

## Tran Ngoc Suong, Cao Dai Religion

### Summary information:

- Mr. Tran Ngoc Suong, a Cao Dai Sub-dignitary since 1974, met the UN Special Rapporteur on Freedom of Religion or Belief Heiner Bielefeldt in 2015 at the Southeast Asia FORB Conference in Bangkok, Thailand. Subsequently he contributed to many reports to UN mandate holders. He was among the group of eight individuals mentioned (but not named) in the 2019 Intimidation and Reprisal Report. He was again included, this time named, in the 2020 Intimidation and Reprisal Report.
- On June 18, 2020, he filed a defamation lawsuit against the leadership of the Cao Dai Sect that was created in 1997 by a directive of Vietnamese Communist Party for issuing an order to expel Suong from the Cao Dai Religion even though Suong did not belong to or recognize the Sect. The Cao Dai Sect publicized the expulsion order to discredit Suong in the eyes of Sect followers, unknowing Cao Dai adherents and the public. Both the local and district courts summarily dismissed his lawsuit without valid reason.
- On January 26, 2021, Mr. Phan Van Hoa, Chairman of the People's Committee of Ben Cau District, Tay Ninh Province, issued an order branding Mr. Suong as an agent causing harm "*to security and disrupting public order*" and barring him from joining his co-religionists in Ben Cau for religious practice.

### Detailed information:

Mr. Tran Ngoc Suong is a resident of Go Cong Town, Tien Giang Province and a local lay leader of the Cao Dai Religion that was established in 1926. Under his leadership, his group of fellow Cao Dai followers is leading the effort to affirm that the Law on Belief and Religion does not require registration of religious activities as incorrectly interpreted by government authorities. He has been blocked by the central government from leaving Vietnam, threatened by local authorities with punishment for attending religious events at certain localities, defamed by "opinion shapers" on the social media, and declared by the government-created Cao Dai Sect to have been expelled from his religion.

In 1978, the government outlawed the Sacerdotal Council of the Cao Dai Religion. In 1997, the Government created a new Cao Dai sect and appointed Mr. Nguyen Thanh Tam as its head.<sup>1</sup> The Government then transferred to this sect most religious facilities belonging to the Cao Dai Religion. Local authorities have since aided sect members throughout Southern part of Vietnam to takeover, often violently, some 300 Cao Dai temples.<sup>2</sup>

On June 18, 2020, Mr. Tran Ngoc Suong filed a defamation lawsuit against Mr. Nguyen Thanh Tam and other clerics of the government-created Cao Dai Sect for having issued and publicized an order to expel Mr. Suong from the Cao Dai religion. Followers of Mr. Tam then distributed

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<sup>1</sup> See: <https://dvov.org/the-real-cao-dai/>

<sup>2</sup> <https://dvov.org/wp-content/uploads/2018/07/1997-Sect-non-state-actor-June-30-2018-final.pdf>

his order to Cao Dai followers to discredit and defame Mr. Suong, suggesting that he had been excommunicated from his religion – in fact, he joined the Cao Dai Religion decades before the new sect was created and does not recognize the government-created Cao Dai Sect. In at least one instance, a government official informed Mr. Suong’s co-religionists of the expulsion order and pointed out that he no longer qualified as a Cao Dai lay leader.

The People’s Court of Hoa Thanh Town decided not to review and resolve Mr. Suong’s complaint in accordance with the law. On September 21, 2020, Mr. Suong filed a complaint with the Chief Justice of the People's Court of Tay Ninh Province and the Chief Justice of the People’s Court of Hoa Thanh Town. He did not receive a response. On December 04, 2020, Mr. Suong followed up with a request to the Chief Justice of the People's Court of Hoa Thanh Town, the Chief Justice of the People's Court of Tay Ninh Province, and the Chief Justice of the People's Supreme Court urging the courts to sort it out among themselves and let him know which one would review the lawsuit and hear the case.

On December 11, 2020, the People's Court of Hoa Thanh Town notified Mr. Suong that his lawsuit was rejected on the ground of lack of jurisdiction. The decision did not offer an explanation, nor did it explain which other court would have jurisdiction. One may conclude that Vietnam’s court system has dismissed Mr. Suong’s lawsuit out of expediency, simply to protect the government-created Cao Dai Sect.

Around the time Mr. Nguyen Thanh Tam issued his order to expel Mr. Tran Ngoc Suong, on April 21, 2020 multiple websites posted a picture of Mr. Suong in an article titled: “Need to harshly punish Tran Ngoc Suong ‘s violations of the Law on Religion and Belief”. The article is filled with hateful comments, fabrication, and slander about Mr. Suong without either contacting him for verification of information or citing supporting evidence. The acts of spreading disinformation and deceiving public opinion directly violated Decree 15/2020/ND-CP, Article 34 of the Civil Code, and Article 155 of the Penal Code.

On May 25, Mr. Suong filed a request with the Office of Information and Communications of Tien Giang Province and the Ministry of Information and Communications for information of the individuals and/or entities behind the websites that defamed him. On June 9, the provincial Office of Information and Communications responded, acknowledging that the said websites violated provision 7.5 of the 2015 Law on Cyber Information Security, No. 86/2015/QH13; however, they argued, provision 17.2 of the same law stipulates that the government must protect the identity of internet users.

To overcome this administrative roadblock, on July 23, 2020 Mr. Suong filed a petition with the People's Court of Go Cong Town, requesting the court to declare that the defaming information about him is untrue. On July 28, 2020, he received the notification from the court concluding that his request does not fall under its jurisdiction.

On August 04, 2020, Mr. Suong filed a complaint with the People's Court of Go Cong Town for rejecting his petition. On August 11, 2020, Judge Vo Thi Lan sent Mr. Suong a court decision stating that the authority to interpret the Civil Code and the Civil Procedure Code lays with the National Assembly. On August 28, 2020, Mr. Suong sent a request to the Chief Justice of the

People's Supreme Court asking the Chief Justice to provide guidance on the competence authority responsible for interpreting the Civil Code and the Civil Procedure Code. His request was summarily rejected.

Mr. Suong has been a victim of repeated reprisals by the government for having reported rights violations to UN mandate holders. In 2015, he attended the first Southeast Asia FORB (SEAFOB) Conference organized in Thailand where he talked directly to the UN Special Rapporteur on FORB. In 2019, he and other Cao Dai followers were barred from travel to Thailand for the fifth Southeast Asia FORB Conference. On April 30, 2020, the Mandates of the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on the situation of human rights defenders wrote to the Vietnamese government about this act of reprisal:

*“Ms. Nguyen Xuan Mai, Mr. Pham Tan Hoang Hai, Mr. Nguyen Van Thiet, Mr. Tran Ngoc Suong and Ms. Luong Thi No participated in the previous conferences. Between 28 October 2019 and 1 November 2019, they were individually banned from travelling to the conference in Bangkok either under the order of the Ministry of Public Security of Viet Nam or local police authorities. Mr. Nguyen Anh Phụng (independent member of the Cao Dai religious group), who had initially planned to attend the conference, was interrogated at home for additional information on the conference even though he ultimately did not attend.” (VNM 2/2020)*

The incident was also reported in the UN Secretary-General’s 2019 Intimidation and Reprisal Report:

*“124. In April 2020, special procedure mandate holders addressed alleged threats, travel restrictions and violence against and surveillance of members of independent religious communities and human rights defenders who had sought to participate or had participated in the 2019 annual international conference in Bangkok on freedom of religion or belief in South-East Asia, including interaction with and training by OHCHR. Individuals included Ms. Nguyen Xuan Mai, Mr. Pham Tan Hoang Hai, Mr. Nguyen Van Thiet, Mr. Tran Ngoc Suong, Ms. Luong Thi No, Mr. Nguyen Anh Phụng, Mr. Huynh Ngoc Truong, Ms. Nguyen Thi Hoai Phuong, Ms. Nguyen Pham Ai Thuy, Ms. Ngo Thi Lien, Mr. Thich Thien Phuc and Mr. Nay Y Ni (VNM 2/2020).”*

On January 26, 2021, Mr. Phan Van Hoa, Chairman of the People’s Committee of Ben Cau District, Tay Ninh Province, issued a communication branding Mr. Suong as an agent causing harm to security and disrupting public order:

*“Recently, in Bến Cầu District, Trần Ngọc Suong has been the organizer of Ceremonies of Installation of Divine Eye Banners and Praying for Peace performed by a group of individuals calling themselves “Adherents of the Authentic 1926 Church”. This group has been working to entice Cao Dai adherents to join “Adherents of the Authentic 1926 Church” as they take advantage of the policy on religious freedom to harm security and disrupt public order in Bến Cầu District.”*

The communication ordered local Congregation Governing Committees of the Cao Dai Sect, created in 1997 by order of the Vietnamese Communist Party, to disrupt such religious activities,

and, if that does not work, local government authorities to punish Mr. Suong and his fellow Cao Dai adherents for conducting religious activities:

*“...When finding out that the subjects that we target come to our district to conduct Ceremonies of Installation of Divine Eye Banners and Praying for Peace, the chairpersons of People’s Committees of affected communes and towns shall tell local Congregation Governing Committees to request such subjects to cease and leave. If security and public order cannot be maintained when you take these measures to resolve the issue, the police forces of affected communes and towns shall:*

- *Go to the sites to pacify and prevent complications;*
- *Request the involved subjects to come to your facilities for interrogation;*
- *And, proportionately to the severity of each violation, propose to the Chairs of People’s Committees of communes and towns that they punish the subjects pursuant to legal provisions related to security and public order.”*

The People’s Committee then posted this communication at different Cao Dai facilities. When several Cao Dai adherents sought to meet with Mr. Hoa for clarification, they were summarily dismissed.

#### Nguyen Van Thiet, Cao Dai Religion

Mr. Suong’s case is not unique. Another Cao Dai follower, Mr. Nguyen Van Thiet, was similarly targeted by the government-created Cao Dai Sect with an expulsion order.

Thiet also met UNSR/FORB Heiner Bielefeldt in Bangkok, Thailand in 2015. He was barred from leaving Vietnam to attend the 2018 and 2019 SEAFORB Conferences. His case was also featured in VNM 2/2020, and the UN Secretary-General’s 2019 and 2020 Intimidation and Reprisal Reports.

Without receiving any response from the lower court, he escalated the lawsuit to the provincial People’s Supreme Court. Thus far, Mr. Thiet has not received any response from any of those courts. Like Mr. Tran Ngoc Suong, Mr. Thiet attended the first SEAFORB Conference in Thailand in 2015 but was barred from travel to Thailand in 2019 for the fifth SEAFORB Conference.