

Persecution against the Vietnam-U.S. Lutheran Alliance Church (VN-US LAC)

A report to:

- UN Special Rapporteur on the right to freedom of religion or of belief
- UN Special Rapporteur on the right to freedoms of peaceful assembly and of association
- UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
- UN Special Rapporteur on the right to health

1. GENERAL INFORMATION

- Does the incident involve an individual or a group?

The government's persecution targets the Vietnam-U.S. Lutheran Alliance Church (VN-US LAC).

- Location of incident: At different locations where church members and leaders practice their faith.

There are also incidents of persecution at two detention centers where Pastor Nguyen Cong Chinh have been held.

- Nationality of the victims: Vietnamese

2. INFORMATION ABOUT VICTIMS

Family name: Nguyen

First name: Thanh Long

AKA Pastor Nguyen Cong Chinh, Director of the VN-US LAC.

Place of residence: To 10, Phuong Hoa Lu, Pleiku

DOB: 10/10/1969

Sex: Male

Person with power to represent Pastor Nguyen Cong Chinh: Mrs. Tran Thi Hong, his wife

Other victims:

Pastor K Penh in Hoa Bac Village, Di Linh District, Lam Dong Province, tel: 84-1647348729.

Pastor K Ron in Dac Som, Dac Long District, Dak Nong Province, tel: 84-1695163910.

Pastor Dinh Vinh Be, Ba To District, Quang Ngai Province, tel: 84-1695163910.

Pastor Nguyen Hoang Hoa, Secretary General of ELCCV-A and Permanent Officer in charge of regional operations and ethnic minorities, Tra Vinh Province, tel: 84-1219460045.

3. INFORMATION REGARDING THE ALLEGED VIOLATION

- Date and time (approximate, if exact date is not known): The persecution is on-going.

- Places (location and country/countries):

- At different places of operation of the Vietnam-U.S. Lutheran Alliance Church (VN-US LAC) (Giáo Hội Liên Hữu Lutheran Việt Nam – Hoa kỳ)
- At T20 Detention Center (public security police's detention center of Gia Lai Province)
- At Section A, Subdivision 2, An Phuoc Detention Center, Phu Giao District, Binh Duong Province

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

In 1985, Pastor Nguyen Cong Chinh and his family moved to the new economic zone of Kontum, Pleiku. He served the Chairman of Vietnamese People's Evangelical Fellowship (VPEF) and of the VN-US LAC. He served as pastor for the marginalized, undeserved ethnic Montagnard minorities in Central Highlands. He filed many reports on religious persecution against Montagnard Christians.

In 2004, to discourage his ministry and destroy his fledgling Protestant church in Central Highlands, the government bulldozed his home which also served as a praying place. The government refused to issue his household registration and citizen's identification card, both vital for normal life in Vietnam. He had been interrogated for 168 times, assaulted 19 times, detained 6 times, and expelled from his home 56 times. His home was twice razed by the local government. Public security police confiscated two of his motorbikes, 4 mobile phones, 259 copies of the Bible. The government refused to register and to issue birth certificates to his 4 children (at the time 10, 9, 6 years old and a 15 month old).

He was arrested on April 28, 2011 and detained in isolation without legal representation and without trial for almost a year. During that time, his family suffered tremendously since Pastor Nguyen Cong Chinh was the sole breadwinner for his own family and his ailing parents (his father was over 80 years old, mother hospitalized for chronic heart disease). He was accused of undermining national unity according to article 87 of the Penal Code.

On 26 March, 2012, Pastor Nguyen Cong Chinh was sentenced to 11 years of imprisonment for allegedly sowing division between the government of the Socialist Republic of Vietnam and its people by using his influence as a pastor. His trial was brief and there was no legal representation, witness or evidence.

In prison, Pastor Nguyen Cong Chinh is held in isolation, sharing a cell with one other prisoner. He is not allowed to leave the cell. He suffers severe sinusitis and acute stomachache but is not allowed access to medical care.

Pastor Nguyen Cong Chinh is discriminated against. For example, for many times he has not been allowed to receive supplies sent or prison visit by his family members.

The mistreatment is part of an overall pattern of religious persecution. For example, he was twice arbitrarily beaten by the prison authorities during his early morning prayer.

- At 5am on 18 May, 2012, while Pastor Nguyen Cong Chinh was sitting and saying his prayer, some 15 jailers entered his prison cell (at T20 Detention Center) carrying rubber clubs, electric rods, pepper spray... They beat him up, prohibiting him from saying prayer. He recognized the following individuals among his attackers: Captain Nguyen Anh Tuan, Quach Thi Hanh, Lt. Colonel Nguyen Dinh Oanh, Nguyen Van Bien, 2nd Lt. Tran Cao Cuong.
- At 5am on 19 August, 2013, Captain Dinh Ngoc Quynh (Military No. 081-934) and Major Hoang Duc Giang directed the beating of Pastor Nguyen Cong Chinh at An Phuoc Detention Center.

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

Pastor Nguyen Cong Chinh is a Protestant Pastor. Saying prayer to him is a critical religious practice. Brutally stopping him from saying his prayer is a clear violation of his freedom of religion and belief.

After Pastor Nguyen Cong Chinh was arrested and imprisoned, the government has targeted other pastors of his church. For example, Pastor Nguyen Hoang Hoa, the Church's Secretary General, has been summoned to investigation sessions at the police station. At these sessions he was ordered to stop religious activities because the Public Security Ministry deems this church to be a reactionary organization.

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

Names and ranks are provided above. The perpetrators' motive was to stop Pastor Nguyen Cong Chinh from practicing his religion.

- Are the perpetrator(s) known to the victim? Yes. They were his jailers.

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

All perpetrators were State agents.

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

See information provided above.

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

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

After each beating incident in prison, Pastor Nguyen Cong Chinh filed a complaint or a denunciation to the Prison Administration and the People's Procuracy of the district and province.

- Were any other steps taken? His wife informed the public of the incidents. On March 23, 2014 Pastor Nguyen Cong Chinh wrote a denunciation statement from his prison cell. This statement was sneaked out of prison and reached U.S. Congressman Alan Lowenthal, who then wrote to express concern to Vietnamese Prime Minister Nguyen Tan Dung (see attachment).

- Steps taken by the authorities: There was never a response. As a matter of fact, each time he reported an incident, he was subjected to harsher treatment by the prison authorities.

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

There was no investigation by the State authorities.

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

There has been no outcome, no change.

5. IDENTITY OF THE PERSON OR INSTITUTION SUBMITTING THIS FORM

- Family name: Tran
- First name: Thi Hong
- Contact number or address (please indicate country and area code):

Hẻm 169, tổ 10, phường Hoa Lư, thành phố Pleiku, tỉnh Gia Lai

- Telephone: 84-129.2668.049, 84-121.3686.961.

- Email: chinhhong2013@gmail.com

- Status: individual, group, non-governmental organization, religious or belief group, intergovernmental agency, Government. Please specify: Individual, wife of Pastor Nguyen Cong Chinh.

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

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

Date you are submitting this form:

May 16, 2014

Signature of the author (see the signed “authorization to represent” in the attachment)

BILL POSEY

8TH DISTRICT, FLORIDA

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Congress of the United States
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Washington, DC 20515

www.posey.house.gov

WASHINGTON OFFICE:

120 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3671
FAX: (202) 225-3516

MAIN DISTRICT OFFICE:

2725 JUDGE FRAN JAMIESON WAY, BLDG. C
MELBOURNE, FL 32940
(321) 632-1776
FAX: (321) 639-8595

DISTRICT OFFICE:

INDIAN RIVER COUNTY ADMIN. BLDG. A
(772) 226-1701

DISTRICT OFFICE:

BREVARD COUNTY GOVERNMENT OFFICES
IN TITUSVILLE
(321) 383-6090

May 29, 2014

His Excellency Nguyen Tan Dung
Prime Minister of the Socialist Republic of Vietnam
c/o Embassy of Vietnam in the United States
1233 20th Street, NW, Suite 400
Washington, DC 20036

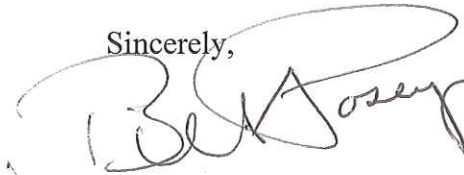
Dear Prime Minister Dung,

I understand that you have heard from several of my colleagues in Congress, and I would like to join them in writing to express my deep concerns with the case of Pastor Nguyen Cong Chinh, a Lutheran Pastor who was unjustly sentenced to 11 years in prison in 2012 with the charge of "undermining national unity" under article 87 of Vietnam's Penal Code. In reality, Pastor Chinh was arbitrarily detained and jailed for simply practicing his faith and exercising his fundamental right to religious freedom. His peaceful activities in criticizing government policies cannot justify his continuous imprisonment and the constant harassment faced by him and his family. I ask for your immediate intervention in this case and the release of Pastor Nguyen Cong Chinh.

On March 23, 2014, Pastor Chinh wrote a Denunciation Statement from his prison cell, stating that after three years of imprisonment, he has yet to receive an investigation report regarding his alleged crimes. In addition, his family and relatives have not been given the opportunity to visit him in prison. According to his statement, Pastor Chinh was repeatedly beaten while praying in prison on the morning of May 18, 2012 and again on August 19, 2013.

These are clear human rights violations by the authorities in Vietnam against Pastor Nguyen Cong Chinh. At a time when Vietnam has expressed interest in participating in the Trans-Pacific Partnership (TPP), I ask that you demonstrate Vietnam's commitment to uphold human rights and religious freedom by releasing Pastor Nguyen Cong Chinh. I applaud the recent release of several activists including Nguyen Tien Trung and Lawyer Cu Huy Ha Vu and I urge you to continue demonstrating Vietnam's seriousness to further improve its human rights record by releasing all prisoners of conscience.

Sincerely,



Bill Posey
Member of Congress

ALAN LOWENTHAL
47TH DISTRICT, CALIFORNIA

COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION,
AND TRADE
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Congress of the United States
House of Representatives
Washington, DC 20515

515 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE (202) 225-7924
FAX (202) 225-7926

100 WEST BROADWAY STREET
WEST TOWER, SUITE 600
LONG BEACH, CA 90802
PHONE (562) 436-3828
FAX (562) 437-6434

www.lowenthal.house.gov
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April 23, 2014

His Excellency Nguyen Tan Dung
Prime Minister of the Socialist Republic of Vietnam
c/o Embassy of Vietnam in the United States
1233 20th Street, NW, Suite 400
Washington, DC 20036

Dear Prime Minister Dung,

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Sincerely,



ALAN LOWENTHAL
Member of Congress

CC: The Honorable John Kerry, United States Secretary of State
The Honorable David Shear, United States Ambassador to Vietnam