

## Case BPSOS-05 -- Ma Van Pa

Prepared by BPSOS, March 4, 2017

**Egregious human rights violations:** Arbitrary arrest, torture

### Perpetrators:

- (1) **Colonel Hầu Văn Lý** (born on July 8, 1967), Director, Ha Giang Province Public Security (Police) Department: He is in charge of executing the policy of the Northwestern Region Steering Committee of the Vietnamese Communist Party, which is to exterminate the Duong Van Minh Sect.



Colonel Hầu Văn Lý

- (2) **Hoàng Văn Cương**, Deputy Commander of Public Security, Town of Ha Giang: He ordered his subordinates not to reveal Mr. Pa's location to members of his family. He also lied by telling Mr. Pa's relatives that Cao Bang Province Public Security Department had arrested the victim while in fact his own public security force held the victim in their building.
- (3) **Hoàng Trung Dũng**, Chief, Security Team, Public Security Division of Town of Ha Giang: Along with Hoàng Văn Cương, he deceived Mr. Pa's relatives about the actual location of the victim and lied by telling Mr. Pa's relatives that Cao Bang Province Public Security Department had arrested the victim while in fact his own public security force held the victim in their building.
- (4) **Mr. Thuyết**, public security officer, Town of Ha Giang: He arrested Mr. Pa when Pa was heading home on a bus, and brought Pa to the public security station of the Town of Ha Giang for interrogation.
- (5) **Lữ Quốc Hưng**, public security officer, Town of Ha Giang: He arrested Mr. Pa when Pa was heading home on a bus, and brought Pa to the public security station of the Town of Ha Giang for interrogation.
- (6) **Mr. Vàng**, public security officer, Town of Ha Giang: His role was limited to being present at part of the interrogation in the public security station.
- (7) **Mr. Hùng**, Ministry of Public Security (Hanoi): He tortured Pa while interrogating him.
- (8) **Mr. Thiết**, Ministry of Public Security (Hanoi): He tortured Pa while interrogating him.

(9) **Mr. Ngọc**, Ministry of Public Security (Hanoi): He threatened Pa with death during the interrogation session.

#### **International References:**

**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>

*"According to reports, local authorities established steering committees to implement national directives to suppress the growth of the Duong Van Minh religious group. Group members stated several followers were wanted by the police. In August police and Ministry of Public Security officials from Ha Giang province were reported to detain Duong Van Minh follower Ma Van Pa and interrogated him after he met with U.S. officials."*

**Press Statement on the visit to the Socialist Republic of Viet Nam by the Special Rapporteur on freedom of religion or belief, Ha Noi, Viet Nam, 31 July 2014**

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14914&LangID=E>

**United Nations, Office of the High Commissioner for Human Rights. Report of the Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt. Addendum. Mission to Viet Nam (21 to 31 July 2014).**

<http://www.ohchr.org/EN/Issues/FreedomReligion/Pages/Visits.aspx>

*"Hmongs of the Duong Van Minh faith have also been subjected to arbitrary detentions and imprisonment, beatings, torture, constant monitoring, and pressure to renounce their faith. Those who have refused to do so face losing their jobs and the social benefits provided to ethnic minorities. Reportedly, 24 of their funeral sheds have been destroyed for being "illegitimate", that is, without a permit, including the most recent destruction in October 2014, after the country visit of the Special Rapporteur. The Government has also allegedly spread propaganda against this community through the media and internal gazettes of the Government."*

#### **Background Information:**

On August 29, 2015 Mr. Ma Van Pa met with a visiting delegation of the U.S. Commission on International Religious Freedom. The following day, he accompanied Mr. Duong Van Minh, the Sect's founder, and other sect followers to a meeting in Tuyen Quang Province with the USCIRF delegation. On August 31, public security officers arrested him as he returned home in Ha Giang Province, and interrogated him about the meeting in Tuyen Quang. They (except for Public Security agent Lữ Quốc Hưng) kicked and punched him violently during the session for "daring to meet with Americans".

After the preliminary interrogation, they blindfolded him and drove him to a hostel in Hanoi, the capital city, where, in a room that they rented, they interrogated him further. In this session, they printed material stored in the laptop and forced him to sign and acknowledge that the printouts were material stored in the laptop. Then, they forced him to give the password for his cell phone -- Public Security agent Ngọc warned Pa that his life was at stake if he did not comply. They took his cell phone for examination, and forced him to sign more documents, including a written statement to the effect that his interrogators did not use force or threaten him, and meeting with foreigners constituted a crime.

Pa did not sign, and tried to kill himself by crashing through the window, but the curtains entangled him instead. They let him rest briefly before resuming the interrogation. Public Security agent Thiết kicked Pa in the ribs and repeatedly punched him in the head. Pa tried to hit his head against a wall to commit suicide.

The Public Security agents tied him up and physically force him to put his thumb's fingerprint on some of the printouts. Public Security agent Hùng forced Pa to sign the acknowledgment that the interrogation did not involve torture or threats. Public Security agent Ngọc asked Pa to sign a separate acknowledgment that Ngọc did not torture Pa (actually, Ngọc only threatened Pa with death).

When the Public Security agents slept, Pa tried to kill himself by jumping through the window because he felt that he had given too much information to his interrogators, information that will harm his Church's adherents. Weakened by his ordeal, he failed in his suicide attempt.

At 5 p.m., the Public Security agents blindfolded him, drove him to Tuyen Quang Province (North of Hanoi) where they put him on a bus bound for Ha Giang Province which is further North. Pa arrived at the Town of Ha Giang in Ha Giang Province at 10 p.m. From there he went to his home in nearby Cao Bang Province.

The presence of Ministry of Public Security personnel in Hà Giang, Vietnam's northernmost province, operating in Ha Noi and in coordination with the Cao Bang Province authorities points to collaboration at the very least at the regional level. In fact, there is a regional policy to eradicate the Duong Van Minh Sect. It was specifically spelled out at the April 5, 2012 Conference of the Central Committee of the Communist Party of Vietnam held in Yen Bai, Cao Bang Province, chaired by Dinh Van Cuong, Central Committee member, Deputy Chairman of the Standing Committee of the Northwestern Region Steering Committee. Conference outcome document No. 9 – TB/BCDTB (classified) dated April 25, 2012 identified the path forward to "eliminate the illegal Duong Van Minh organization from a number of Northwestern provinces", with mention of the goal to eliminate "funeral items storage sheds" (a key feature of the Duong Van Minh Sect's belief). A copy of this copy was sent to Nguyen Xuan Phuc, then Deputy Prime Minister and Chair of the Northwestern Steering Committee.

On September 7, 2015, Ma Van Pa sent a letter of complaint to the directors of the procuracy and public security departments of 3 provinces - Ha Giang, Tuyen Quang, and Cao Bang, and the Minister of Public Security and Director of the Supreme Procuracy in Hanoi. The Inspector General of Ha Giang Province Public Security sent Pa an invitation to meet for October 20, 2015 that did not list the name of the policeman that Pa was supposed to meet with and did not list the location in their building. On November 2, 2015, Pa requested them to send him a more complete invitation but did not get a response.

On October 23, 2015, Pa tried to meet with staff of the Procuracy and Public Security Department of Cao Bang Province, but was turned away. On January 21, 2016, Pa requested responses to his September 7 letters of complaint. Seeing no response, he again requested responses on May 18, 2016. On May 25, 2016, the Ha Giang Province Procuracy sent a request for additional information. On June 3, 2016, the Deputy Inspector General, Ethnic Communities Committee, responded that his office was not authorized to resolve the matter and suggested that Pa contact the director of the Procuracy of Ha Giang Province and the director of the Ha Giang Province Public Security Department. On June 4, 2016, Pa provided information in response to the May 25, 2016 letter from the Procuracy of Ha Giang Province. On June 6, 2016, the Procuracy informed Pa that they had sent Pa's inquiry to Ha Giang Public Security. On August 29, 2016, Pa wrote to Ha Giang Public Security to demand a response. He also sent similar reminders to the other government offices that received his first batch of letters sent on September 7, 2015.

On November 9, 2016, Pa described his persecution to 8 foreign diplomats in Hanoi. In November and December, public security officers trailed him and warned that he risked arrest for spying and passing on information to foreigners. Up to this day, there has been no government investigation into or responses to his complaints.

The Duong Van Minh Sect is a variant sect of the Christian religion adopted by many Hmong ethnics. After 25 years of persecution the number of apparent followers of the Duong Van Minh religion has shrunk from some one hundred thousand at the religion's highest point to around ten thousand today, living mostly in

four Northeastern provinces of Vietnam: Cao Bang, Bac Kan, Tuyen Quang and Thai Nguyen. Since the religion is not recognized as a "faith," the Vietnamese government openly orders its "eradication". Duong Van Minh, the Sect's leader, was sentenced to 5 years of imprisonment in 1990 for "spreading superstition with serious consequence" and "defrauding others." In 2013, he was again incarcerated in a hospital for six months without charge or reason. Nowadays repressive measures under administrative pretexts are used to destroy the organizational structure of the Duong Van Minh religion, harass its active leaders, discriminate and intimidate its followers.

Due to grave and systematic persecution, Duong Van Minh Sect followers cannot practice their faith freely. One of their religious tenets involves specific funeral ceremonies. Five symbolic wooden objects used for this ceremony were stored in small sheds of about 7 square meters so villagers could share them. By end of December 2013, the government had destroyed all of the 24 sheds for storing funeral objects of the Duong Van Minh believers in four Northeastern provinces. During the raids public security agents used truncheons and electric batons and savagely beat believers unconscious. In some instances the use of chemical weapons to disperse protest gatherings has caused serious injuries. Generally injured victims were denied medical treatment, which caused long lasting health damages such as semi paralysis and inability to work.

In recent years, the government has arrested at least 10 ethnic Hmong Duong Van Minh Sect followers who are fluent in Vietnamese and have served as interlocutors on behalf of the believers in complaining to the government agencies. They were later sentenced to up to two years in prison on the charge of "abusing the democratic freedoms" under Article 258 of Vietnam's Criminal Code. Fearing arrest, a dozen other Hmong went into hiding in the mountains and forests. At least two victims have been underground since 2001.

In October 2013 about 150 Hmong went to Hanoi to demand the right to practice freely their Duong Van Minh religion. Various government offices kept passing the buck to one another, without anyone giving a reply to the requests. Worse, public security agents dispersed the demonstrations and took petitioners back to their home provinces. During the raids several persons were beaten unconscious but were denied emergency aid. At least three injured young ladies were later hospitalized up to 14 days in their home provinces. Since she was beaten brutally during the raid in mid October 2013, another young lady of 18 years old, Ms. Hoang Thi Anh, is severely handicapped and often faints.

Vietnam's intensive and systematic suppression of the Duong Van Minh Sect began in 1989 and has gone on for 25 years. The United Nations Special Rapporteur on Freedom of Religion or Belief expressed concern about Vietnam's treatment of the Duong Van Minh Sect at his press conference in Hanoi on July 31, 2014.

**Enclosures:**

Report to USCIRF on the torture of Ma Van Pa, by VETO!, September 2, 2015

Persecution against adherents of Duong Van Minh Belief in Vietnam, updates by VETO!, May 28, 2015

The 25-year persecution of the Hmong's Duong Van Minh religion, by VETO!, April 30, 2014

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?gId=22835>