

CON DAU PARISH

REPORT TO THE UN SPECIAL RAPPORTEUR ON FREEDOM OF RELIGION

Prepared by CON DAU PARISHIONERS ASSOCIATION – An Association of 200 Con Dau parishioners who are residing in the US.

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1. HISTORY AND GEOGRAPHY

Con Dau is a small farming village, located 4km south of the city of Da Nang, Central Vietnam. The area was originally a swamp with low, uncultivable land due to salt water coming in during the full moon. The ancestors of the people of Con Dau, survivors of a bloody purge some 135 years ago, built a dam to prevent seawater and turned Con Dau into a habitable area. French and Vietnamese priests led a century-long effort to turn it into a beautiful and prosperous parish. It took years and labor of many generations of Con Dau parishioners to complete the transformation of this agriculture area.

Con Dau is a coterminous Catholic parish of 2000 parishioners established in 1885 by the French Missionaries. Their ancestors are the survivors who escaped the Catholic persecution by Emporor Tu Duc during the 1880's. They settled in this swamp land to hide from the government persecution and to practice their religion. They originally lived on the small fishing boats which they used for fishing and moved easily around the area to evade attacks and capture by government officials. The first thing they built on the dry area of the land was a small temple where they can came to pray together and to attend Mass served by a French priest from a parish 30 miles from Con Dau. The first church was built in 1895 at the very place where the current parish church is located. Renovated a number of times over the years to accommodate more parishioners, it has remained the center of every public activity in the parish.

Surrounded by two rivers and built from the hard work of many generations of Con Dau residents, it has become a typical Vietnamese farming village with beautiful landscape: a vast green rice field surrounding rows of bamboos that embrace the rural houses. Visible from any angle is the high tower of the church at the center of the village. The farming and church activities over the years have built a unique culture for the community that is difficult to find nowadays in Vietnam, a culture of shaped by their history of survival, self-sufficiency, self-

preservation, interdependence, and mutual support. All members of this commune are either related through kinship or through friendship that has grown across generations.



Photo 1: Con Dau rice field - 2008



Photo 2: Con Dau church - 2008

Con Dau is a tight-knit community. In their faith parishioners follow closely the Roman Catholic traditions. Forced into internal exile for generations under the Nguyen dynasty, they developed their own norms and customs.

Their lives revolve around the church. Every morning the church bell wakes up people at 4am. Most people come to the church attending Mass before going home to start their daily lives. Parishioners gather again at the church at around 6pm for end of the day prayer session. It has become a routine of everyone living in Con Dau, a routine that follows parishioners wherever they go.

Every year on the first day of the Vietnamese new year (Tet), parishioners gather at the parish church to celebrate the traditional mass to pray for everyone in the parish to be healthy and prosperous during the new year. In the second day, the entire parish gather in the cemetery to celebrate mass to pray for the dead before going to visit their relative's graves.

Every May, Con Dau parish held a month-long procession of Virgin Mary, going home to home. When the procession arrives at a parishioner's home, everyone in the sub-division gather to pray for the family and everyone in the area. This is the opportunity for the neighborhood to meet with each other for tea, sharing some homemade cakes and chat about the rice harvest season.

August 18th of each year is the parish birthday. Everyone in the parish as well as Con Dau parishioners who live far from the village will come back to join a special mass to pray for the

longevity of the parish and to celebrate with each other in a big banquet with culture presentation.

Every year in the All Souls day November 2nd, everyone attend the All Souls Mass at the chapel in the middle of the cemetery. This is a special time to pray for ancestors and relatives. During the month of November, every clan in the parish will have a banquet that gathers everyone in the big family to celebrate and to know each other. They also come together to the cemetery to visit their relative's graves, light up candles, bring flowers and clean up around graves. They also take turn to come gather in each family for evening pray every night during the month.

The parish church is the place where everyone is baptized after they are born. It is the place where they are married and the last place they are honored when they die. Most of the parishioners live in their birth place even though some work in the city of Da Nang. A few hundreds moved to other towns in the south or oversea but always keep contact with their parish and come back to visit whenever they have a chance. Their generous donations have made it possible for the parish to rebuild the church and the cemetery.

When the police of Da Nang City cracked down on the parishioners on May 4, 2010, their fellow parishioners in the US made every effort to post news and videos in the media to inform the world of what happened in Con Dau, begging for international intervention so as to protect their parish along with its way of life from being wiped out of existence.

The parish's cemetery was built in the early days of the formation of the Con Dau commune. It is the place where generations of Con Dau parishioners were buried. Its chapel serves as the second place of worship for the parishioners, especially when there is a death in the parish. It has become a tradition that everyone in the parish comes to pay tribute to the deceased. All final rituals are performed at the cemetery and parishioners gather nightly to pray for the deceased. More than 1,600 Con Dau parishioners have been buried there in the last 135 years. The parish cemetery is recognized by government as a national culture heritage site because of its history and age.



Photo 3: Con Dau parish cemetery - 2008



Photo 4: Nightly pray in parish cemetery - 2009

2. VIOLATIONS OF CULTURE RIGHTS

The life of everyone in Con Dau parish was completely disrupted when in May 2007 the government of Da Nang city announced a plan to expropriate 430 hectares of land in the Hoa Xuan ward area, including the entire village of Con Dau (110 hectares), and lease them to international developers to build an eco-resort area. The project went to a private company (The Sun Group). The government promised to compensate for the land, at a very cheap price compared to market value. However, monetary compensation was not what the parishioners sought.

The people of Con Dau proposed to move closer to their church, offering the surrounding rice fields to the government to build the new eco-resort, but the government flatly rejected that option and repeatedly made it clear that staying is not an option. Some parishioners even offered to buy back their land from the developers, at a much higher price, just like any other customers. Their requests were also rejected.

No current residents would be allowed to stay in the affected area. All residents must relocate to other places. The government ordered the relocation of the cemetery to a mountainous area, far from any inhabitable place. All the current 1600 tombs must be moved to the new cemetery.

Almost everyone in Con Dau was against the move. The parish is the place generations of parishioners have built with their hard work, where they lived and where they died. They value the peaceful life they have enjoyed with loved ones. They want to preserve the village festivals at the end of the harvest seasons when young people from each ward compete in soccer, volleyball and canoeing. They are used to coming to the church for praying together every day. They want to keep the parish school, where they were taught to read the alphabet, so as to educate future generations of parishioners. They want to be able to go to the chapel in the cemetery to pray every evening, in communion with and surrounded by their deceased ancestors.

The local government resorted to many measures to achieve their goal, including threats and harassment. With few exceptions, Con Dau parishioners refused to move. The government placed a ban on further burials in the cemetery. On May 4, 2010, hundreds of anti-riot police cracked down on thousands of parishioners who attended the funeral of a 93-year old parishioner. Police used tear gas, metal baton, electric rods, rubber bullets to attack the funeral procession. They stole the casket and beat up the mourners. More than 100 mourners were injured, including children, pregnant women and the elderly. Sixty two parishioners were arrested and brought to police station for further investigation. They were all subjected to torture. Six of them were sentenced to jail terms. One parishioner was tortured to death.



Photo 5: May 4, 2010 police crackdown on a parishioner funeral

Hundreds of Con Dau parishioners had to move under pressure and threat or after their homes had been forcefully demolished. Some 90 Con Dau parishioners fled to Thailand – most of them with an arrest warrant placed on their head. Still many Con Dau parishioners continue to dig in.

The Da Nang government has seriously violated the cultural rights of the people of Con Dau when they disrupted the way of life of a parish community that been in existence for over a hundred years. By using force against the funeral procession, they violated the long-standing tradition of parishioners to pay tribute to the dead. The forceful removal of the tombs from the parish cemetery constitutes disrespect to the dead in the Vietnamese culture and an insult to the living. The government has violated the right of the people of Con Dau to have a place to worship and socialize together with their fellow parishioners. The government policy is to disperse the parishioners, thus wiping out the century-old Con Dau village, destroying a national cultural heritage, and abolishing a unique way of life that is steeped in traditions.



Photo 6: Con Dau rice field after the land expropriation – 2012

More than three years later, hundreds of families from Con Dau have been forced to move out of their village. Most of them are unemployed because farming is the only thing they can do to make a living. Hundreds hectares of rice field are abandoned and littered with trash because the government has cut off water to the field. The contract developer has stopped development work due to shortage of fund and is now selling lots to private buyers. There are currently more than 100 families still digging in, refusing to leave Con Dau despite the tremendous pressure from the local government.

In its plan to expropriate the entire Con Dau parish, the Da Nang government has violated the national land law, which allows for the “recovery” of land use only for projects that benefit the public or the nation. Recently dozens of Con Dau parishioners traveled to Ha Noi to seek intervention from the central government. The central government responded that they had approved only the expropriation of land along the river banks, not the farmland nor the residential area, or the cemetery of Con Dau parish. The central government has ordered local government to resolve the issue by relocating parishioners around their church and paying fair compensation to those who had been wronged, but with no result.

3. VIOLATIONS AGAINST FREEDOM OF RELIGION

While forcefully removing the parish cemetery to a remote area with the reason being the environment concern, the government is creating a new military cemetery for the veteran only 500 meters from the parish cemetery. This is clearly a discrimination against the parishioners whose cemetery has been established for hundred years and is an important part of their religious practices.

When forcing everyone in Con Dau out of their parish, the government has been denying them the right to worship God in their church, and the right to practice their faith with their traditional community.



Photo 7: Demolition a parishioner house in June 2013

Since the beginning of 2013, the local government has issued dozens of orders to expropriate a total of 25 household in Con Dau. These families are forced evicted and their houses are demolished. In late March 2014, fifty six Con Dau parishioners travelled to Hanoi to seek intervention from the central government. They staged daily protests at the Prime Minister office and met with the officials from the People Reception of the Government and Central Party, along with officials from Da Nang city April 8, 2014. These are the three key issues raised by the petitioners:

1. The land grabbing from the residents who have lived in their land for a long time to divide into parcels to sell without giving the residents the right to resides in the area is unfair. The parishioners request to be settled in Con Dau near their church.
2. The expropriation of land does not follow the proper process and the land laws, thus damages the resident properties and the citizen's life.
3. Suggest stopping the expropriation while petition and requests have not been resolved.

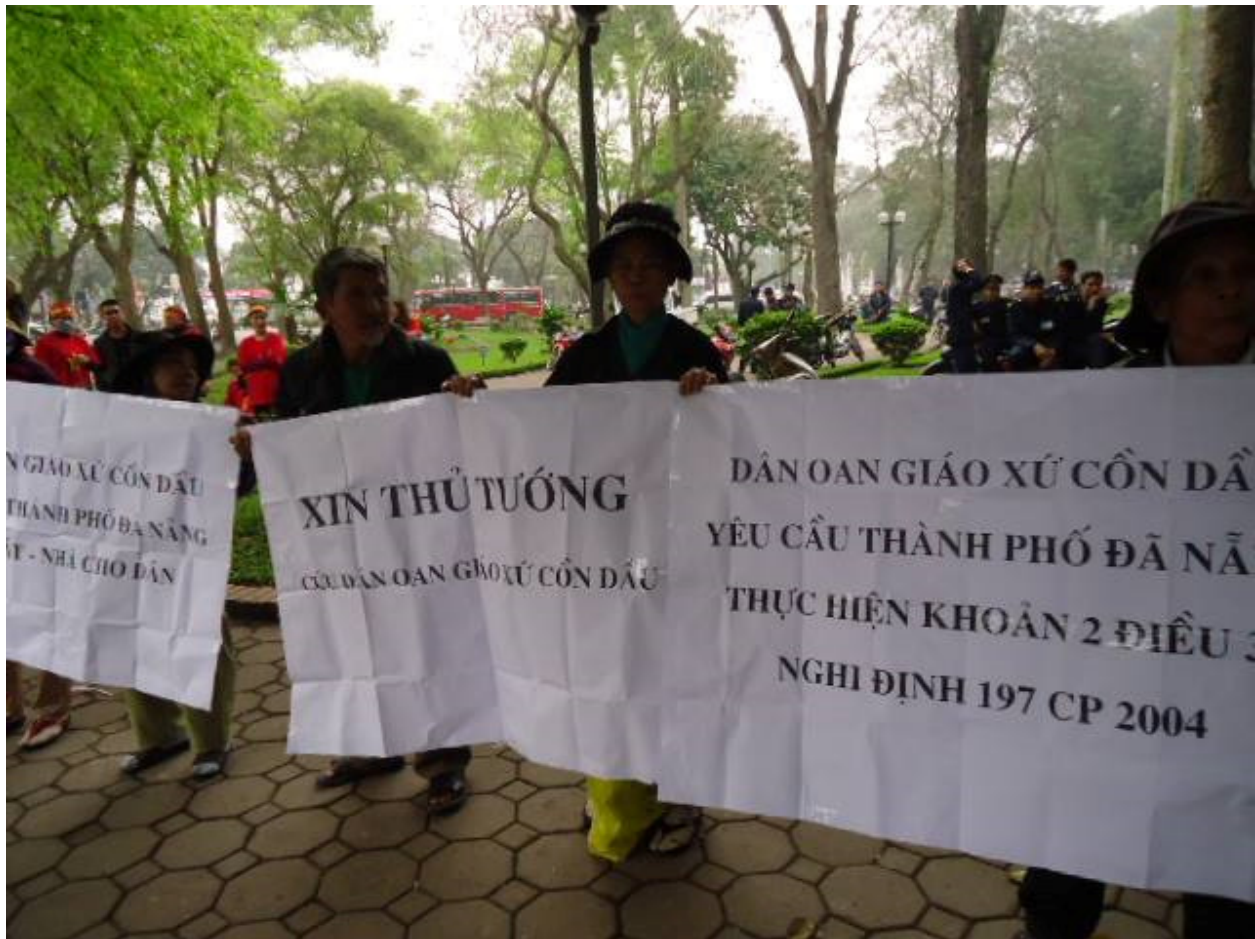


Photo 8: Con Dau petitioners protest in Hanoi - 2014

The Government People Reception Office explained the above petitions and requests belong to the local government authority to resolve and requested the Chairman of People Committee of Da Nang city to give directions for resolving those petitions and requests.

In April 11, 2014, the Chairman of People Committee of Da Nang city, Van Huu Chien, sent a response to the central government request, inform of the city government decision to have dialogue session with the petitioners in May 2014 and order a temporary pause of land expropriation to the parishioners in Con Dau until the dialogue meeting to resolve the issues.

The Con Dau petitioners went back home after the Da Nang government decision, waiting for the dialogue in May. But in April 16, 2014, the local government again sent out expropriation orders to 15 Con Dau residents and forced eviction in 15 days if not moving out.



Photo 9: Living in a tent after house being demolished - 2013

This is the third time the government of Da Nang city flip flop in their ways of resolving the land issue in Con Dau. They try to convince the petitioners to come home only reserving course and continue with their expropriation plan soon after. This shows the dishonest of the government dealing with their own citizen life and death issues like these. The people in Con Dau do not know where to turn for help while under tremendous pressure from the local authority and their family daily life.

We highly appreciate the UN Special Rapporteur on Culture Rights, Ms Farida Shaheed who visited Con Dau in November 22, 2013. She witnessed the damages being done to the historical place like Con Dau and met with parishioners listening to their concerns.



Photo 10: Ms Farida Shaheed in front of Con Dau church – Nov 22, 2013

We also welcome the urgent appeal to the Vietnam government to address the land grabbing case in Con Dau, from a group of UN independent human experts, including the Special Rapporteurs on the right to housing, freedom of religion, culture rights and minority issues in March 26, 2014.



Photo 11: In front of Con Dau church Nov 22, 2013

The visit and the appeal from the UN Special Rapporteurs show the serious concern of the international community to the human right violations in Con Dau. As a member of the UN Human Right Council, the Vietnam government should improve their own human right record by resolving the issues like in Con Dau reasonably.

We would appreciate that the UN Special Rapporteur on Freedom of Religion raising the concern again to the government upcoming expropriation plan in Con Dau to save a historical parish from extinction.

Attachments included:

1. The description of the May 4, 2010 police attack, prepared by BPSOS
2. UN Press Release on Con Dau land grabbing case March 26, 2014