



**Junior Sacerdotal Council  
of Cao Dai Religion**



Supplemental submission to the 87th pre-session  
of the CRC Committee – VIETNAM

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Jointly prepared by:

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**Article 7, birth registration, name and nationality and Article 30, right of children in ethnic, religious or linguistic minorities or of indigenous origin**

Regarding children being denied education and excluded from basic benefits and services, there was a recent positive development: the government of Dam Rong District, Lam Dong Province has officially announced its detailed plan to resolve the functionally statelessness of 521 Hmong Christian residents (79 households) of Subdivision 179 in Lieng Sronh Commune. In May of this year, its public security police conducted a survey of all households as the first step towards issuing household registration. All school-age children, some 50 of them, are now attending school. This positive development demonstrates that, with political will, government authorities can protect the rights of all children. We have compiled several lists of affected families in multiple provinces. See:

<https://dvov.org/wp-content/uploads/2019/03/Stateless-Hmong-Montagnard-Christians-Appendices-1-8-03-06-19.pdf>, and

[https://dvov.org/wp-content/uploads/2019/05/StatelessDakSarII\\_En.pdf](https://dvov.org/wp-content/uploads/2019/05/StatelessDakSarII_En.pdf)

While we will continue the compilation process, the Central Government of Vietnam is best positioned and equipped to perform a comprehensive tally.

*We recommend that:*

- (1) The Dam Rong District extends its policy to other communities within its jurisdiction, including Subdivision 180, Subdivision 181, and Subdivision Tây Sơn. These three communities, located in the same Lieng Sronh Commune as Subdivision 179, have a total of some 1,000 residents in some 200 households.*
- (2) The Lam Dong Province implements the same policy evenly across all districts throughout the province.*
- (3) The Government of Vietnam instructs all responsible authorities at the district and provincial levels across Vietnam to follow the example of Dam Rong District in Lam Dong Province.*

To aid the CRC Committee in spot-checking progress, we recommend a small number of cases in point below.

- (1) Mr. Sùng Văn Sinh and Mrs. Thào Thị Sai, residents of Vụ Bồn Commune, Krong Pak District, Dak Lak Province, have repeatedly petitioned for their first son, Sùng Văn Sĩ, 5-years old, to be admitted to the Thiên Lý kindergarten, located nearby their home, but to no avail because their son has no birth certificate. Their second son, Sùng Văn Sàng, 3-years old, has no birth certificate either and would face the same problem in a couple years.
- (2) Mr. Cứ Seo Chảo and Mrs. Thào Thị Chao, residents of Vụ Bồn Commune, have repeatedly petitioned for their 7-years old son Cứ Minh Dương to be admitted to Hoàng Diệu primary school and their 4-years old daughter Cứ Thị Tân to Thiên Lý kindergarten, to no avail. Neither of them has been issued a birth certificate.

- (3) The above children are part of the group of 146 children in the community of 166 Hmong Christian households (approximately 930 individuals) in Vụ Bồn Commune; 101 of these children have no birth certificate and 45 are listed as fatherless on their birth certificates. None of them can attend school because their parents do not have proper documentation. See the full list of these children: <https://dvov.org/wp-content/uploads/2020/09/VU-BON-CHILDREN-BORN-WITHOUT-BIRTH-CERTIFICATE-OR-LISTED-AS-FATHERLESS-IN-BIRTH-CERTIFICATE.pdf>.

Likewise, many Montagnard Christians have been denied household registration and citizen ID card because of their faith. But unlike their Hmong counterparts, who live in primarily co-ethnic, co-religious communities, the Montagnard Christians tend to be intermingled with non-Montagnard and non-Christians, making it logistically much harder to identify cases of affected children. Below is a small sample of cases in point.

- (1) Y Phinh Byă, born on January 27, 2015, of the Ede minority in Buôn Cuê Commune, Băng Adrênh Village, Krông Ana District, Dak Lak Province: He has been raised by his grandmother H'Men Byă after his parents got divorced. The local authorities have refused to issue him the birth certificate because Mrs. Byă is considered a “reactionary” element – in 2003 she was sentenced to three years in prison for taking part in protests along with other Montagnard Christians to demand religious freedom. Consequently, Y Phinh Byă cannot access education or basic social and medical services.
- (2) Y Čang Guôn Niê, born on June 20, 2002, of the Ede minority in Buôn Êa Khít Commune, Êa Bhôk Village, Cư Kuin District, Dak Lak Province: His father, Y Pher Hdruê, was sentenced to 13 years and 9 months of imprisonment for participating in peaceful demonstrations between 2001 and 2004, to demand religious freedom and a stop to government’s expropriation of Montagnards’ farmland. Consequently, Niê has been denied education and not allowed to have his father’s name listed on his birth certificate.
- (3) Y Nhất Bdap’s wife, H’Ning Mlô, and 5 children, all residents of Buôn K62 Commune, Băng Adrênh Village, Krông Ana District, Dak Lak Province are not included in Bdap’s household registration. The couple’s six children are: H’Gir Mlô, born April 22, 2004; H’Niêt Mlô, born August 27, 2006; Y Dập Mlô, born December 24, 2009; H’Mat Mlô, born September 4, 2013; Y Dranh Mlô, born December 12, 2016; H’Bun Mlô, born in 2018. The two youngest ones do not have birth certificates.

*We recommend that the CRC Committee follows up with the Vietnamese government on these cases in point and ensure that they are satisfactorily resolved. Once resolved, they will serve as precedents for a broader policy addressing the right of children to education and equal treatment.*

**Article 37, protection against torture or other cruel, inhuman or degrading treatment or punishment and Article 39, services to promote physical and psychological recovery after traumatizing experience**

Oftentimes, the government's use of torture or other cruel, inhuman or degrading treatment or punishment against adults severely impacts the children. Below are two illustrative cases.

- (1) Ms. Ly Y Go, a Hmong woman resident of Huoi Tu Commune, Ky Son District: Ms. Go converted to Protestantism in 2015. In August 2018, she revealed her religion to her husband, who reported her to the chairman of the People's Committee of Huoi Tu Commune. For the following two months she was subjected to interrogation by the local, district and provincial police. They forced her to renounce her faith and threatened dire consequences if she refused. As she did not recant her faith, in collaboration with the police, her husband ordered her to move out of her home village. The police threatened the same fate to anyone in the village giving her shelter. On September 25, 2018, Ms. Go left home, leaving behind her two young children, then aged 2 and 3. She was given temporary refuge at an unoccupied facility of the Good News Mission Church of Vietnam in Ha Noi. Between January and May 2020, twice she tried to visit her children and parents. Both times, she was intercepted by the village authorities and immediately evicted from the village. The chief of police of Huoi Tu Commune explained that, having been banished, she was no longer legally a local resident of her home village. Prodded by the local authorities, her husband recently divorced her; she did not have a say in the divorce decision and was not allowed to claim guardianship of her children: Vàng Quang Vinh, born February 15, 2015, and Vàng Tinh Văn, born August 11, 2016. They have been traumatized and emotionally distressed for being abruptly separated from their mother. BPSOS submitted a report on Ms. Go's mistreatment to the UN Special Rapporteur on FORB on November 26, 2018 and a second report on July 18, 2020.
- (2) The family of Tran Van Thuong, Buddhist lay leader in Ba Ria – Vung Tau: At 3am on September 10, the police in Ba Ria – Vung Tau Province apprehended his son Tran Van Khuong at the latter's workplace without an arrest warrant, and took him to the Xuyen Moc District Police Station. When Khuong's wife, parents and an older sibling, Tran Van Phe, and his wife arrived at the police station at around 8am with Khuong's 19-months old daughter Trần Thực Khanh, Phe's 10-months old son Trần Hữu Đan, and two female relatives, the police detained them all. Thuong and Phe were taken to a separate room and beaten by the police. A friend of the family who came to the police station to inquire about their safety was also detained. Thanks to the intervention by the US and German Consulates General in HCM City, they were all released in the late evening. Both children could hear the screams of Truong and of Phe, and were frightened. They have remained traumatized by this experience. In 2014 and 2015, he submitted several reports to the UN Special Rapporteur on FORB on various human rights violations, including the demolition of the Phap Bien Pagoda, which Thuong built with his family's financial resource.

*We recommend that the CRC Committee requests an update from the Vietnamese government about social and emotional health services provided to the above four affected children.*