

INCIDENT REPORT

To: Special Rapporteur on Freedom of Religion or Belief
c/o Office of the High Commissioner for Human Rights
United Nations at Geneva
8-14 avenue de la Paix
CH-1211 Geneva 10
Switzerland

1/- General Information

- Did the incident involve an individual or a group?

The incident occurred to a group.

- If a group, list the number of individuals and each person's religious affiliation

There were approximately 120 people, including local worshippers from Trảng Bàng, Sài Gòn, Long An, Gò Công, etc. participating in a ceremony marking the final period of mourning (Lễ Đại Tường: the Great Acknowledgment Ceremony) for an adherent; all of them are the followers of the Great Way of the Third Time of Redemption or Cao Dai church established in 1926.

- Location of incident (village, commune, district, province, country).

At the house of Mrs. Phạm Kim Anh in Trường Cửu hamlet, Trường Hòa commune, Hòa Thành district, Tây Ninh province, Việt Nam.

- Nationality/Ethnic Group of victims

Nationality: Vietnam, Ethnicity: Kinh

- Does the government require religious organizations to register, and if yes, what is the status of your organization

Vietnam is a country that requires registration of religious activities. According to the 2004 Ordinance on Religion and Beliefs, and decree 92 in the year 2012 of the Vietnamese Government. Religious organizations must register, and the government has to give permission before religious activities may be conducted.

Currently, religious activities and operations of the Cao Dai church established in 1926 have been forbidden and considered as illegal. The government

established a government sanctioned Cao Dai branch on May 9, 1997, and forced Cao Dai adherents to follow this 1997 branch

2/-Information About Victims

Provide information about each victim.

Family Name: Phạm

First Name: Kim Ánh.

Religion: Cao Dai.

Curent or Original Address: Trường Cửu hamlet, Trường Hòa commune, Hòa Thành district, Tây Ninh province, Việt Nam.

Birthdate: 1964.

Gender: Female.

(For the remaining victims, please see addendum 01).

Person authorized to speak for this individual, if any:

Ms. Katie Dương, citizen of the United States, in charge of Overseas Branch of the Cao Dai Popular Council, phone number: 469. 525. 3356 (3112 North Jupiter Road, Suite 216, Garland, Texas 75044); she will present all of the details of the incident.

3/- Information about the Violation

- Date and Time (approximate if not precisely known):

November 12, 2015, at 4:30 pm.

November 13, 2015, at 11:15 am.

- Location of violation:

The house of Mrs. Phạm Kim Ánh in Trường Cửu hamlet, Trường Hòa commune, Hòa Thành district, Tây Ninh province, Việt Nam.

- Describe in detail the violation of religious freedom and government officials' involvement.

Mrs. Nguyễn Thị Tỳ, who passed away at age of 89, a Cao Dai adherent, mother of Mrs. Phạm Kim Ánh, stated in her will that Cao Dai followers of Cao Dai church established in 1926 should be invited to her funeral and the following mourning ceremonies. Mrs. Anh followed her words in the will... (See photo # 01 of Mrs. Ty of the Photo Section in the Appendix).

In the afternoon of November 12, 2015, Vice Chair of Trường Hoà commune Võ Văn Hạnh; Chair of the Fatherland Front of the Trường Hoà commune Phạm Văn Quý; Trường Cửu hamlet Head Trần Trọng Nghĩa, Head of the local (government-sanctioned) Cao Dai Branch's managerial committee Thượng Hùng Thanh, Sub-Dignitary Nguyễn Văn Kiểng (of government sanctioned 1997 Cao Dai Branch) requested that Mrs. Ánh should let the Cao Dai Branch of 1997 to conduct the Great Acknowledgment Ceremony for Mrs. Ty instead; and if the family does not follow the request, the family would be held responsible for whatever consequences might be.

On November 13, 2015, the day of the Great Acknowledgment ceremony:

At 11:15 am, the 1997 Branch decided on their own to send people to where the ceremony was being held, and used handheld speakers asking Cao Dai worshippers present onsite to leave the ceremony area; they were ordered by the Branch to disperse and shall not conduct the ceremony. Otherwise, the Branch's people would take action. (See photo #2 of the Photo Section in Appendix: using a speaker to broadcast, and the video #01 of the Video Section in the Appendix with the following link: <https://www.youtube.com/watch?v=w5VeLBMRcvU>).

Note: Please disregard the date and time on the recorder (at minute 01 of the video), which was mistakenly set.

Then, adherent Thượng Hùng Thanh led about 80 members (from 06 other sects of the Branch) and thugs bursting in to attack the Cao Dai 1926 worshippers present onsite.

(See photo # 03 of the Photo Section in the Appendix, adherent Hùng Thanh burst in “with an X mark”).

Adherent Hùng Thanh himself overturned the tables where the worshippers were eating...., and his followers burst in destroying the tables and chairs, and attacked the believers attending the ceremony...

(See photo # 04 of the Photo Section in the Appendix: Adherent Hùng Thanh stood next to a table with foods. Photo # 05 of the Photo Section: Adherent Hùng Thanh overturned the table where the worshippers were eating. Photo # 06 of the Photo Section: An old lady held on to the table that adherent Hùng Thanh overturning. Photo # 07 of the Photo Section: foods were spilled on the floor; bowls, plates, cups... were broken).

(See Video #01 at time slot of 2 minutes 23 seconds)

The ceremony organizers defended against the 1997 Branch's group so Mr. Hùng Thanh and his followers withdrew to outside (See photo # 08 of the Photo Section)

(Video # 02 of the Video Section in the Appendix: The scene of 1997 Branch sabotaging; link:

<https://www.youtube.com/watch?v=5AwyszWUPoc>)

After that Mr. Hùng Thanh called Mr. Phạm Văn Quý, who is the head of the commune Fatherland Front, came to reinforce....The Deputy Chief of the commune public security forces also came to the site followed by a number of uniformed male and female public security officers, 6 of them brought along police batons, and a number of officers were in plain clothes.

(See photo # 09 of the Photo Section: Mr. Quý (marked with an X). Photo # 10 of the Photo Section: public security assisting Mr. Quý of Fatherland Front).

Video # 03; The public security officers came, witnessed the scene of sabotage but they didn't arrest the culprits...

link: <https://www.youtube.com/watch?v=M8BVxcdmhMo>

The public security officers protected the 1997 Branch and called their members as strange subjects....while the Cao Dai 1926 followers pointed them the ringleader, Mr. Hùng Thanh, who committed a crime in plain sight, without being arrested.

(Photo # 11 of the Photo Section: public security stood next to adherent Hùng)

(Document #1 in the Documentation Section in the Appendix: Report made by public security).

After the ceremony finished around 3:30 pm and all the worshippers went home, the Trường Hoà commune government official took Mr. Phạm Tuấn Kiệt (Tám Cung) to commune office. The ceremony organizers were concerned about his absence for quite a long time, they went to the commune headquarter to look for him... Public security then arrested all these four people who were seeking Mr. Kiet. Those detained were: Phạm Kim Thu, Trần Quốc Mỹ, Phạm Thị Anh, and Ms. Lại...

At 7 pm, the family members of the ceremony organizer and a number of local worshippers went to the Trường Hoà commune office to protest the detention... It wasn't until 8:30 pm that the authorities let five people go home.

- **Please list and explain indications that victims were harassed on account of their religions or belief:**

The following actions indicate that the government officials and 1997 Cao Dai Branch violated the following articles of the **Universal Declaration of Human Rights** which Vietnam signed and has responsibility for enacting:

- **Article 12:** (Protection of privacy and honor)
- **Article 13:** (Freedom of movement and residence)
- **Article 18:** (Freedoms of thought, conscience, and religion)

Since Mrs. Anh's family has followed the Cao Đài religion established in 1926, they have the right to undertake the Great Acknowledgment ceremony according to their faith's tradition. However, the government officials and 1997 Cao Dai Branch forced the family (of Mrs. Anh) to obey the Branch's order in organizing the Great Acknowledgment ceremony that is in violation of Mrs. Anh's religious freedom (per Article 18 above).

Adherent Hùng Thanh overturning the table where the worshippers were eating during the ceremony. That is in violation of Article 12 above.

The 1997 Branch decided on their own to bring a speaker to Mrs. Anh's house forcing the worshippers to break up, keeping them from participating in the ceremony. Public security forced the crowd to leave Mrs. Anh's house. That is in violation of Article 13 above.

- **Identity of those who violated freedom of religion or belief, names (if known), and motives:**

The ones who planned and led the attack were the Vietnamese government officials; the ones who implemented it were adherent Thượng Hùng Thanh of the 1997 Cao Dai Branch and thugs. The evidences are as follows:

. On November 12, 2015, the authorities coordinated with the Branch to come to Mrs. Anh's house to threaten her and her family for conducting the ceremony with the participation of 1926 Cao Dai members.

. On November 13, 2015, adherent Hùng Thanh directed the attack and sabotage. His illegal action was flagrant "delict" and clearly proven; however, public security ignored it and considered him as a strange subject. He and his followers forced the worshippers to break up when the Great Acknowledgment ceremony was still ongoing...

. That afternoon, the public security detained five people (the victims) involved in the organization of the ceremony.

The government and the 1997 Branch are two groups coordinated with each other to pursue the same goal of destruction of the Great Way of the Third Time of Redemption or the Cao Đài religion established in 1926. The government's motive is to hide the Cao Đài Sentencing executed on July 20, 1978. The motive of the 1997 Branch is to continue to appropriate and use the title of and to occupy the Tay Ninh Temple from the Cao Đài religion established in 1926.

- **Do the victims know the perpetrator (s)?**

The victims know them, as presented above.

- **Were the government officials or non-government organization personnel held responsible for the violations?**

The government officials who planned and directed the 1997 Branch to implement the sabotage

- **Are the perpetrators government officials?** Please provide their positions, ranks, branch of government that they serve: public security, armed forces; and where they serve (local, district, province or central government). Please provide reasons for why they are responsible for the violation. Provide as much detail as possible. The perpetrators were as follows:

Vice Chair of Trường Hoà commune Võ Văn Hạnh; Chair of the Fatherland Front of Trường Hoà commune Phạm Văn Quý; Deputy Chief public security officer of the commune Phạm Minh Thông; commune public security officer Nguyễn Hoàng Huân; and a number of other public security officers. They were responsible for the incident because they directly supported, and covered the illegal act of the 1997 Branch to disrupt the Great Acknowledgment ceremony.

After the incident, the commune public security detained five people involved in organizing the ceremony.

- **If you cannot point to the officer(s) or agent(s) of the government who would be the perpetrators; do you think that the government itself or individuals related to the government should be liable for this incident, and why?**

The perpetrators have been identified above. They should be liable for the incident.

- **If there are witnesses to this incident,** please give the name, relation to the victim, address, email, and/or phone number. If they want to remain

anonymous, please identify if they are a relative, a passerby on the street, etc. Please provide evidence, if possible.

All the victims listed in Appendix 1 are also the witnesses of the incident.

4/- Any follow up Actions taken by the victim, member of his/her family or other individual on his/her behalf

- Has anyone submitted a complaint, when, and to what government agency, department, or court (public security, religious office, procuracy, people's council, people's court, ...)

Everyone requested the commune public security and public security 113 to come. The commune public security officers came and had to make a report (see photo # 1 under the Document section of the Appendix).

- Have there been any other actions? No
- Actions or responses by the government, if any: No
- Per your knowledge, if the responsible authority conducted any investigation; if yes, how they did it? What have any progress or measures been made by the government?

The authorities do not investigate it, just like they haven't investigated hundreds of other cases.

- If the incident report prepared by the victims or their relatives, how will the authorities react to the report and treat the victims? What are the results?

The authorities will cause trouble to the family as they conclude that the report would cause the concerns of the international community toward Vietnamese government for not respecting religious freedom...

5/- Information of the organization or Individual preparing this report

- Family Name: Duong
- Name: Katie.
- Contact information: phone number 469. 525. 3356
- Name of the person or organization delegated to prepare this report, if any:

We, the victims, authorize Ms. Katie Duong, citizen of the United States, and in charge of the Overseas Office of the Popular Council, phone number: 469.

525. 3356 (3112 North Jupiter Road, Suite 216, Garland, Texas 75044) to present all the details.

- Status of the preparer: individual, group, non-government organization or religious organization: religious organization.

The Popular Council is the collective followers of the Cao Đài religion, who is fighting for the religious freedom of the Great Way of the Third Time of Redemption (Cao Dai Church). Based on the scriptures of Cao Dai Church and the international conventions that Vietnam has signed: Religious freedom is a universal right and necessary before any administrative procedures, it is not dependent on any kind of administrative procedures of Request and Approve applied afterward. The Popular Council is a nongovernmental organization and does not accept any impositions placed upon it by authorities on organization structure or human resources.

Entity making the report: Overseas Office of the Popular Council of Cao Đài Church is the entity preparing this report. Contact information.

Email: hoabinhchungsong220513@yahoo.com or
ngoctung963@gmail.com (telephone number: 0938 222 409).

- If the report is not prepared by the victims, are the victims aware of or allowing the individual or organization to prepare the report?

The victims collaborated with the Popular Council of Cao Dai Church to prepare this report.

- Does the the personal information of the report preparer need to be kept confidential?

No.

Date report submitted: November 14, 2015.

Signature (person writing report):

APPENDICES: See below

APPENDIX 01: Information on the Victims (following Section 2 of the Text)

<u>Last Names</u>	<u>First Names</u>	<u>Religion</u>	<u>Residences</u>	<u>Year of Birth</u>	<u>Gender</u>
Phạm	Kim Ánh	Cao Dai	Truong Cuu hamlet, Truong Hoa commune, Hoa Thanh district, Tay Ninh province	1964	Female
Trần	Ngọc Sương.	Cao Dai	Ward 04, Town of Gò Công, Tiền Giang province.	1956	Male
Võ	Văn Lực	Cao Dai	Hamlet 2, Mỹ Thạnh commune, Thủ Thừa district, Long An province	1956	Male
Trần	Văn Khoa.	Cao Dai	H7/3 Truong Cuu hamlet, Truong Hoa commune, Hoa Thanh district, Tay Ninh province	1948	Male
Huỳnh	Thị Liễu	Cao Dai	Ward 05, Town of Gò Công.	1950.	Female
Võ	Thanh Hải	Cao Dai	Ward 04. Town of Gò Công.	1964	Male
Phạm	Văn Tùng.	Cao Dai	Ward 04. Town of Gò Công.	1972	Male
Bùi	Văn Lập.	Cao Dai	Town of Tân Hòa, District: Gò Công Đông.	1950	Male
Đoàn	Văn Nghiệp	Cao Dai	Bình Ân commune, District Gò Công Đông.	1945	Male
Phạm	Quốc Sách	Cao Dai	Ward 01, town of Gò Công, Tiền Giang province.	1959	Male
Võ	Văn Đàm	Cao Dai	4/95 Bàu Sen hamlet, Hảo Đức commune, town of Tây Ninh.	1956	Male

Section 1- Photos:

Photo #01: Portrait of Mrs. Nguyen Thi Ty, passed away at age 89



Photo#02: 1997 Branch used loud speaker to dissolve the gathering



Photo#03: Adherent Hung Thanh (X mark) burst in



Photo#04: Adherent HungThanh approached a food table



Photo#05: Adherent Hung Thanh overturned a table where people were eating



Photo#06: An old lady supported as HungThanh overturning the table



Photo#07: Foods spilled on the floor, bowls, plates and cups... were broken



Photo#08: The organizers defended against the intruders (1997 Branch)



Photo#09: The Chair of the commune Fatherland Front: Mr. Quy (X marked)



Photo#10: Public security assisted Mr. Quy



Photo#11: Public Security stood next to adherent Hung Thanh; Publ. Security indicated Hung Thanh as a strange subject in their report of the incident



Section 2: Videos

1- Video #01: related to Section 3 of the text: Information of the Violation;

link: <https://www.youtube.com/watch?v=w5VeLBMRcvU>.

Please disregard the date recorded on the video which was mistakenly set

Time slot at 1 minute 40 seconds: 1997 Branch used loudspeaker requesting people to dissolve and leave the ceremony. If do not follow the order, it means that people are against the government; we (1997 Branch) will take actions.

At 2 min. 23 sec: Hung Thanh overturned the table while people were eating.

2- Video #02: The scene of sabotage conducted by the 1997 Branch;

link: <https://www.youtube.com/watch?v=5AwyszwupOc>.

3- Video #03: The public security witnessed the incident onsite, but did not arrest the perpetrators.

link: <https://www.youtube.com/watch?v=M8BVxcdmhMo>

Public security covered up the action taken by the 1997 Branch; they indicated all the perpetrators as strange subjects in their report. The worshippers of 1926 Cao Dai Church pointed Mr. Hung Thanh as one who committed violation acts with flagrant “delict”.

Section 3: Documentation

Photo#01: The report prepared by Public Security indicating all perpetrators as strange subjects.

