

Summary Description of “ÂN ĐÀN ĐẠI ĐẠO” Religion Its entire leadership imprisoned on fabricated charges

February 24, 2020

An Dan Dai Dao (abbreviated: ADDD, or the Blessed Flock of the Great Way) is a religious organization founded by Mr. Phan Van Thu in 1969 and allowed to operate by the government of Republic of Vietnam. By April 30, 1975, ADDD had established a total of 14 temples, ordained hundreds of monks and nuns, and grown to tens of thousands of faithful members. The goal of ADDD is to bring Buddhist enlightenment to everybody so that society and religion can work together to bring about the progress in life toward Truth-Kindness-Beauty; thus, all human beings will have peaceful lives and society will become prosperous.

The mandate of ADDD is to implement the principle of "three Rescues": saving the spirit and conscience, saving the body and mind, and saving materialistic objects in order to save sentient beings.

The materialistic objects donated by the followers to ADDD such as money, rice, foods are divided into three parts. One part is used to improve and build places of worship; one part is for taking care of the living conditions for monks, nuns and members; the remaining monks and nuns distribute to the poor, the desperate and public. The founder Chon Dang Quang Minh (Mr. Phan Van Thu) also ordered the monks and nuns to go the markets to pick up and save discarded vegetables and used them to prepare food for all monks, nuns in the temples, ceding their rice portions to make porridge and meals to offer to the patients in hospitals and their poor relatives on Sundays.

During the height of the war in the spring of 1975, people hastily escaped from the war zones; the scenes of exhausted and starving people along roadside were extremely deplorable. The nuns cooked rice and pressed it into semi-solid paste and provided them to hungry people along provincial roads surrounding the province of Phu Yen. Several monks and nuns voluntarily gave blood at the local public health facilities to help injured individuals who needed blood transfusion. For several days, Mr. Thu and his disciples drove their 12-seat vehicles into the battlefields after the fighting was over to rescue the wounded, and civilian escapees; they also collected the corpses of the dead and buried them.

On April 30, 1975, the government of Republic of Vietnam collapsed. The Vietnamese Communist Party came to power and they applied a series of measures of religious repression against ADDD religion. The State confiscated all the temples and books of Dharma teachings. At that time a number of monks and nuns had to return home to secular life, and some of them escaped to Red Bamboo Forest (Hong Truc Lam) in the

Black Rock (Da Den) Area, Deo Ca Pass, Phu Yen to take refuge and continued their practice.

In June 1975, the government discovered the activities of the ADDD leaders and followers, and continued pursuing its members to arrest them. The religion's founder Phan Van Thu and the monks and nuns hid themselves in the deep jungle out of the government's sight. The Communist government occupied the institutions of Hong Truc Lam of ADDD, they blew up all the Buddha statues and destroyed all of the worshipping places, meditation huts and living quarters of the monks and nuns.

In August 1975, military forces and public security of Phu Khanh Province (now renamed Khanh Hoa) arrested ADDD's founder Phan Van Thu and charged him of spying for CIA and that the USA secretly installed him in Vietnam. They put him in solitary confinement in Phu Khanh Provincial Public Security Station for 5 years and 6 months, and then transferred him to A30 Prison of Phu Yen Province. During the time in solitary confinement, the government beat and tortured him brutally; his body looked like a skeleton; his teeth were rotting and all of them fell out.

The rest of the disciples, clergy members, monks and nuns still on board (a few hundred people) were taken by the Public Security back to the town of Tuy Hoa (of Phu Yen province) and detained them in public security station of Tuy Hoa. They were accused of being reactionary elements opposed the government and indirectly working for the American CIA. Public Security used barbaric techniques to torture them; one member died due to profuse bleeding and many others were injured and died later. Afterwards, all the disciples and members were incarcerated in Phu Yen A30 Prison, serving each 2 years sentence with forced labor.

After being released from prison, these disciples continued to teach and propagate the Dharma to maintain the ADDD. Toward the end of the year 1978, the Communist government detected their activities; it again pursued, arrested and persecuted those disciples. Before the fierce repression of the government against ADDD— their founder was still imprisoned with an unknown date of release, and the painful disbanding of their religion, on July 27, 1980 four members of ADDD voluntarily immolated themselves so as to pray for peace, using their own bodies as human torches to enlighten the path for ADDD to move forward.

The authorities brutally suppressed the founder, monks and nuns of ADDD with the intent to wipeout ADDD for good. However, legally speaking, the state has never issued a decree or a written order to abolish ADDD or declare ADDD of illegally conducting its activities. While Mr. Thu and a number of dignitaries of ADDD were in prison, the rest of the disciples and members of ADDD quietly performed religious activities to meet their spiritual needs and to maintain their religion even though they endured numerous difficulties and oppression by the government.

In May of 1983 Mr. Thu was released from prison and put on probation in new economic zone Mai Lien (now Tay Hoa District, Phu Yen Province). In November 1984, Mr. Thu decided to flee from probation to escape from the repression and oppressive grip of the local authority. The founder and a number of believers went to Village 8, Binh Son Commune, Long Thanh, Dong Nai Province to settle and practice their religion. In 1988 the provincial government of Phu Khanh issued a warrant to pursue Mr. Thu for the reason of escaping from house arrest. Public Security of Phu Khanh collaborated with Dong Nai Public Security to seek out and completely eliminate the ADDD. With no other way, the founder and his disciples had to seek refuge all over the places. Henceforth, the founder and his disciples each found his own refuge. As for the founder, he took his family adrift to different provinces such as Lam Dong, Tien Giang, Dong Thap, and finally dwelled in Tri Ton District of An Giang Province. He lived among the local country farmers and helped a lot of desperate people, who later successfully earned their living. In June of 1993 the founder and some apostles returned to Phu Yen to resume the path of expansion of their religion and develop their own Dharma (the Nine Wisdom Enlightenment Dharma).

In 2003, responding to the policy of economic investment and tourism development of the provincial government of Phu Yen, founder Phan Van Thu appointed Mr. Vuong Tan Son as a representative of ADDD to receive 50 hectares of forest land to implement a pilot project in planting 9000 hardwood trees (cây sao) and at the same time create an ecotourism resort. There, Mr. Thu and his disciples undertook the construction, improvement, and cultivation, and started a complex ecological zone which would serve both as an eco-tourism resort and as a place for pilgrimage with worshipping areas (see pictures in the Appendix). At this location, ADDD did not ever conduct any political activities against the Socialist Republic of Vietnam, but only practiced religion with the motto "Ecology first – then the Ancestral Temple"

On February 5, 2012, the provincial government of Phu Yen surrounded the area, arrested key persons working there, confiscated all assets (land, buildings and other properties) existing at the site, and closed the tourist area. They accused ADDD as a reactionary organization and brought 22 people of the ADDD to trial on charges of "conspiracy to overthrow the people's government" according to Article 79 of the Penal Code. In addition, they repressed, intimidated, and put pressure on many other believers, not allowing them to conduct their religious activities and forcing them to renounce the ADDD.

On February 4, 2012, the People's Procuracy of Phu Yen issued a decision to prosecute ADDD, based on Article 258 of the Penal Code -- abusing democratic freedoms to infringe upon the interests of the State. However, on March 19, 2012, the Procuracy changed the decisions to prosecute the 22 people of ADDD under article 79 of the Penal Code on charges of "activities aimed at overthrowing the people's government."

The ADDD, being "a religious organization" with organizational systems, scriptures, and Dharma teachings and whose only purpose is to propagate its religion, was falsely accused by the government of being "a political organization", "a reactionary organization" conducting "activities aiming at overthrowing the people's government", circulating "propaganda documents against the communist regime", conducting "propaganda to entice people"...The Dharma names (given to disciples and members according to the Buddhist tradition) were falsely portrayed by the government as political "noms de guerre". The motto "Ecology first – then the Ancestral Temple" means that the revenue from the ecotourism activities will be used to construct the ancestral temple (the main office) of the religion; the government twisted it around to accuse ADDD of operating "under the shadow of eco-tourism activities to build a political/military base."

At the preliminary hearing, the Court had failed to produce any concrete evidence, but convicted the defendants on mere allegations, using fabricated evidence as proofs that ADDD was a political group seeking to form a government. In front of the Court, Mr. Thu indicated that in the process of investigation, the investigators picked two of the religious hymns composed by him and then forced him to choose one and admit it to be his group's national anthem. They collected the carved stone depicting a tortoise in the ecotourism area and pressed him to recognize it as the national emblem chosen by his group. They then produced the Buddhist flag, alleging that it is the national flag chosen by his group. A small pebble-size stone shaped like a Chinese character that the Board of Directors of the ecotourism project picked up after a landslide in the ecological area was presented by the investigators as the group's official seal. Those were all of the evidences that the Court based on to convict Mr. Thu and his 21 disciples on charges of plotting to overthrow the government. Before the Court, all 22 of them denied that they had national emblem, national flag, national anthem or seal to prepare for a new government. However, the Court still kept all of these false accusations in the conclusions of the investigation.

Worse yet, investigators interrogated Mr. Phan Van Thu while he was in a state of confusion, after he got a stroke and while his health condition was deteriorating; thus, he was unfit for responding to the investigator's questions. Moreover, Mr. Phan Van Thu and his apostles had been held in solitary confinement since the time they were arrested until their day in court (from February 5, 2012 to January 28, 2013); and most of them were subjected to forced confession, were intimidated into accepting false accusation, and were ordered to agree with prefabricated stories... The investigators' purpose was to get them to admit to the charge of "activities aimed at overthrowing the people's government".

On January 28, 2013, the People's Court of Phu Yen Province opened the trial of 22 people and concluded it with heavy sentences: one life imprisonment, 299 years in prison and 110 years of probation. This trial was supposed to be open to the public; however, the participation of lay persons as well as of ADDD members were restricted,

and all attendants had to go through rigorous screening process of the government security system of Phu Yen province. There was no participation of the media, neither domestic nor overseas (except for a few reporters appointed by the Court). The defendants were not allowed to choose their own lawyer(s) to defend them; instead, the Court appointed 6 lawyers from the Phu Yen Province Bar Association to represent the 22 people.

In July 2014, the Court of Phu Yen Province arrested three additional members of ADDD and charged them with crimes of: "stockpiling, using, and illegal trading of explosives" and sentenced them with a total of 10 years in prison. The sentences were pre-arranged as the Court intentionally did not consider the facts. Ecological Tourism Area of Bia Mountain (Da Bia) was built on pristine and rugged mountainous area. In order to facilitate the construction process, these three ADDD members bought explosives (within the amount allowed by the law) and the detonators to break up large rocks to create building space; the broken rocks were used as construction materials for the project. At the first instance trial on April 7, 2014, the People's District Court of Dong Hoa District, Phu Yen Province gave two of them to 2.5 years each of suspended sentence; the third person (Nguyen Van Huu) got 3 years of imprisonment (the reason given by the Court was that this individual had participated in ADDD before 1975). However, in July 2014, the People's Provincial Court of Phu Yen increased the sentences to a total of 10 years in jail for all three of them.

Thus, to date, a total of 25 people of ADDD have been detained with sentences for a total of one life imprisonment, 309 years in prison and 110 years of probation.

The founder Phan Van Thu and his disciples were unjustly sentenced and unfairly put in jail in a case that the government called "the Council of Public Law of the Public Project of Bia Mountain. "More importantly, the followers of the ADDD have been repressed, closely monitored and not allowed to practice their religion by the local government. This is clear evidence of serious violations of religious freedom by the government of Vietnam.

On May 25, 2015 all 25 imprisoned leaders and members of ADDD filed managerial appeals to the Supreme People's Court to request a review of the wrongful sentences, which seriously violate the basic principles of the UN Convention on Civil and Political Rights which the government of Vietnam is a party of. This case also seriously violates the Constitution and laws of Vietnam itself, as well as violates the fundamental rights of people.

On August 31, 2015 Mr. Vo Van Phung was released as part of the national amnesty.

1. Updated case information and status of effort to have the case reopened

Since 2017, with the assistance of our attorney, our family (representing Mr. Phan Van Thu) and relatives of the remaining 20 prisoners have continuously submitted petitions for the “review and decision to reopen the case associated with Judgment No. 04/2013 / HSST dated February 4, 2013 of the People's Court of Phu Yen Province and review and decision to stay the associated sentences” to the following competent Vietnamese authorities and foreign embassies in Vietnam:

- Chief Justice of the People's Supreme Court;
- Director of the People's Supreme Procuracy;
- Director of the High-level People's Procuracy of Da Nang City;
- Office of the Prime Minister;
- Office of the National Assembly;
- Office of the President;
- Citizen Petitions Review Committee - Standing Committee of the National Assembly;
- Justice Committee - Standing Committee of the National Assembly;
- United States Embassy in Vietnam;
- European Union Diplomatic Mission in Vietnam;
- Canadian Embassy in Vietnam.

So far, we have received only three written replies from the authorities:

- Letter No. 137 / TB -VC2 from the High-level People's Procuracy of Da Nang City dated July 29, 2019, requesting modifications to, and supplemental materials for the request for retrial.

- Letter No. 149 / TB -VC2 - V1 from the High-level People's Procuracy of Da Nang City dated October 7, 2019 responding to our petition for a response related to the confiscation of properties in the Phan Van Thu case which involved the charge of “Activities aiming to overthrow the People's Government”, which states: The request for review under the retrial process offers no new evidence for a review; therefore, there is no basis for a retrial.

- Letter No. 34 / BT - VC2 of the Da Nang High-level People's Procuracy dated January 14, 2020, indicating that it had transferred the request to Department 7 of the People's Supreme Procuracy to consider and resolve under its authority.

Currently, our family intends to keep submitting petitions until a resolution is reached.

2. Four United States nationals who invested in the construction of the Da Bia Eco-Resort have started the process to demand restitution from the Vietnamese government

On February 3, 2005, the People's Committee of Phu Yen Province, Vietnam, issued Notice No. 95 / TB-UBND permitting Hoang Long Company Limited (Gia Nghia Town, Dak Nong Province, Vietnam) to begin the process for seeking approval for the construction of the Da Bia Eco-Resort. After obtaining the approval of the People's Committee of Phu Yen Province, Hoang Long Co., Ltd called on 4 United States citizens, Mr. Nguyen Van

Toan, born in 1953; Mr. Nguyen Van Duyet, born in 1962; Ms. Tran Thi Ngu; and Mr. Dinh Nhu Lang; to contribute money, to invest in the construction of several inns, including Bao Toan, Thanh Trieu, Bach Tuong Hill, Huong Hoang Trang and Huong Hue, etc. in the resort at Da Bia Mountain. However, in 2012, the Investigation Bureau of the Phu Yen Police Department started prosecuting the case of "Activities aiming to overthrow the People's Government" under Article 79 of the 1999 Penal Code of Vietnam. Mr. Nguyen Van Toan, Mr. Nguyen Van Duyet, Ms. Tran Thi Ngu and Mr. Dinh Nhu Lang were not investigated and prosecuted. Two of these 4 were present at the Da Bia Eco-Resort when the police cordoned off the site and arrested all those who were at the site on February 5, 2012. However, these two were then asked by the Vietnamese authorities to return to the United States. To date, the investments of these four U.S. citizens in the Da Bia Eco-Resort have not been reviewed for compensation by the Vietnamese competent authorities according to its commitment to the applicable policy and regulations for protecting investors.

Now, Mr. Nguyen Van Toan, Mr. Nguyen Van Duyet, Mrs. Tran Thi Ngu and Mr. Dinh Nhu Lang are following the procedures to demand the Vietnamese government for an appropriate redress related to their investments - investments by U.S. citizens pursuant to Vietnamese law and bilateral agreements.

3. Vietnam Construction and Import-Export Joint Stock Company (Vinaconex) submitted a proposal to build a spiritual retreat on the site of the Da Bia Eco-Resort

Vietnam Import Export and Construction Joint Stock Company (Vinaconex)

Address: Vinaconex Building, No. 34 Lang Ha, Lang Ha Ward, Dong Da District, Hanoi City.

Legal representative: Mr. Nguyen Xuan Dong

Position: President

Born on: December 29, 1966

Nationality: Vietnamese

This company intends to begin the process of seeking government approval for investment and land use at the Da Bia Mountain resort site, to build a "spiritual retreat" on the entire site - the site of the Da Bia Eco-Resort of Quynh Long Co., Ltd. (formerly Hoang Long) which the government confiscated as a result of the An Dan Dai Dao judgment, Judgment No. 04/2013 / HSST dated February 4, 2013 by the People's Court of Phu Yen Province. In preparing documents to seek approval for investment and land use at the Da Bia Mountain resort site, this company infringes upon the property rights of Mr. Nguyen Van Toan, Mr. Nguyen Van Duyet, Ms. Tran Thi Ngu and Mr. Dinh Nhu Lang (U.S. nationals), because the investments of these four individuals "have not been satisfactorily addressed by the Vietnamese government" in accordance with the Law on Investments and agreements on investments and trade between the governments of Vietnam and the United States. In addition, Judgment No. 04/2013 / HSST of the People's Court of Phu Yen Province ordered the "confiscation" of "the property" of Mr. Phan Van Thu and others in the case, the fact that the government had never begun the procedures for property valuation throughout the investigation and prosecution

rendered the entire legal action unlawful and constituted infringement upon the interests of the property owners.

In particular, Judgment No. 04/2013 / HSST invoked Article 41 - judicial measures, to confiscate the property of Phan Van Thu and accomplices, is completely inappropriate, because, assuming that the determination of the criminality of Mr. Phan Van Thu and his accomplices was justified, the property was built up during the legally approved investment process - not a result of criminal activities - and therefore the confiscation of the property of Mr. Phan Van Thu and his accomplices is unlawful.

Consequently, we (on behalf of Mr. Phan Van Thu) and the others (relatives of, and representing the remaining prisoners) will demand this company to immediately stop its investment projects at the Da Bia Mountain Resort site in Hoa Xuan Nam Commune, Dong Hoa District, Phu Yen Province, Vietnam.

Appeal:

We, on behalf of tens of thousands of believers, hundreds of monks and nuns, and on behalf of the founder Phan Van Thu and his disciples being detained in prison, call for the attention, help and support of the United Nations Human Rights Council, the U.S. State Department, the U.S. Commission on International Religious Freedom and other human rights organizations, to specifically request the Vietnamese government to re-examine and review the facts of this case and:

- Set free all those in prison;
- Stop interfering with ADDD's religious activities; and
- Return the ecotourism facility of Bia Mountain to ADDD so that we can continue conducting our religious activities in accordance with international laws and the Constitution of Vietnam.

Yours thankfully,

Bui Ngoc Dien
Email: chonngoccl@gmail.com

Appendix: Photos of the Bia Son Eco-tourism Resort

Attachment: The list of 25 people of ADDD subjected to imprisonment

Appendix: Photos of the Bia Son Eco-tourism Resort





