

Report to the UN Special Rapporteur on Freedom of Religion and Belief

1. GENERAL INFORMATION

- Does the incident involve an individual or a group?

On Sept. 12, 2013, Cao Dai followers and clergy members gathered for a ceremony to install an altar at the home of Ms. Ta Thi Thu Nga at Ninh An hamlet, Bau Nang Village, Duong Minh Chau District, Tay Ninh Province following their religious tradition ritual. This action is in defiance of the People's Committee's ban. They were beaten up by hundreds of "thugs" in the presence of the public security police who surrounded Ms. Ta Thi Thu Nga's home.

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

Over 100 Cao Dai practitioners, mostly those living in the neighborhood, but also a number of Cao Dai clergy members coming from other locations as far as Lam Dong Province.

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

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

Vietnam's 2004 Ordinance on Religion and Belief requires that all religious organizations must be registered. The group affected is not registered and refuses to join the registered Cao Dai Administrative Council (Hoi Dong Chuong Quan).

While outlawing all of the Cao Dai groups, the government has set up the pro-government Administrative Council, allowed the Council to register, and recognized them as the only legitimate Cao Dai organization, that all Cao Dai followers must join if they want to practice their faith. The government has on occasions supported the Administrative Council's imposition of their will on the other Cao Dai groups, including misappropriating the facilities that once belonged to these groups. Many Cao Dai practitioners view the Council as the puppet of the government, and created by the government to control the Cao Dai religion.

2. IDENTITY OF THE PERSONS CONCERNED

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

Primary victim: - Family name: Tạ

- First name: Thị Thu Nga □ - Denomination of his/her religion or belief: Cao Dai
- Place of residence or origin: Ninh An Hamlet (ấp), Bàu Nặng Village (xã), Dương Minh Châu District (huyện) – Tây Ninh Province (tỉnh).
- Telephone: 011 84 0973672923 - Age: 46 (1967) □ - Sex: Female □ - Nationality(ies): Vietnamese

Other victims / witnesses:

Sub-dignitary (Chanh Tri Su) Hứa Phi, born in 1948; □ Address: group (Tổ) 13, Bong Lai hamlet (ấp), Hiệp Thành village (xã), Dương Minh Châu district (huyện), Tây Ninh province (tỉnh) □ Tel.: 011 84 1633273240 or 011 84 63 3841955

Sub-dignitary (Chanh Tri Su) Lê Kim Lân, born in 1950; Address: 191/8A Lo Ren street, Block (khóm) 1, Quarter (Phuông) 4, Vinh Long City, Vinh Long Province Tel: 011 84 988971117

Sub-dignitary (Chanh Tri Su) Nguyễn Bạch Phụng, born in 1958 □; Address: 191/8A Lo Reng street, Block (khóm) 1, Quarter (Phuông) 4, Vinh Long City, Vinh Long Province Tel: 011 84 988477719

Dignitary Archivist (Si-Tai) Phùng Văn Phan, born in 1942 □; Address: Truong Luu hamlet (ấp), Truong Dong village (xa), Hoa Thanh district (huyen), Tây Ninh Province. □ Tel: 011 84 984047641 or 011 84 66 629 1001

3. INFORMATION REGARDING THE ALLEGED VIOLATION

- Date and time (approximate, if exact date is not known): September 12, 2013
- Place (location and country/countries): Ninh An hamlet, Bàu Nặng Village, Dương Minh Châu District, Tây Ninh Province

Cao Dai religious geographical unit: Hương Đạo Long Xuân – Phận Đạo Đệ Lục – Châu Thành Thánh Địa

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

Ms. Ta Thị Thu Nga decided to install the altar for the Supreme Being at her home on 12 September 2013, (the 8th day of the 8th month of the lunar calendar). The religious tradition of the Cao Dai Church requires that the event be officiated by Cao Dai clergy members and attended by fellow practitioners. She wrote to the People's Committee and the Fatherland Front of Bàu Nặng Village (Xã) to seek their permission. The Authorities reiterated that: "If you do not ask the Ceremony Unit of the local office of the Cao Dai Administrative Council to officiate it, that means you intend to cause a division in the Cao Dai Church and it also violates the law. You must stop your plan to install the altar; otherwise the People's Committee would take necessary action as the law requires and

announce this case to the public. You will be viewed as a bad element, which would affect your children's and grand children's future. You must bear all consequences under the laws."

Ms. Ta Thi Thu Nga considered this action as a gross government's interference into a religious matter that would force her to violate her religion's precepts and religious traditions, and to succumb to the state-sanctioned Administrative Council. So she proceeded with the ceremony despite the Authorities' threat, and invited independent Cao Dai clergy members to officiate it. It was attended by Cao Dai clergy members and practitioners coming from Ho Chi Minh City, Tay Ninh, Lam Dong, My Tho, Long An, Vinh Long Provinces...

At 11:30am, just as the participants got ready for the ceremony in the front yard of Ms. Ta Thi Thu Nga's home, police and local government officials in plain clothes accompanied members of the government-sanctioned Administrative Council who surrounded her home in large number. A number of them wore masks. They blocked Cao Dai practitioners from entering Ms. Ta Thi Thu Nga's home to attend the ceremony. Except for some 30 Cao Dai practitioners who had arrived early and made it into the house; all others were pushed back by thugs, who were escorted by the police and government officials. These thugs took away the camcorder of sub-dignitary Tran Quoc Tien, the camcorder of Mr. Le Thanh Quyen; and two I-phones worth about 17,950,000 VND belonged to Nguyen Thi Mong Nguyen, a young female Cao Daiist.

Those already in the house locked the door and proceeded with the ceremony at exactly noon time.

After the ceremony, as they exited the house, they found themselves surrounded by the police in uniform and in plain clothes along with thugs and members of the Ceremonial Unit of the government-sanctioned Cao Dai Administrative Council. Sub-dignitaries Hua Phi, Kim Lan, Nguyen Bach Phung as well as Archivist Dignitary Phung Van Phan were assaulted by the thugs in plain view of the police. Cao Dai Dignitary Phung Van Phan was pushed to the ground, and slashed and injured in his neck. People in the house made phone calls to the Committee for Religious Affairs, the Office of Interior Affairs of Tay Ninh Province, the police of Tay Ninh Province, the Police of Duong Minh Chau District, the Police Unit 113, the Police of Bau Nang Village to come to the rescue but none of them responded.

The thugs and strangers harassed those held up in the house by banging on the door, throwing stones at the house, and shouting obscenities at Cao Dai followers holing up inside. The police was present, in uniform and in plain clothes, but did not intervene. □ The ceremony participants could not leave Ms. Ta Thi Thu Nga's home until 7:30pm. □ At 8pm, the village police showed up, videotaped and photographed the victims and interviewed them about the incident. In reality, the police already knew quite well what had happened because many of their members had been at the scene. They took down the names of those who registered to stay overnight at the house. The police stayed there until 4:00 am and sent everyone home.

A report detailing what had happened was filed with the police and other authorities. Signed by those present at the scene, it shows that the government and police of Tay Ninh Province supported the government-sanctioned Cao Dai Administrative Council and suppressed Cao Dai practitioners who do not conform to the government's policies and controls.

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

The government has clearly indicated that Ms. Ta Thi Thu Nga "must request the local Ceremony Unit of the Administrative Council as condition for government approval" of her request to set up an altar for her religion's Supreme Being in her own home. As she proceeded without the consent of the government-sanctioned Administrative Council, the government attempted to disrupt the ceremony, and threatened and harassed Ms. Ta Thi Thu Nga and her invited guests, including clergy members.

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

The perpetrators involved are members of the government-sanctioned Cao Dai Administrative Council, "thugs" and the mob that acted with complete impunity under the protection of the police. Some of the victims managed to videotape and photograph some of the perpetrators. However, the perpetrators promptly assaulted these victims and took away their camcorders and digital cameras.

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

No

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

As explained, perpetrators included members of the local office of the Cao Dai Administrative Council and thugs supported by the police and local government officials.

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

The provincial and local police were present at the incident of September 12, 2013 in uniform and in plain clothes. They witnessed the thugs blocking Cao Dai followers and clergy members from entering Ms. Ta Thi Thu Nga's home and physically assaulted those who participated in the religious ceremony. For 8 hours the thugs and mob continued to throw rocks, bang on the door, and shouted at participants who proceeded with the ceremony. The police that was on the scene did not intervene. Ms. Ta Thi Thu Nga called the local police stations at different levels (village, district and province) and there was no response from any of them. They only showed up after the fact.

Local government officials were also present. They did not intervene when thugs

assaulted the Cao Dai practitioners or when, for hours, they threw rocks, banged on doors and shouted obscenities at Cao Dai members holding up in Ms. Ta Thi Thu Nga's house.

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

See above.

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

Witnesses to the incident include 39 Cao Daiists who signed a report (see attachment).

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):

On Sept. 12, 2013, 39 witnesses filed a report to the authorities (see attached copy in Vietnamese) requesting investigation.

- Were any other steps taken?

The victims were interviewed live by Mr. Duong Phuc, reporter of Saigon Houston and Saigon Dallas Radio. Dr. Nguyen Dinh Thang, CEO and President of BPSOS, also participated in the interview.

- Steps taken by the authorities: None

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

None

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

So far there has been no investigation by the police. The perpetrators go unpunished while Sub-dignitary Nguyen Bach Phung has been harassed by the authorities. On Oct. 1, 2013, a combination of local police and government officials consisting of Second Lt. Pham Thanh Tu of the Ward 4 Police, Nguyen Tuan Khanh (police officer of Vinh Long City), Nguyen Quang Loi (Civilian Protection Committee) and Ho Xuan Truyen (Chief of Block I) came to Sub-dignitary Nguyen Bach Phung's house and handed her a summon to appear at Vinh Long City police station for investigation concerning her inter-faith religious activities.

5. IDENTITY OF THE PERSON OR INSTITUTION SUBMITTING THIS FORM

INSTITUTION:

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

On behalf of the United Caodai Tayninh Holy See Overseas General Secretary, Viet Hung Tran

Contact number or address (please indicate country and area code): - Fax: 514 731 0339 □ - Direct line: 514 299 0015 □ - Email: daocaodai1926@gmail.com

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

Non-profit organization □ - Do you act with knowledge and on behalf of the victim(s)? □ Yes. The witnesses asked that we file this report. □ Please state whether you want your identity to be kept confidential: It is fine to publish my identity. □ Oct. 16, 2013

_____ Signature of the author

The following individuals support the statement of the author: Ms. Ta Thi Thu Nga □, Sub-dignitary Hua Phi, □ Sub-dignitary Nguyen Bach Phung, Sub-dignitary Le Kim Lan. and Dignitary Phung Van Phan.