the police could refer to any imaginary reason to search houses of Duong Van Minh believers at day and night. The most used reasons are searching for robbers or drugs. In the days before the trials against some Duong Van Minh believers in March 2014 police and militia patrolled in some villages of Province Tuyen Quang and searched for potential demonstrators in houses of Duong Van Minh believers.

##### **8.4.3. Control of identity card and driver license**

The police could refer to any imaginary reason to ask the identity card or driver license of the Duong Van Minh believers who attempted to visit their fellows. The police could hold these personal documents for hours or days. When Mr. Duong Van Minh came back to his home town in Province Tuyen Quang by end of January 2014 the police have blocked every access paths led to his house. Many believers from other provinces were harassed and prevented from visiting him.

##### **8.4.4. Confiscation**

During the raids and demolitions of SSFO the police have confiscated video cameras, digital cameras, mobile phones and wallets of the Duong Van Minh believers and didn't return them.

#### **9. Demonstrations for religious freedom**

In mid of October 2013 about 100 Hmong people from the Provinces Cao bang, Bac Kan, Tuyen Quang and Thai Nguyen demonstrated for right of religious freedom of the Duong Van Minh religion in the capital Hanoi. They lived in tents in the Mai Xuan Thuong Park **(Picture 39)** and went daily to central government agencies to demand a written order to ban local authorities from offending the honor of the Hmong people, brutally maltreating them, recovering the honor of Mr. Duong Van Minh, prosecuting local officials for violating the laws and destroying their SSFO. The petition was signed by 48 persons.<sup>69</sup>

**(see DOCUMENT 4: 131008 UrgentDenounce of HMong-DuongVanMinh.pdf)**

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<sup>69</sup> Urgent Denounce of Hmong believers of Duong Van Minh Religion, 8/10/2013, signed by 48 persons.



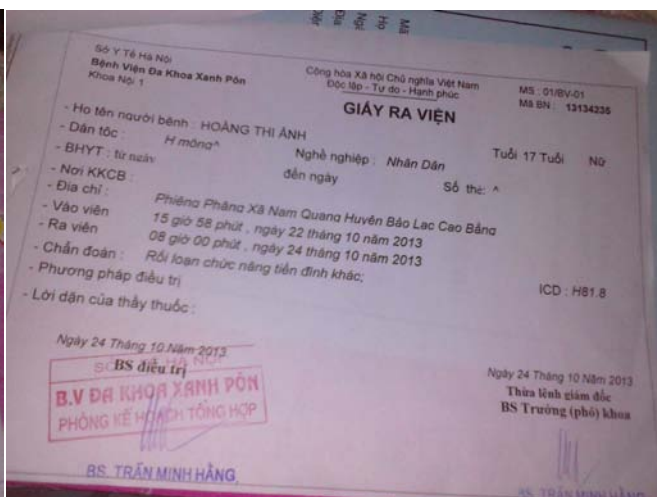
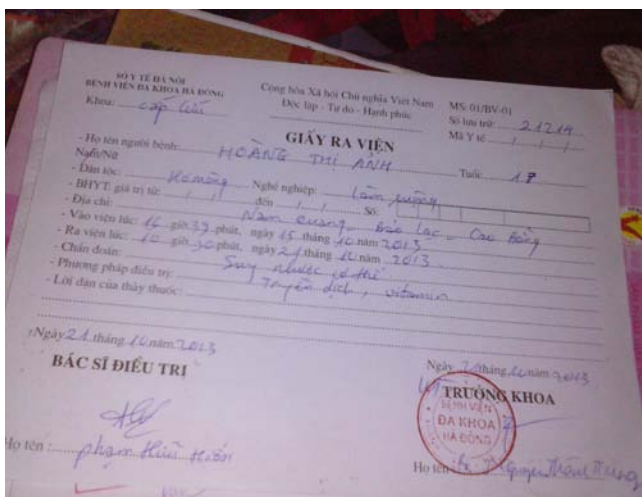
Picture 39: Sit-in of Hmong believers in Hanoi on 15/10/2013 (DanLamBao)

On the afternoon of Oct 15, 2013 the police dispersed violently the demonstrators and took them to the “Citizens Reception Center of the Central Committee of the Communist Party and State of Vietnam” in Hanoi. Victims said that the attacking policemen have used martial art to hit them on dangerous meridian points on their bodies causing pains and paralysis. Mr. Duong Van Phung and Ms. Hoang Thi Anh (17 years old) were beaten unconscious (**Picture 40 & 41**). They were taken to emergency hospital. Ms. Anh lapsed into a coma from Oct 15, 2013. The emergency department of Policlinique Ha Dong (Ha Noi) diagnosed asthenia and released her on Oct 21, 2013 (**Picture 42**). Her brother brought her on the next day (Oct 22, 2013) to the Policlinique Xanh Pôn (Ha Noi) which diagnosed vestibular dysfunction (**Picture 43**). It released her on Oct 24, 2013 although she could not walk (**Picture 45**). Her brother carried her on the way back to Province Cao Bang (**Picture 46**).





Picture 40 & 41: Hoàng Thị Ảnh (l), Dương Văn Phùng (r) were beaten unconscious on Oct 15, 2013 (DanLamBao)



Picture 42 & 43: Hoang Thi Anh laid in two hospitals from 15 to 21 and from 22 to 24 Oct 2013



Picture 45 & 46: Hoang Thi Anh on the way going home to Cao bang Province on Oct 24, 2013

At midnight on Oct 24, 2013 the police started a second crackdown against the Duong Van Minh believers. They beaten them severely and brought them to the “Citizens Reception Center of the Central Committee of the Communist Party and State of Vietnam” in Hanoi. They were screened there and put into buses bringing them back to their home Province in Cao bang, Tuyen Quang and Thai Nguyen. A dozen Hmong people were injured. Mr. Hoang Van Hai and Ms. Sung Thi Xia were beaten unconscious. Subsequently Ms. Xia (20 years old) was treated for 14 days in the

Hospital of District Bao Lam, Province Cao Bang. The hospital diagnosis: “coma, bruised face and leg paralysis” (**Picture 47**).

GIẤY RA VIỆN

Họ tên người bệnh: SÙNG THỊ XIA Tuổi: 40 Năm: 2013

Địa chỉ: Phường Hoàng Thạc Lân, Quận Lâm, Cao Bằng

Vào viện lúc: 11 giờ 00 phút, ngày 24 tháng 10 năm 2013

Ra viện lúc: 8 giờ 00 phút, ngày 06 tháng 11 năm 2013

Chẩn đoán: Hôn mê, chấn thương sọ não, liệt nửa thân dưới

Phương pháp điều trị: Dùng thuốc, băng bó, chăm sóc

Lời dặn của thầy thuốc:

Ngày 06 tháng 11 năm 2013

TRƯỞNG KHOA ĐIỀU TRỊ

Họ tên: Hồ Thị Thu

Picture 47: Sung Thi Xia was hospitalized from Oct 24, 2013 until Nov 6, 2013

At 3 PM on Oct 25, 2013 three rights defenders: Mrs Bui Thi Minh Hang, Mr. Truong Van Dung and Mr. Le Thien Nhan went to the police station in Precinct Thuy Khue, Hanoi to demand the return of personal items to the Hmong people who were deported the day before. They were arrested after a controversial dispute. Mr. Truong Van Dung and Mr. Le Thien Nhan were beaten severely by the police. Mr. Dung has scratches on his face, bruises on his body and three broken ribs<sup>70</sup>. Dung and Nhan were shackled (**Picture 48**). Rights defenders in Hanoi gathered in front of the police station and asking for the release of the three persons. They were released at 9.30 PM.

<sup>70</sup> “Trương Văn Dũng bị công an đánh gãy 3 xương sườn số 7, số 8 và số 9” (Police have broken the ribs No. 7, 8 and 9 of Mr. Truong Van Dung), Blog Nguyen Tuong Thuy, 26/10/2013  
<http://nguyentuongthuy2012.wordpress.com/2013/10/26/truong-van-dung-bi-cong-an-danh-gay-3-xuong-suon-so-7-so-8-va-so-9/>





Picture 48: Mr. Truong Van Dung (l) and Mr. Le Thien Nhan (r) in shackles in the police station Thuy Khue, Hanoi on 25/10/2013 (screenshot of a video clip by Bui Thi Minh Hang)

## 10. Acknowledgments

This report was researched and written by Mr. Vu Quoc Dung of VETO! Human Rights Defenders' Network. Thanks go to many supporters for translating parts of this report and to Christian Solidarity Worldwide for reviewing it.

VETO! is very grateful to Mr. Duong Van Minh and many Hmong individuals who shared their knowledge and experiences with us, and provided us with valuable documents, videos and pictures. We appreciate especially their contributions keeping in mind that they are living under very difficult circumstances and the risk of their safety and freedoms.

## APPENDICES

### APPENDIX 1 List of 24 funeral storage sheds of Duong Van Minh religion

#### DOCUMENTS:

DOCUMENT 1: 120425 Communiqué of SteeringCommittee NorthWestRegion.pdf

DOCUMENT 2: 120531 Order of Communist Party in Cao Bang Province.pdf

DOCUMENT 3: 130504 Launching a Concerted Campaign in Van Thu Hamlet.pdf

DOCUMENT 4: 131008 UrgentDenounce of HMong-DuongVanMinh.pdf