

VIETNAM: My Yen incident, September 2013

1. Background to the incident

The following information concerns a protest by Catholic citizens from My Yen parish which took place in Nghi Phuong Commune, Nghi Loc District in the province of Nghe An on 4 September 2013. The information about the case which emerged soon after the incident has now been cross-referenced with other testimonies gathered in October 2013.

Sources agree that the demonstrators who gathered on 4 September were protesting the arrest of Nguyen Van Hai, 43, and Ngo Van Khoi, 53, also from My Yen parish, who were detained after being involved in a previous incident on 22 May 2013. On that date the two men were part of a crowd of Catholics visiting a shrine and attending Mass at a church in Nghi Phuong Commune.¹ Three men later revealed to be plainclothes police officers were stopping and searching people on the road to the church. The men did not show any identification, and there was confusion among the crowd as to their identity. According to some sources, some people in the crowd believed they were robbers. Arguments broke out as a result of the tension and confusion.

According to some sources, the three plainclothes police officers, apparently intimidated by the angry crowd, fled to the home of the District Police Officer. The other people present felt they had been wronged because they had been searched without reason, and followed the three officers. However, the situation was not resolved, and further arguments broke out.

Nguyen Van Hai and Ngo Van Khoi were formally arrested on 27 June 2013 and were accused of coordinating the gathering of Catholics at the home of the District Police Officer on 22 May. Some sources believe that the two men were selected as “scapegoats” because they are “easy-going” and police believed they could easily extract a confession. Other sources believe they were arrested because they had told the three police officers to let people into the church. The two men’s families were later informed that they had been charged with “disturbing public order”.

Members of the Catholic community in Nghe An appealed for their release. Bishop Paul Nguyen Thai Hop, the Bishop of Vinh and an influential figure known for speaking out against injustices, also petitioned for their release, claiming the men were innocent. Those calling for their release hoped the two men would be set free under the annual national amnesty on 2 September. When this did not happen, a large number of Catholics demonstrated peacefully in front of the Peoples’ Committee District Office in Nghi Phuong the following day (3 September). In response, the local district chief issued a paper promising that the two men would be released on the afternoon of 4 September. This has been verified by three separate sources.

2. Incident on 4 September 2013 and its aftermath

On 4 September the family and friends of Nguyen Van Hai and Ngo Van Khoi arrived at the Peoples’ Committee District Office to await their release. However, the families were told that there had been no such promise of a release.

¹ One source interviewed in October 2013 claims that around this time Catholics were gathering to pray ahead of the second trial of 17 Catholics from Nghe An sentenced to 3-13 years under article 79 of the Penal Code. Other testimonies neither confirm nor contradict this claim. If it is correct, it would explain why the tension escalated so rapidly, as many Catholics were already angry about the lack of access to legal representation in this case.

Several hundred members of the community arrived to protest against the continued detention of the two men. As the crowds surrounded the District Office, the situation became tense. Sources agree that it was at this point that the military arrived to dispel the crowd, armed with guns, batons, tear gas, and guard dogs. Some sources say hired thugs were also present.

According to one source, around ten female plainclothes officers were placed strategically in the crowd amongst the petitioners. At one point, these officers threw rocks at the uniformed police and military, giving them an excuse to attack. In response, the military fired their guns into the air for five to seven minutes, and severely beat the petitioners. This continued until 8pm. During this period, the military also smashed religious icons in the neighbouring area. This was reported by eyewitnesses and later confirmed in an investigation by Vinh Diocese church authorities. Between 21 and 40 people were injured. About 15 people arrested during the protest were released the following day.

Following the incident on 4 September, the government launched a media campaign which blamed Bishop Paul Nguyen Thai Hop and the Catholic petitioners for all of the unrest, portraying them as an “unruly mob” engaged in a violent attack on the government. In contrast, the actions of the military were presented as being measured and justified. The government has not responded to attempts made by the Catholic community in Nghe An to establish a dialogue with the government on the incident.

Furthermore, according to one source, military units from the surrounding areas were called in to carry out drills for ten days, with the aim of intimidating the community. This took place from 29 September to 10 October.

On 23 October 2013, the men whose arrests sparked the protests, Nguyen Van Hai and Ngo Van Khoi, were sentenced to six and seven months’ imprisonment respectively in a closed-door trial which lasted just three hours. Their families were not allowed to attend.

3. Recommendations to the Government of the Socialist Republic of Vietnam

- To investigate immediately the incident which occurred on 4 September 2013 in Nghi Phuong Commune, Nghi Loc District, and to investigate thoroughly and impartially allegations of the use of excessive force by police, military and non-state actors;
- To ensure that those responsible for the use of excessive force and related human rights violations are prosecuted in accordance with the law;
- To ensure that demonstrators who were injured as a result of the excessive use of force by police, military and non-state actors are properly compensated;
- To guarantee that all demonstrators involved in the incident are granted adequate protection from further attacks, intimidation and harassment;
- To provide regular opportunities for Catholic clergy and lay leaders to voice concerns about the treatment of Catholics in different parts of the country, and guarantee follow up investigations into these concerns.

The international community, including the United Nations, the European Union, representatives of the Holy See, and state governments including the US, UK and ASEAN member states, is encouraged to make representations to the Government of Vietnam regarding this case, offering technical assistance in the case of an investigation.