

**The 1997 Sect:
Non-state actor with a long record of human rights violations
against the Cao Dai Religion**



*For more than eight years Cao Dai followers in Saigon had to conduct prayer services on the street outside of their own temple, which had been seized and occupied by the 1997 Sect.
(Photo taken on November 16, 2005)*

BPSOS Religious Freedom Project

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The Religious Freedom Project, which is part of BPSOS's International Initiatives, reflects the organization's commitment to Article 18 of the Universal Declaration of Human Rights. BPSOS has worked to defend and promote religious freedom since 1996. In 1998, the organization co-founded the Committee for Religious Freedom in Vietnam. Since 2010, BPSOS has funded a legal clinic in Thailand to defend the right to refugee protection of close to a thousand victims of political and religious persecution from countries such as Vietnam, Laos, Cambodia, China, Pakistan, Republic of Congo, and Somalia. In 2015, BPSOS joined with regional and international partners to launch the annual Conference on Freedom of Religion or Belief in Southeast Asia (SEAFORB). The scope of work of BPSOS's Religious Freedom Project includes:

- (1) Documenting and reporting violations of religious freedom;
- (2) Training persecuted religious communities to identify and report incidents of violations of their members' religious freedom;
- (3) Coordinating advocacy campaigns jointly with persecuted churches and stakeholders;
- (4) Hosting and co-organizing conferences, workshops and roundtable meetings on religious freedom issues; and
- (5) Providing support and coaching to networks of religious freedom advocates.

INTRODUCTION AND EXECUTIVE SUMMARY

In 1978 Vietnam's Communist Government declared the Cao Dai Religion, which was founded in 1926, to be counter-revolutionary and forced its Sacerdotal Council to cease operations. In 1997, the Vietnamese Government created the "Cao Dai Tay Ninh Sect," appointed to its leadership individuals loyal to the Vietnamese Communist Party and transferred religious properties and assets of the Cao Dai Religion, including its Holy See in Tay Ninh Province, to the new sect. This new sect has since assumed the identity of the Cao Dai Religion, occupied its Holy See, and seized most of its temples. Sect members have committed severe violations of human rights, including torture and cruel, inhuman, or degrading treatment against Cao Dai adherents with the aim of coercively converting them. Complaints and requests for intervention filed by Cao Dai adherents have all been ignored by the government.

This strategy has worked so well that the massive forced conversion of millions of Cao Dai followers has gone unnoticed by the international community for two decades. This situation is analogous to that of a sect that suddenly appears, does not recognize Christ as the son of God, occupies the Vatican, persecutes Catholics and yet claims itself to be the Catholic Church. And the international community has been fooled.

FOUNDING OF THE CAO DAI RELIGION

Founded in 1926, Dai Dao Tam Ky Pho Do (Third Universal Amnesty Great Way of God), also known as the Cao Dai Religion, calls for unity, love, justice, peace, freedom, democracy, and respect for all faiths. Its theological foundation is spiritism – direct communion with God through spiritist séances. Its Holy Constitution and New Canonical Codes were believed to be dictated by God and therefore may not be altered by men. With its Charter approved on July 12, 1965 by the Government of the Republic of Vietnam (aka South Vietnam), the Cao Dai Religion acquired legal status at the national level. Its Holy See, based in Tay Ninh Province, had affiliated temples and offices throughout South Vietnam and in some other countries including Cambodia, France, Canada, Australia, and the United States. Followers of the Cao Dai Religion and its sects presently number 4.5 to 5 million both in and outside of Vietnam.

All religious activities of the Cao Dai Religion were jointly managed by its three councils: the Popular Council, the Sacerdotal Council, and the High Council. All new laws and rules must be ratified by all three councils and then submitted for divine confirmation through spiritist séances. All clergy positions must be similarly confirmed by divine power.

Reflecting the democratic principles that are incorporated in its religious dogma, the Cao Dai Religion has a "Junior Sacerdotal Council" comprised of followers elected by their peers to local administrative offices. The role of this council is to bring God's words directly to and coordinate religious, social and other activities of Cao Dai followers at the grassroots level. In

time of crisis, when the three official councils of the Cao Dai Religion can no longer carry out their functions, the “Junior Sacerdotal Council” has the duty and authority to take over part or all such functions.



The Cao Dai Religion’s Holy See during construction in 1930, photo by Walter Bosshard

THE CAO DAI RELIGION UNDER THE COMMUNIST REGIME

After its takeover of South Vietnam, in 1977 the Vietnamese Communist Party (VPC) founded the Fatherland Front as its extension to infiltrate and control all aspects of society. On July 20, 1978 the Fatherland Front of Tay Ninh Province issued its verdict, denouncing the Cao Dai Religion as reactionary and a puppet of the French and American colonialists. Using this “verdict” as justification, on December 13, 1978 the People’s Council of Tay Ninh Province passed a resolution to outlaw the Cao Dai Religion and disband its entire administrative structure from the central to the local levels, including its Legislative Body, its Executive Body, its three official councils, and its system of local administrative offices making up the religion’s “Junior Sacerdotal Council.”

On June 4, 1980, by Decision No. 124, the People’s Committee of Tay Ninh Province took all lands, totaling over 2,355 hectares, belonging to the Cao Dai Religion, and most of its religious properties including its hospital, university, library, and many schools. The only

religious properties exempted from confiscation were the Tay Ninh Holy See Temple and nine other edifices within the environs of the Holy See, all of which were placed under state management instead.

Under threat from the government, the Cao Dai Religion's Legislative Body (officially known as Hiep Thien Dai, or Divine Alliance Temple) issued Religious Order No. 01/HTDL dated March 1, 1979 to suspend its own operations and the operations of the Executive Body, disband the three councils, and dismantle the Cao Dai administrative structure at all levels (the village, district, province, region and central levels). To save the Cao Dai Religion from complete extinction, the Legislative Body appointed an interim "Governor (Chief Administrator) of the Legislative Body" and created an interim administrative office, known as the "Governing Council" (Hoi Dong Chuong Quan), to help the interim Governor manage day-to-day operations at the central level, cope with policies of the government, and maintain contact with Cao Dai followers throughout the country and overseas. The Cao Dai Religion's once large administrative structure was reduced to a small interim office, which was staffed by only ten people under the supervision of the interim Governor.

In 1984 the People's Committee of Tay Ninh Province issued an order purporting to eliminate the position of interim Governor and disband the interim Governing Council, replacing it with a Managerial Council that it controlled. The government made the change so as to more tightly monitor and control followers of the Cao Dai Religion. The new Managerial Council was staffed not with Cao Dai Religion leaders but with individuals who answer to the VCP.

Five years later, on September 14, 1989, the People's Committee of Tay Ninh Province issued another order purporting to eliminate the Managerial Council and to replace it with a Governing Council. Despite having the same name, this new entity was different from the Governing Council that had been established in 1979 as the administrative office of the interim Governor of the Legislative Body. The new Governing Council, the scope of activities of which was limited to administrative matters within Tay Ninh Province, was separate from the Legislative Body. To staff it, the VCP's Provincial Committee of Tay Ninh Province hand-picked a few mid-ranking clergy members of the Cao Dai Religion who collaborated with the VCP. The new Governing Council's Chair, Mr. Ho Ngoc Tho, was member of the Fatherland Front of Tay Ninh Province, which in 1978 had issued the verdict against the Cao Dai Religion.

THE GOVERNMENT'S NEW STRATEGY

Facing mounting international criticisms, in the early 1990's the VCP changed its strategy: to force Cao Dai Religion adherents to join a new religion that they would create and control. The Secretariat of the VPC's Central Committee on November 14, 1992 issued Announcement No. 34-TB/TW titled "*Opinions of the Secretariat regarding Undertaking and Tasks towards the Cao Dai Religion.*" This document laid down the VCP's policy of dividing and isolating Cao Dai communities: "*Regarding its organization, we shall not allow*

the Cao Dai Religion to form an administrative structure that is similar to that of a government, and shall not allow the different Cao Dai Sects with national presence to unify under any form, even under the form of an ‘alliance’... ”

Implementing this strategy, on May 27, 1996 the VCP’s Provincial Committee of Tay Ninh Province submitted its “Plan No. 01” to the VCP’s Central Committee. This internal document acknowledged that the VCP’s strategy to “*encircle the Cao Dai Religion and restrict it to Tay Ninh locality until its eventual death*” had not succeeded, and proposed instead to turn the new Governing Council into a religious sect operating on the national scale. On May 29, 1996 the VCP’s Provincial Committee of Tay Ninh Province designated Communist party members to form a Steering Committee to oversee the formation of the new sect and ensure that:

- It will be limited to being a sect;
- Spiritist séances will be banned; and
- Its Sacerdotal Council will have only two levels instead of the five administrative levels of the Cao Dai Religion.

On September 30, 1996 the Mass Mobilization Committee of VCP’s Central Executive Committee issued Announcement No. 319/TB.BDV instructing the Fatherland Front, the Central Committee on Religious Affairs, and the Ministry of Interior that, in the process of forming the new religion, they must “*[e]nsure the strict leadership of the VCP. Build core forces and positive elements to meet the need of forming the [political] base for the near and long terms... Guard against, fight off and deal with any manifestation of opportunism, division, or opposition by bad elements.*” In a follow-up directive, the Mass Mobilization Committee emphasized the importance of “*screening, selecting and rallying the core forces, political bases and party members (including former party members) toward establishing core cells directly led by party committees at different levels... Should focus on the quality and give importance to the principle of secrecy, tight control in core tasks, particularly relating to the political bases.*”¹

The Steering Committee set up by the VCP’s Provincial Committee of Tay Ninh Province oversaw the drafting of the new religion’s charter, which renounced spiritism, the theological core of the Cao Dai Religion; created an organizational structure with the Governing Council at the top; and allowed clergy members to be appointed or promoted without divine consent through spiritist séances as required by the Cao Dai Religion’s Holy Constitution and New Canonical Codes. The new sect was so different from the Cao Dai Religion that it would have constituted a different faith, except that its creators were committed atheists whose goal was to destroy a religion rather than to found one.

On May 9, 1997, by Decision No. 10/QD/TGCP the Government approved the charter of the new sect and accorded it legal status. Its official name as recognized by the government, “Dai Dao Tam Ky Pho Do Cao Dai Tay Ninh”, contained the attribute “Cao Dai Tay Ninh” to

¹ Circular No. 31 HD/DVTW, dated February 16, 1998

specify that it was a sect of the Cao Dai Religion. For ease of reference, the new sect will be hereafter referred to as the 1997 Sect.

The 1997 Sect's Governing Council was populated with individuals who were closely associated with the VCP or were members of the government:

- Mr. Ho Ngoc Tho, Chair of the Governing Council, was Vice Chair of the Central Committee of the Fatherland Front of Vietnam for 1994-1999. He was also a member of the Central Committee of the Fatherland Front of Tay Ninh Province.
- Nguyen Thanh Tam, Vice Chair of the Governing Council, was member of the Fatherland Front of Tay Ninh Province for 1994-1999. In July 1997 he was selected by the VCP to be a member of the National Assembly.
- Mrs. Huynh Thi Nhin, Member of the Governing Council, was member of the Fatherland Front of Tay Ninh Province, for 1994-1999.

It is telling that these three members of the Governing Council of the 1997 Sect belonged to the Fatherland Front of Tay Ninh Province, which in 1978 issued the verdict to abolish the Cao Dai Religion.

The government turned over to the 1997 Sect all properties of the Cao Dai Religion that were under state management.

Tran Quang Canh, presently a priest of the 1997 Sect and the Chair of its Overseas Representative Committee, once admitted the shift in the CPV's policy towards the Cao Dai Religion: *"This policy was manifested by granting legal status to the Cao Dai 1997 Sect, [and] approving its charter dated April 5, 1997, which was drafted by the Governing Council... under the command of the Government of Tay Ninh Province."*²

DECEPTION TACTICS

In 2007, with the approval of the government, the 1997 Sect changed its name to "Dai Dao Tam Ky Pho Do (Cao Dai Toa Thanh Tay Ninh) ["Third Universal Amnesty Great Way of God (Cao Dai Holy See Tay Ninh)"]. After this name change, Mr. Nguyen Thanh Tam, then Vice Chair of the Governing Council of the 1997 Sect, declared himself Cardinal and appointed himself Chair of the Governing Council. Although it is a different organization, representing a different faith and bearing a different name, the Governing Council of the 1997 Sect deliberately uses the letterhead, seal, and other insignia of the Cao Dai Religion in all its official communications and publications. This was viewed by Cao Dai followers as the 1997 Sect's attempt to deceive the public and the international community by passing itself to be the Cao Dai Religion.

² Declaration of Cao Dai Overseas Missionary, July 3, 2000

Because of this deception, the growth of the 1997 Sect has been incorrectly interpreted by some foreign observers as a sign of improved religious freedom for Cao Dai followers. Nothing could be farther from the truth.

On February 17, 2009, a number of Cao Dai followers filed a lawsuit with the People's Court of Tay Ninh Province challenging the 1997 Sect's use of the Cao Dai Religion's name and identity and its occupation of the Cao Dai Religion's Holy See. This lawsuit aimed to expose the 1997 Sect's true nature as an impostor whose mission was to eliminate the Cao Dai Religion and take its place. The court took no action on the lawsuit and did not respond to the plaintiffs' multiple queries. Instead, on August 28, 2009, the Public Security of Hoa Thanh District, Tay Ninh Province issued an arrest warrant against one of the plaintiffs on the charge of "abusing freedom and democratic rights to infringe on national interests and the legal rights and interests of organizations [and] citizens."

On November 16, 2015 the Legislative Body of the Cao Dai Religion came out of its self-imposed suspension to denounce the 1997 Sect's deception scheme:

"The actions of secularly appointed Cardinal Thuong Tam Thanh are against God's will, against the Holy Constitution because he was not divinely confirmed to be a clergy member of the Cao Dai Religion at the Holy See in Tay Ninh; we therefore call him by his secular name Nguyen Thanh Tam and not as Cardinal Thuong Tam Thanh..."

"Based on the above elements, the Legislative Body concludes: The Cao Dai 1997 Sect is a heretic faith..."

"Nguyen Thanh Tam seized religious facilities of our religion from the central to the local levels in order to steer the Great Way from its path, taking the people and followers of the Cao Dai Religion on the path of heresy, betraying our solemn pledge to the Supreme Being, and turning a divine religion into a worldly one."

A LONG RECORD OF VIOLATIONS OF HUMAN RIGHTS

On September 15, 2017, the highest authority of the Cao Dai Religion, its Legislative Body, issued an official statement denouncing the 1997 Sect of grossly violating the rights of Cao Dai followers:

"Another important act of persecution by the Cao Dai 1997 Sect: The Sacerdotal Council of Cao Dai 1997 Sect unanimously instructed its Representative Committee for Tay Ninh Province to issue document No. 42/90.BDD-VT dated September 2, 2015, reporting to the government at different levels in Tay Ninh Province its aim to form 75 groups organized into 16 clusters to persecute [and] terrorize followers who preserve their original faith at funerals and altar erecting services in private homes."

“Next, the Church of Cao Dai 1997 Sect instructed the security force at the inner quarters of the Holy See to use force against members of the Legislative Body of the original Cao Dai Religion, close the office of the Legislative Body, and evict members of the Legislative Body from the inner quarters of the Holy See.”

The 1997 Sect, a non-state actor created in 1997, is carrying out the government’s plan to efface the Cao Dai Religion founded in 1926. In the process, the 1997 Sect has committed severe violations of human rights, often acting in coordination with local government authorities. Its human rights violations can be grouped into four categories: (1) taking Cao Dai temples by force or coercion; (2) prohibiting Cao Dai followers from gathering at their Holy See; (3) interfering with religious activities of Cao Dai followers in their private homes; and (4) desecrating the funerals and burials of Cao Dai followers. These violations have encroached on the right to religious freedom, on cultural rights, on the rights to peaceful assembly and association, and on other basic human rights. They aim to force Cao Dai followers to submit themselves to the 1997 Sect, which essentially constitutes forced renunciation of faith and forced conversion.

1. Taking Cao Dai temples by force or coercion

Immediately after its formation and relying on the government’s support, the 1997 Sect occupied the Holy See of the Cao Dai Religion, sparing only the office of the Legislative Body. It then proceeded to systematically seize Cao Dai temples throughout the country, often using force and violence with the support of the public security police and thugs.³ Of the over three hundred Cao Dai temples, all except 15 have been seized by the 1997 Sect. The following are some illustrative cases of Cao Dai temples that have been expropriated or targeted for seizure by the 1997 Sect.

Saigon Cao Dai Temple: In 1949, Pope Pham Cong Tac, founder of the Cao Dai Religion, bought a French villa in District 5, Saigon to serve as a temporary office where he and Cao Dai clergy members worked and rested whenever they visited the national capital of South Vietnam. In 1999, Cao Dai followers pooled their money, equivalent to US \$95,000 in 1997 dollars, or about \$147,000 in 2018 dollars, to convert this villa into a temple. In July 2001, as the temple was inaugurated, the 1997 Sect dispatched one of its clergy members from Tay Ninh Province to Saigon to claim it as the sect’s property. Cao Dai followers resisted the takeover. On April 14, 2005, escorted by officials of the local Committee on Religious Affairs, members of the local Fatherland Front, officials of the District 5 government, and public security agents, clergy members of the 1997 Sect expelled Cao Dai followers from their temple. Affected Cao Dai followers had to hold their bi-monthly religious services on the pavement outside of their own temple for eight and a half years before they could afford to build a makeshift place of worship in 2013.

³ The Vietnamese police frequently use gangs of ostensibly civilian thugs to attack people they regard as adversaries. In a number of instances, members of the public security police disguise themselves as civilian thugs to attack dissidents.



Cao Dai followers conducting prayer services on the street after their own temple had been seized and occupied by the 1997 Sect (photo taken on November 16, 2005)

Dinh Quan Cao Dai Temple: Founded in 1970, this temple served 500 Cao Dai followers in Dinh Quan District, Dong Nai Province. On November 19, 2008, the 1997 Sect sent its representatives to take over the temple; they were met with strong resistance by the Cao Dai followers. The temple's Administrative Office explained to the intruders that the temple belonged to the Cao Dai Religion, not the 1997 Sect. On Sunday December 27, 2009, members of the 1997 Sect returned, this time escorted by government officials. They attacked the Cao Dai followers at the temple but failed to take over the temple. The following day they came back, escorted by thugs, public security agents, military personnel, and local government officials. They punched, kicked, and beat all Cao Dai followers who happened to be present at the temple. They also damaged parts of the temple. Overwhelmed by this brutality, the Cao Dai followers had to flee from their temple. Members of the 1997 Sect moved in and occupied it. In 2017, they demolished the Dinh Quan Cao Dai Temple. On January 13, 2018, Mr. Nguyen Thanh Tam, Chair of the Governing Council of the 1997 Sect, attended the groundbreaking ceremony for a new temple of the 1997 Sect to be built on the grounds of the old Cao Dai temple.



Cao Dai Temple in Dinh Quan, Dong Nai Province, seized and demolished by the 1997 Sect (photo taken on November 21, 2017)

Phu My Cao Dai Temple: At 8 am on September 16, 2012, the Day of Worshipping God in Heaven according to Cao Dai traditions, ten Cao Dai followers were conducting an outdoor religious ceremony when a mob of some 30 individuals surrounded their temple in Phu My District, Binh Dinh Province. Local government officials were seen commanding the public security police, thugs, and members of the 1997 Sect. Chief Administrator Nguyen Huu Khanh announced the suspension of the religious ceremony as the situation became tense. For a while the attackers could not enter the temple because its gate was locked. They finally broke the locks, threw open the gate and invaded the temple. The Cao Dai followers ran into the temple but were pursued by the raucous mob. The intruders beat up all those in their sight. Deputy Administrator Nguyen Cong Tru, already seriously injured, was caught by Mr. Truong Tu, leader of the 1997 Sect mob. He poured petroleum over Mr. Tru's body and was about to set the latter on fire when other members of the 1997 Sect stopped him. Calls for help by Cao Dai followers placed to the local authorities were either dismissed or not answered. The attackers succeeded in taking over the temple.



Members of the 1997 Sect attacking Cao Dai followers in their temple, Phu My District, Binh Dinh Province (photo taken on September 16, 2012)

Long Binh Cao Dai Temple: On July 3, 2013, about 20 Cao Dai followers and clergy members gathered for a religious ceremony at the Long Binh Temple in Go Cong Tay District, Tien Giang Province. The public security police used a truck to knock down the front gate of the temple. They rushed in, accompanied by thugs and local members of the 1997 Sect, and used batons, clubs, and rocks to assault the faithful who defended their temple. Many Cao Dai followers were injured; most severely were Mr. Nguyen Van Em and Deputy Administrator Mrs. Le Thi Ket. The public security police arrested six Cao Dai followers, including Chief Administrator Le Van Ngoc Diep, who was in charge of the temple. He was tied up and taken by members of the 1997 Sect to the Vinh Binh Cao Dai Temple, which had already been taken over by the 1997 Sect. There he was told to submit himself to the 1997 Sect, which he refused. The injured victims filed complaints with the local government but have never received a response. The Long Binh Cao Dai Temple has since remained in the hands of the 1997 Sect.



Mrs. Le Thi Ket, Deputy Administrator of Long Binh Cao Dai Temple, was tied up and savagely beaten by members of the 1997 Sect (photo taken on July 3, 2013).

An Ninh Tay Cao Dai Temple: On March 24, 2016, at 1:50 pm, Mr. Vo Van Bon, Deputy Chief of Public Security of An Hoa Hamlet, Duc Hoa District, Long An Province, commanded a large contingent of public security agents, thugs, and members of the 1997 Sect to mount a surprise attack on An Ninh Tay Temple. Facing the fierce mob, the temple's Chief Administrator Le Minh Chau and his deputy Phan Trong Huu tried to escape but found that both the temple's front and rear gates had been locked by the police. They sounded the alarm; local Cao Dai followers and local residents rapidly convened and surrounded the attackers. Facing a growing and restive crowd, Mr. Bon pulled his people out. This Cao Dai temple remains a target of the 1997 Sect.

Phu Thanh A Cao Dai Temple: On March 20, 2017, the People's Committee of Phu Thanh A Hamlet, Tam Nong District, Dong Thap Province summoned Chief Administrator Duong Ngoc Re to its office. He was ordered by the People's Committee Chair Nguyen Hong Van, the Chair of the local Fatherland Front Nguyen Van Mai, and a public security officer of the Tam Nong District by the name of Dung to deliver his temple to the 1997 Sect. He refused. Immediately six government and public security officials headed to the temple; they were accompanied by three members of the 1997 Sect (Mr. Nguyen Van Thao, Mr. Nguyen Van Sang, and Mrs. Duong Thi Le) and a number of thugs. They cut the lock at the gate, entered the temple, and summarily occupied it. The following day, in the presence of government officials, the 1997 Sect announced one of its members, Mr. Nguyen Van Thac, to be the new Administrator of Phu Thanh A Temple. According to Report No. 372/BC.CAH.AN dated August 1, 2016, stamped "top secret" and signed by Colonel Duong Hieu Nghia, Head of the Public Security of Tam Nong District, the government had planned the attack very thoroughly for at least a year in advance.



Members of the 1997 Sect, accompanied by the police and thugs, gathering in front of Phu Thanh A Cao Dai Temple (photo taken on March 20, 2017)

Nam Hoai Nhon Temple: On July 23, 2017, as Cao Dai followers were preparing to conduct religious rites, a group of government representatives and members of the 1997 Sect entered the temple without asking permission. The group included Mr. Vo Xuan Phong, Deputy Chair of the People's Committee of Hoai Tan Hamlet; Mr. Ngo Tu, Chair of the Fatherland Front of Hoai Tan Hamlet; four plain-clothed public security agents; and three representatives of the 1997 Sect (Messrs. Nguyen Hop, Ho Tan Thu, and Vo Van Dong). Mr. Hop read the 1997 Sect's order of eviction against Cao Dai Student Priest Mrs. Phan Thi Sanh, who managed the Nam Hoai Nhon Temple. Seeing the strong determination of Cao Dai followers to defend their temples, the government officials left. Members of the 1997 Sect, finding themselves abandoned, also left shortly thereafter. The 1997 Sect continues to pressure Cao Dai followers to deliver their temple to the sect.

2. Prohibiting Cao Dai followers from gathering at their Holy See

In 1997, the Vietnamese Government transferred to the 1997 Sect property of the Cao Dai Religion that it had placed under state management since 1979, including its Holy See. The only exception was the office of the Legislative Body of the Cao Dai Religion, where members of the Legislative Body were allowed to hold unofficial meetings. The 1997 Sect created an inner quarters security team to keep the Holy See off-limits to followers of the Cao Dai Religion unless they agree to convert to the 1997 Sect. Attempts by Cao Dai followers to gather on the grounds of the Holy See have been dealt with brutally by the 1997 Sect, often with the aid of the public security police.

In early 2008 the Popular Council of the Cao Dai Religion, a network of followers fighting to preserve their faith, announced their plan to convene a gathering of members on March 17

near the “Pagoda Tree”⁴ on the grounds of their Holy See. Their intention was to request publicly that the 1997 Sect stop presenting itself as the Cao Dai Religion, give Cao Dai followers access to facilities at their Holy See, and return the Holy See to the Cao Dai Religion. Six days before the event, the Governing Council of the 1997 Sect issued Announcement No. 01/83-HDCQ.TT to condemn the Popular Council of the Cao Dai Religion for “*inciting chaos, causing disunity within the religion, intentionally using deceiving words, tricking the faithful to go down a sinful path in regard to the religion, [and] violating the law.*” On March 14, the public security surrounded the house of Mr. Duong Xuan Luong, suspected of being the mastermind behind the planned event, to arrest him, but he was not at home. The public security then issued an arrest warrant against him. Mr. Luong had to live in hiding until his escape to Thailand in 2016; he arrived in the United States in April 2017 after more than nine years on the run.

Despite this campaign of repression, some 120 followers of the Cao Dai Religion managed to gather at their Holy See on the preset date; they came from the provinces of Tay Ninh, Binh Duong, Dong Nai, Lam Dong, Binh Thuan, Phu Yen, Buon Me Thuot, Binh Dinh, Long An, Dong Thap, and Kien Giang, among others. At 8:00 am they entered the Holy Shrine to pray, but soon the inner quarters security personnel escorted each and every one of them so that they could not gather, and blocked them from coming near the Pagoda Tree, around which a new fence had been erected. The few who succeeded in coming near the Pagoda Tree were immediately dragged away. On the following days, Tay Ninh Newspaper, the official organ of the VCP’s Provincial Committee, published three back-to-back articles denouncing the Popular Council of the Cao Dai Religion to be unlawful and disrespectful of God.



State media denouncing Cao Dai followers of being unlawful and disrespectful of God, dated March 18, 2008

More than seven years later, on April 10, 2015, the Popular Council of the Cao Dai Religion announced its second attempt to convene followers on the grounds of their Holy See on May 27, 2015 so as to elect their religious leaders according to Cao Dai traditions. On May 5, 2015 it sent a twelve-member delegation to meet with officials of the Central Committee on Religious Affairs and the Fatherland Front in Hanoi and present their plan for the gathering. The 1997 Sect immediately wrote to the Government, asking that they intervene and block such activity; it then issued Announcement No. 01/90 dated May 8, 2015, denouncing the

⁴ The Pagoda Tree had been a common gathering place for Cao Dai followers visiting their Holy See.

planned gathering to be illegal and subversive. In its letter No. 27/90 dated May 11, 2015, the 1997 Sect requested the local authorities and law-enforcement agencies to ensure that adherents of the 1997 Sect would not be disturbed in their worship by the convening of Cao Dai followers. Local authorities in many provinces sent public security agents or government officials to the homes of Cao Dai followers to dissuade and/or block them from participating in the planned event.

On the preset date, some 200 Cao Dai followers who had successfully eluded surveillance by the local authorities arrived at their Holy See from different parts of the country. They found themselves surrounded by public security police, militia members⁵, traffic cops, plainclothes police, and some 20 members of 1997 Sect's inner quarters security unit wearing red armbands. These security members showed the Cao Dai followers the printed order of the 1997 Sect's Governing Council and then attacked them with batons and spray paint; at the same time the police dispersed Cao Dai followers as they arrived, using water cannons from fire trucks parked nearby. About ten members of the 1997 Sect security unit physically assaulted Mr. Tran Van Hap, Deputy Administrator of a Cao Dai congregation located near the Holy See. They wrestled him to the ground, kicked his face and groin, and beat him on his head and stomach with batons. They then dragged him on the ground for about 20 meters, tied his hands with a rope, and delivered him to 12 public security officers waiting in a nearby building. These public security officers forced him to sign a statement that they dictated before setting him free. As he walked out, three female Cao Dai followers ran to his assistance; they were wrestled to the ground and brutally beaten by the 1997 Sect security members.

⁵ Militia members are citizens recruited and trained by the government to maintain public security within their local neighborhood.



Chief Administrator Tran Van Hap (at center) being wrestled to the ground by security members of the 1997 Sect (photo taken on May 27, 2015)

About 300 meters from the location where Cao Dai followers were assaulted, hundreds of members of the 1997 Sect conducted their public activity without incident.

On May 29, 2015, the Tay Ninh Newspaper, the official organ of the Communist Party's Provincial Committee of Tay Ninh Province, labeled members of the Popular Council of the Cao Dai Religion impostors who should be prosecuted for "abusing rights to freedoms and democratic rights to infringe on interests of a legally recognized religious organization." Two days later, the 1997 Sect issued Announcement No 02/90, denouncing members of the Popular Council of the Cao Dai Religion as troublemakers and subversive elements.

Prompted by this incident, on October 14, 2015 the Legislative Body of the Cao Dai Religion resumed its first meeting after 37 years of self-imposed hiatus and appointed an interim Governor to resume operations. Four days later, the 25 members of the Legislative Body issued a statement condemning Mr. Nguyen Thanh Tam, the head of the 1997 Sect, for his mistreatment of Cao Dai followers and destruction of the Cao Dai Religion.

On October 23, 2015, Mr. Nguyen Thanh Tam ordered the forcible eviction of all members of the Cao Dai Religion's Legislative Body from the Holy See and permanently closed the Office of the Legislative Body, thus completing the takeover of the Cao Dai Religion's Holy See. Members of the Cao Dai Religion's Legislative Body have since had to hold meetings in their private homes.

3. Interfering with religious activities of Cao Dai followers

In another aspect of its strategy to subjugate Cao Dai followers, the 1997 Sect has made it difficult for them to conduct religious activities even in their private homes unless they have its blessing. Following is a small sample of illustrative cases of interference by the 1997 Sect, often with the support of thugs and public security police, to disrupt the altar erection ceremony conducted by Cao Dai followers in their private homes. Through the altar erection ceremony, followers of the Cao Dai Religion reaffirm their faith in the religion's Supreme Being and theological tenets.

On September 12, 2013, as clergy members of the Cao Dai Religion were officiating the altar erection ceremony at the home of Mrs. Ta Thi Thu Nga in Ninh An Hamlet, Bau Nang Village, Duong Minh Chau District, Tay Ninh Province, thugs and members of the 1997 Sect, in the presence of the public security police, entered the home without being invited. They physically disrupted the ceremony, attacking family members and guests.

On August 13, 2014, as Cao Dai follower Vo Van Dam was proceeding with the altar erection ceremony at his home in Bau Sen Hamlet, Hao Duoc Village, Chau Thanh District, Tay Ninh Province, Major Quang, head of the hamlet's Public Security Office, directed thugs and members of the 1997 Sect to throw fish paste and rotten food into Mr. Dam's home so as to disrupt the ongoing ceremony.

On May 12, 2015, as Mrs. Truong Thi Hoang, 77 years old, was conducting the altar erection ceremony at her home in San Le Hamlet, Hao Duoc Village, Chau Thanh District, Tay Ninh Province, local leaders of the 1997 Sect brought along some 30 thugs to her home; they terrorized her invited guests and disrupted the ceremony.

On July 15, 2015, just before the planned altar erection ceremony was to begin at the home of Mrs. Nguyen Thi Kim Thoi in An Quoi Hamlet, An Hoa Village, Trang Bang District, Tay Ninh Province, a mob composed of public security police, thugs, and members of the 1997 Sect kicked open the front door of her house. They entered her home, destroyed furniture, attacked attendees, and took away the statue of the divine eye, the most important religious icon of the Cao Dai Religion, and other religious objects so that the ceremony could not proceed.



Members of the 1997 Sect taking away the Divine Eye statue at the home of Mrs. Nguyen Thi Kim Thoi (photo taken on July 15, 2015)

On September 5, 2015, as Mrs. Tran Thi Diep and family members were erecting the Cao Dai altar in her home in Long Phi Hamlet, Long Thuan Village, Ben Cau District, Tay Ninh Province, a group of 1997 Sect members intruded and stopped the ceremony. They told Mrs. Diep that any religious ceremony must be pre-approved by the 1997 Sect

On November 11, 2015, members of the 1997 Sect, accompanied by the public security police and thugs, broke into the home of Mrs. Cao Thi Chinh in Cam Binh Hamlet, Cam Giang Village, Go Dau District, Tay Ninh Province. They broke up the altar erection ceremony and kicked to the floor the food that had been prepared to serve the guests.



A local leader of the 1997 Sect kicking the table where food was being served to guests (photo taken on November 11, 2015)

On July 3, 2016, Mrs. Huynh Thi Vong, her family members, and invited fellow Cao Dai followers started the altar erection ceremony at her home at Block 2, San Le Hamlet, Hao Duoc Village, Chau Thanh District, Tay Ninh Province. A large mob consisting of some 50 public security agents and hundreds of unknown individuals led by 1997 Sect members gathered in front of her home. They created such a clamour that the ceremony could not go on.

On December 6, 2016, a large contingent of 1997 Sect members accompanied by public security agents carrying batons entered the home of Mrs. Nguyen Thi Muon in Block 4, Loi Thuan Hamlet, Ben Cau Town, Tay Ninh Province. They broke up the altar erection ceremony.

On May 13, 2017, a group of 1997 Sect members and representatives of the Fatherland Front came to break up the altar erection ceremony at the home of Mr. Nguyen Dong Ho in Thang Loi 1 Block, Town of Di An, Binh Duong Province.

4. Desecrating funerals and burials of Cao Dai followers

The 1997 Sect punishes followers of the 1926 Cao Dai Religion posthumously by interfering with their funerals, burials, and/or memorial services.

On April 18, 2015, members of the 1997 Sect prevented the burial of Student Priest Thai Hai Thanh in the Cuc Lac Thai Binh Cemetery,⁶ which was created by the Cao Dai Religion to accommodate the wishes of followers to be buried on the sacred grounds of their Holy See.

On November 12 and 13, 2015, members of the 1997 Sect attacked participants and destroyed furniture at the home of Mrs. Pham Kim Anh during the 300-day memorial service for her deceased mother in Truong Cuu Hamlet, Truong Hoa Village, Hoa Thanh District, Tay Ninh Province.

On November 12, 2015, Mrs. Pham Kim Anh, a resident of Truong Cuu Hamlet, Truong Hoa Commune, Hoa Thanh District, Tay Ninh Province, was ordered by the Vice Chair of Truong Hoa Commune, Mr. Vo Van Hanh, the Chair of the local Fatherland Front, Mr. Tran Trong Nghia, and the head of the local 1997 Sect, Nguyen Van Kieng, to invite clergy members of the 1997 Sect to the mourning ceremonies for her 89-years old mother who had just passed away. Mrs. Anh balked at their order, explaining to them that her mother's last wish was to have clergy members of the Cao Dai Religion conduct the ceremonies. On the following day, as clergy members of the Cao Dai Religion started the mourning ceremonies at Mrs. Anh's home, representatives of the government and members of the 1997 Sect used a loudspeaker to order all mourners to leave. Then 1997 Sect clergy member Thuong Hung Thanh led about 80 sect members and thugs to break into Mrs. Anh's home and attacked the mourners; they kicked over the tables where mourners were having lunch. Mr. Pham Van Quy, a key member of the commune Fatherland Front, brought reinforcements. The Deputy Chief of the commune public security forces also came with a number of uniformed male and female public security officers, six of them carrying police batons, and a number of plainclothes officers. After the incident, the authorities detained Mrs. Anh and many of her guests (Mr.

⁶ Cuc Lac Thai Binh (Bliss and Peace) Cemetery was created in or around 1950 on 50 hectares of land outside of the Cao Dai Religion's Holy See. All Cao Dai followers may request a burial plot at this cemetery.

Pham Van Kiet, Ms. Pham Kim Thu, Mr. Tran Quoc My, and Ms. Lai) and did not release them until 8:30pm.

On November 22, 2015, members of the 1997 Sect, with the support of the public security police and thugs, attacked the 100-day memorial service that Mrs. Nguyen Thi Nguyet conducted for her deceased mother in Truong Thien Hamlet, Truong Luu Village, Hoa Thanh District, Tay Ninh Province.

On January 7, 2018, Cao Dai Religion follower Le Van Nha, a 78 year-old resident of Ninh Phuoc Hamlet, Ninh Thanh Village, Chau Thanh District, Tay Ninh Province, passed away; his family invited clergy members of the Cao Dai Religion to conduct funeral services according to his last wish. On January 10, as his family members and mourners proceeded to the Cuc Lac Thai Binh Cemetery, members of the 1997 Sect parked a truck blocking the only road to the burial site, and government officials asked family members to bury him at a different location. Intent to fulfil the deceased's last wish, his family members had to leave the coffin unburied and unattended on the cemetery's ground overnight. After more than a day of confrontation, the 1997 Sect relented and let the mourning family members bury their dead but without the presence of Cao Dai clergy members.



Truck parked by the 1997 Sect, blocking the funeral procession of Mr. Le Van Nha (photo taken on January 7, 2018)

On January 15, 2018, as Mrs. Anh conducted the ninth-day posthumous rite for her deceased husband according to Cao Dai traditions, at her home in Ninh Phuoc Village, Ninh Thanh Ward, Tay Ninh City. The 1997 Sect sent its members to obstruct the planned ceremony, insisting that it could resume only if officiated by clergy members of the 1997 Sect.

Since April 20, 2018, the 1997 Sect has demolished at least 15 graves of Cao Dai followers whose families refused to join the 1997 Sect, and has stored the unearthed remains at an unknown location. These graves were located at the periphery of Cuc Lac Thai Binh Cemetery of the Cao Dai Religion. Documents obtained show that the desecration of these

graves was approved by Mr. Nguyen Thanh Tam, the Chair of the 1997 Sect's Governing Council. The demolition continues despite the objections of the families of the deceased.



A Cao Dai follower's grave demolished by the 1997 Sect (photo taken in April 2018)

CONCLUSIONS

In his report dated January 30, 2015 to the UN Human Rights Council on his mission to Vietnam (July 21-31, 2014), then-UN Special Rapporteur Heiner Bielefeldt expressed his concern that followers of the Cao Dai Religion were facing severe violations of their right to religious freedom: *“The current situation of independent Cao Dai groups is certainly not in line with freedom of religion or belief, since the communities lack appropriate facilities for worship and teaching and allegedly face pressure to join the official organizations... None of the practices of the independent Cao Dai religion have been authorized, and the religion itself is considered illegal. Followers of Cao Dai encounter difficulties even to practise at home. Like other independent communities, they have been pressured, harassed and attacked physically. Their ritual ceremonies, including funerals, have often been monitored and disrupted. Moreover, they constantly fear losing their jobs and being discriminated against in administrative procedures. Some of their children have also faced difficulty at school.”*

On September 15, 2017, the highest authority of the Cao Dai Religion, its Legislative Body, wrote to the Vietnamese Government, its Central Committee on Religious Affairs, the National Assembly, the Communist Party, and the Fatherland Front, denouncing their policy to eliminate the Cao Dai Religion by facilitating the 1997 Sect’s role as an impostor: *“We assert that the Governing Council is merely a sect that originated from the Cao Dai Religion’s Tay Ninh Holy See in 1997... Its 1997 Charter is recognized by the Government’s Committee on Religious Affairs via public communication No. 1068/TGCP dated August 8, 2008... The 2007 Charter of the Governing Council Sect elevated this entity to be the Church of the Cao Dai 1997 Sect. All activities of this sect are based on the undertakings, policies and laws of the Communist Party and Government as prescribed in Article 8 of said charter.”*⁷

Even Mr. Tran Quang Canh, a priest of the 1997 Sect and the Chair of its Overseas Representative Committee, admitted that the Vietnamese government had exerted strict control over the 1997 Sect *“by instructing the Governing Council to appoint and promote a number of clergy members, and at the meeting of the church organization at the Holy See (the Tay Ninh Temple) on November 23, 1999 to vet the list of new promotions and new appointments in the presence of eight members of the government who were there to exert pressure and threaten those with dissenting views.”*⁸

In sum, the 1997 Sect was created in 1997 by a decision of the CVP and was recognized by the Vietnamese government as a new sect of the Cao Dai Religion; at its top is the Governing Council, which is staffed with individuals hand-picked by the VCP. Provincial and local VCP committees have kept a tight leash on the 1997 Sect via core political cells composed of communist agents working secretly to monitor and control its operations. The 1997 Sect is so

⁷ Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, available at https://www.ohchr.org/EN/HRBodies/HRC/.../A_HRC_28_66_Add.2_E.doc

⁸ “Overseas Cao Dai Church Demands Vietnamese Communists to Respect the Church’s Freedom of Religion,” by Duyen Ngoc Ha, Thu Do Thoi Bao (Capital Time), July 19, 2000

fundamentally different from the Cao Dai Religion that the latter's highest authority as well as many Cao Dai followers consider it a different faith. The 1997 Sect has occupied the Holy See of the Cao Dai Religion, seized its temples, and systematically taken on its identity. The 1997 Sect has used ruses, violence, and coercion, often with the support of the government, to make it practically impossible for adherents of the Cao Dai Religion to practice their faith, driving some to abandon their faith and join the 1997 Sect. The 1997 Sect is a non-state actor that has for the past two decades committed uncountable human rights violations against Cao Dai followers.

RECOMMENDATIONS

Considering that 1997 Sect is a non-state actor that has committed and continues to commit severe violations of human rights, particularly the right to freedom of religion or belief, of followers of the Cao Dai Religion, we respectfully offer the following recommendations.

To the Vietnamese Government:

- End harassment, violence, and intimidation against Cao Dai Religion adherents;
- Abstain from siding with or aiding the 1997 Sect in its human rights violations;
- Abstain from interfering with the religious activities of Cao Dai followers, whether these activities are in public or in private;
- Distinguish the 1997 Sect from the Cao Dai Religion in all actions, reports, and communications;
- Respond to complaints filed by Cao Dai followers, and investigate and prosecute members of the 1997 Sect for criminal acts including taking of properties, destruction of properties, use of force, abduction, illegal intrusion into private homes, and causing public disorder;
- Meet with members of the Legislative Council (Hiep Thien Dai) of the Cao Dai Religion to discuss their Request dated September 15, 2017; and
- Ensure that the People's Court of Tay Ninh Province will take up the complaint filed in 2009 by a number of Cao Dai followers against the 1997 Sect.

To the UN Human Rights Council:

- Take into consideration and monitor human rights violations committed by non-state actors such as the 1997 Sect;
- Exert all efforts to ensure that the Vietnamese Government will not only respect but also protect human rights in accordance with its obligations under the ICCPR; and

- Ensure that individuals and groups taking part in or providing information for the preparation of this report are not targeted for retaliation or punishment by the government, either directly or through a non-state actor.

To the U.S. and other governments:

- Maintain a list of non-state actors, including the 1997 Sect, that have systematically committed egregious human rights violations and press the Vietnamese government to investigate and prosecute them for such violations;
- Where appropriate, apply sanctions under the Global Magnitsky Act and the International Religious Freedom Act to officials and representatives both of the government and of non-state actors found to be responsible for egregious human rights violations;
- Call on the Vietnamese government to amend its laws, including the Law on Belief and Religion, to make registration optional and otherwise be in compliance with human rights treaties that Vietnam is a state-party of; and
- Recognize the Cao Dai Religion and meet regularly with representatives of its “Junior Sacerdotal Council”⁹ in and outside of Vietnam.

To human rights organizations:

- Distinguish the Cao Dai Religion, founded in 1926, and the 1997 Sect, created in 1997 by a directive of the VCP;
- Document and report human rights violations committed by the 1997 Sect, which pretends to be the Cao Dai Religion;
- Advocate for the return to the Cao Dai Religion of all properties and assets seized by the Vietnamese government or taken by the 1997 Sect; and
- Promote international recognition of the Cao Dai Religion via its Junior Sacerdotal Council until the Cao Dai Church becomes fully re-established.

⁹ The Coordinating Committee of the Junior Sacerdotal Council of the Cao Dai Religion was formed in June 2018 with an overseas representative office located at the Cao Dai temple in Mountain View, Dallas, Texas.



The Holy See of the Cao Dai Religion in Tay Ninh Province, now occupied by the government-created 1997 Sect.

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