

BPSOS-02 -- Nguyen Bac Truyen

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Egregious human rights violations: torture, beatings, arrests without warrant, imprisonment, harassment to disrupt livelihood of entire family, forced eviction, attempt to inflict severe traffic injuries

Perpetrators:

- (1) **Major General Nguyễn Minh Thuận** (born August 08, 1959 in Vĩnh Thạnh Commune, Lấp Vò District, then Sa Đéc (now Đồng Tháp) Province), Director of Public Security (Police) of Dong Thap Province: He directed and oversaw the following:
 - the persecution of Nguyen Bac Truyen, a human rights lawyer and former prisoner of conscience;
 - the suppression of independent Hoa Hao Buddhists in Dong Thap Province;
 - the detention of 21 human right advocates, which resulted in the imprisonment of targeted activists – Mrs. Bui Thi Minh Hang, Mr. Nguyen Van Minh, and Ms. Nguyen Thi Thuy Quynh.



Major General Nguyễn Minh Thuận

- (2) **Captain Huỳnh Văn Thuận**, a team leader of Lap Vo District Public Security: His public security team threw stones at the house from Feb 10 to Feb 14, 2014, threatened to kill Bui Thi Kim Phuong (Truyen's fiancé at the time) and her sister Bui Thi Kim Cam, stole irrigation piping material, cut water main to the house, and performed other acts of intimidation.

Other perpetrators in the command chain of Dong Thap Public Security:

- (3) **Colonel Nguyễn Thanh Long**, former Commander of Lap Vo District Public Security (until June, 2014)
- (4) **Senior Lieutenant Colonel Lê Hoàng Dũng**, Deputy Commander of Lap Vo District Public Security and head of its investigative branch
- (5) **Major Nguyễn Văn Chót**, leader of security investigations in Long Hung B Commune, a function of the Dong Thap Province Public Security Department
- (6) **Major Võ Văn Thuận**, Chief of Long Hung B Commune Public Security

(7) **First Lieutenant Nguyễn Văn Đông**, Lap Vo District policeman assigned to security investigations in Long Hung B Commune

Perpetrators in the unjust sentencing of the 3 activists whose arrest was "triggered" by the arrest of Mr. Truyen:

(8) **Nguyễn Thành Thơ**, Judge, Lower Court of Dong Thap Province

(9) **Trương Hòa Bình** (b. April 13, 1955), Justice, Supreme Court (now a deputy prime minister)

(10) **Trần Văn Ngọc Vui**, Director, Dong Thap Province Procuracy

(11) **Nguyễn Hòa Bình**, Director, Supreme Procuracy (now a justice of the People's Supreme Court)

International References:

Press release of Free the 20 campaign: In September 2015, US Ambassador to the UN Samantha Power highlighted Bui Thi Minh Hang as one of the 20 women prisoners of conscience:

<https://www.humanrights.gov/freethe20/>

State Department, Bureau of Democracy, Human Rights, and Labor. 2015 Report on International Religious Freedom, <https://www.state.gov/j/drl/rls/irf/2015/eap/256155.htm>

"Human rights activists reported plainclothes police kept Hoa Hao follower and rights activist Nguyen Bac Truyen and his family under close surveillance throughout the year. In August Truyen said that police prevented him from leaving his home to meet with foreign officials."

Human Rights Watch World Report 2015. <https://www.hrw.org/world-report/2015/country-chapters/vietnam>.

"In February 2014, activists Bui Thi Minh Hang, Nguyen Thi Thuy Quynh, and Nguyen Van Minh were arrested on their way to visit fellow activist Nguyen Bac Truyen on trumped up charges of causing traffic jams. The three were convicted in August 2014 for causing public disorder under article 245 of the penal code and received sentences of between two and three years in prison."

"In August, blogger Nguyen Bac Truyen was hit by a motorbike driven by two anonymous men who had been keeping intrusive surveillance on him and his family for months prior to the accident."

Asia News article published on 02/11/2014, which described the violent nature of the incident: <http://www.asianews.it/news-en/Vietnam,-hundreds-of-police-deployed-to-arrest-a-dissident-lawyer-30274.html>

"Hundreds of police officers and government officials fired on and raided the home of a Vietnamese dissident lawyer, who was arrested at the end of the blitz."

"Police smashed windows, broke down the doors and destroyed the furnishings, in addition to confiscating the man's laptop and phone."

UK Government Report. Vietnam - Country of Concern: last quarter of 2013.

<https://www.gov.uk/government/publications/vietnam-country-of-concern/vietnam-country-of-concern-latest-update-31-march-2014--2>

"Meetings with diplomats provide a platform for activists and raise the profile of their concerns to the wider Vietnamese society. By disrupting them, Vietnam is seeking to limit dissent through intimidation. Throughout February, Nguyen Bac Truyen, a human rights defender, was repeatedly detained and attacked, including whilst travelling to a meeting with Australian diplomats."

Communication dated October 31, 2016 of UN Special Rapporteur on Freedom of Religion and Beliefs to the government of Vietnam:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=22835>

EVIDENCE:

2) Video clip from [Public] Security Television (ANTV) news programming on February 27 2014.

<https://youtu.be/kCDnh7Gnwgk>

which claimed:

- (starting at *minute 1:14*) On February 9th 2014, under the direct order of Major General Nguyen Minh Thuan, Director of Public Security of Dong Thap Province, his police arrested and extradited Mr. Nguyen Bac Truyen at the request of the investigative unit of Ho Chi Minh City Public Security. Ho Chi Minh City is approximately 150 km from the victim's residence in Dong Thap Province.

- This broadcast claimed that Mr. Truyen was charged with abuse of trust and misappropriating assets pursuant to Decision number 488-01 issued on November 14th, 2013 by the investigative unit of HCM City Public Security. It was also reported that "On February 10th, 2014, the investigative unit of HCM City Public Security temporarily released Nguyen Bac Truyen while awaiting the People's Procuracy of HCM City's approval of the detention order".

This indicates that Mr. Truyen's violent arrest was arbitrary, not based on any warrant. After his release, the government gave no indication that it was interested in pursuing the investigation of Mr. Truyen's alleged misappropriation of funds. This charge was clearly fabricated and the raid and arrest in Dong Thap Province seemed to serve as the trigger to assault 21 human rights advocates on February 11th, 2014, which resulted in the imprisonment of Mrs. Bui Thi Minh Hang (*U.S. Ambassador Samantha Power nominated her one of the 20 female political prisoners in the Free the 20 Campaign*, <https://www.humanrights.gov/freethe20/>), Mr. Nguyen Van Minh, and Ms. Nguyen Thi Thuy Quynh. For information related to the sentencing of the 3 activists, see <https://freedomhouse.org/article/freedom-house-calls-release-vietnamese-activists>, <https://vn.usembassy.gov/vietnamese-governments-decision-convict-activists-bui-thi-minh-hang-nguyen-thi-thuy-quynh-nguyen-van-minh/>

- Major General Thuan appeared in the news clip twice. First (starting at *minute 1:54*), he confirmed his leadership role in the arrest of Mr. Nguyen Bac Truyen and dismissed reports on the internet about the arbitrary nature of the arrest as "false and libelous". Then (starting at *minute 4:19*), he proceeded with announcing that the investigative office of Lap Vo District Public Security, which is under his command, had collected sufficient evidence to incriminate Mrs. Bui Thi Minh Hang, Mr. Nguyen Van Minh, and Ms. Nguyen Thi Thuy Quynh as the leaders in the incident and the three will be prosecuted for "disrupting public order and obstructing officers on duty". He also promised to "harshly prosecute the offenders".

- The news clip also stated (starting at *minute 3:00*): "[Mr. Nguyen Bac Truyen] colluded with bad elements, using the sham of religion to spread propaganda against the People's party and the state."

Related persecution directed at the relatives of Mr. Truyen's wife and other Hoa Hao Buddhists

Public security elements under Major General Thuan and the other listed senior public security officers were active in the persecution of members of Ms. Bui Thi Kim Phuong's family: a) directly intervening in her sister Bui Thi Kim Anh's business through forcing partners to prematurely pull out their capital, leading to Ms. Kim Anh's early death from the unbearable stress; b) harassment of her sister Bui Thi Kim Cam; c) vicious assault of 21 Hoa Hao Buddhists, leading to the arrest and imprisonment of the three previously named activists. Public security agents harassed Ms. Kim Anh because she did not yield to their pressuring her to convince her sister Kim Phuong to return to her own house in Dong Thap Province's Long Hung B Commune (where the arrest of Mr. Truyen took place). Ms. Kim Phuong had left the province to join Mr. Truyen in Ho Chi Minh City. Ms. Kim Cam was harassed when she was living with Ms. Kim Phuong and Mr. Truyen in Ms. Kim Phuong's house, and later, after she moved in with Ms. Kim Anh in Ms. Kim Anh's house.

Brief Notes on the Hoa Hao Buddhist Church

The independent Hoa Hao Buddhist Church is a target of persecution as the government wants its own denomination to be the sole Hoa Hao Buddhist Church. After the government seized the original Church's extensive collection of properties, the government-controlled denomination excised over 100 pages from the original Hoa Hao Religious Scripture, Teaching and Full Literature written by the Church founder, Prophet Huynh, from 1939 – 1947, meaning that they can be printed and published only for the period of 1939 - 1942. The illegitimate denomination does not allow the celebration of the traditional Memorial Day on the 25th of the second month of the Lunar year to commemorate the disappearance of Prophet Huynh in Doc Vang, Dong Thap Province on the same date in 1947. It has also ignored the existence and the spiritual leadership of the Hoa Hao Ancestral Temple. Many of the worship places of Hoa Hao Buddhism have been vandalized and left abandoned, but the independent, authentic Hoa Hao adherents are not allowed to use those.

Additional Details of the Incident and Brief Notes on Victim Nguyen Bac Truyen

Mr. Truyen, a former prisoner of conscience, continued to assist other activists in their peaceful advocacy for human rights, particularly Hoa Hoa Buddhists. He and Mr. Bui Thi Kim Phuong, a Hoa Hao Buddhist (not part of the government-controlled denomination) planned to celebrate their upcoming wedding in the traditional Hoa Hao Buddhist fashion.

On Feb 9, 2014, a public security force consisting of several dozen men, some armed with assault rifles, broke into his house in Dong Thap Province and took him to the Ho Chi Minh City public security building which was 150 km away (for "misappropriating assets"). They ransacked the house while searching for clearly not a local public security operation and must have involved high-level planning at the Ministry of Public Security. His wife, Mrs. Bui thi Kim Phuong, was arrested and released in the evening. Public security vandalized his house and damaged the Hoa Hao altar and furniture. On Feb 24, 2014, public security assaulted the couple as they were going to meet staff of the Australian Embassy in Hanoi to discuss persecution against Hoa Hao Buddhists. Mr David Skowronski, Australian Second Secretary in charge of Politics, had to rescue them and take them to the hospital. **The fact that public security forces in disparate regions of Vietnam coordinated to apprehend the victim points to high-level central government direction.**

Mr. Nguyen Bac Truyen is a former prisoner of conscience. He was arbitrary arrested in 2006 and sentenced to 3.5 years in prison, plus 2 years of probation following his release from prison, on the charge of “spreading propaganda against the State” according to Article 88 of the criminal code. After serving his sentence, Truyen came in contact (in May 2010) with Hoa Hao Buddhists in the provinces of An Giang, Dong Thap, and Can Tho, and started to support their advocacy for freedom of religion. As a jurist, Truyen helped the Hoa Hao Buddhists learn about human and civil rights according to international and Vietnamese laws, knowledge that can help them defend their freedom of religion. Public security harassed him because of his activism.

At about 4 PM on February 9, 2014, nearly 100 public security officers, some of them armed with Kalashnikov rifles, truncheons, electric batons, broke into their house, assaulted Mr. Truyen, his wife, and her sister. They handcuffed Truyen, taped his eyes and mouth shut, and beat him brutally in the front yard. **They brought him to the Ho Chi Minh City public security building which is 150 km away. The public security officers there said they arrested them because “complaints filed against him for abuse of trust and misappropriating assets”.**

After his protest and request for legal counsel, and probably because of intervention by some embassies, he was released in the evening. He has not returned to his home in Dong Thap Province in view of public security harassment. His wife and sister-in-law had to watch helplessly as public security conducted a 3-hour illegal search without a warrant. They damaged the furniture, broke surveillance cameras, rummaged through the altar, and threw the picture of Master Huynh Phu So (the founder of Hoa Hao Buddhism) to the ground. They confiscated a laptop, two mobile phones, memory cards of the surveillance system, business cards of personnel from the embassies of the US, Canada, Australia, Germany, and Switzerland without giving the victims a receipt listing the seized items.

From Feb 9 to 14, 2014, policemen stationed themselves in front of the house and on the street leading to the house. They harassed customers attempting to do business with his sister-in-law who works at home as a seamstress. During this time, they constantly terrorized his wife and sister-in-law by throwing rocks at the house, drinking and yelling in front of the house, and threatening to kill his wife and the wife's sister. The two women had to vacate their home on February 14, 2014.

Subsequently, Mr. Truyen and his wife (who left Dong Thap Province to join him) have been living in Ho Chi Minh City. Public security continues to watch and harass them.