

Report to the Committee on the Elimination of Racial Discrimination

Vietnam Targets its Largest Indigenous Groups: Montagnards and Hmong.

A Joint Submission

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Introduction

This report is submitted in addition to the Government of Vietnam's 15th through 17th periodic reports, in advance of Vietnam's review by the Committee on the Elimination of Racial Discrimination (CERD) during the 111th session from 29 to 30 November 2023. This report addresses the Vietnamese Government's indirect abets enterprise companies to grab Montagnards' lands and damage the environment and livelihood in result in the Central Highlands as its apathy toward people's petitions when they call for help, as well as addresses the Vietnamese Government's use of government-controlled churches as instruments to carry out religious repression, including forced renunciation and/or conversion of faith, against Montagnards and Hmong Christians in direct contravention of the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter referred to as "this Convention"). Specifically, this report focuses on the following Concluding Observation from the 2012 review:

16. The Committee takes note of the State party's assurance that the right to freedom of belief and religion of ethnic minorities is well protected under article 70 of the Constitution and other relevant laws and policies (arts. 2, 4 and 5 (a), (b) and (d)). The Committee is nevertheless concerned at:

(a) Numerous and consistent reports of discrimination and restriction on religious practices faced by some Christian and Buddhist denominations among Khmer Krom, Degar (Montagnard) and Hmong, through legislation, registration requirements, surveillance and imprisonment; ...

The Socialist Republic of Vietnam is an authoritarian state ruled by a single party, the Vietnamese Communist Party (VCP). Vietnam's communist leaders are as anti-religion as those in China and North Korea but use more subtle and sophisticated tactics to suppress religious freedom. Ideologically, the Vietnamese leadership steadfastly follows Marxism-Leninism, which Vietnam's new President re-affirmed in his 2 March 2023 acceptance speech.¹ In their ideological worldview, religions are "the opiate of the masses" -- the ruling class uses religions to maintain its dominance over the working class. Abolition of religions - or co-optation and control - is therefore a precondition for a classless society.

- The Evangelical Church of Vietnam – South (ECVN-South)

ECVN-South, founded in 1921 in South Vietnam, was recognized by the Government of the Socialist Republic of Vietnam in 2001. The Central Highlands region in southern Vietnam is home to many indigenous peoples commonly known as "Montagnards" whose languages are distinct from the mainstream, official Vietnamese language spoken throughout much of the rest of the country. The founding of ECVN-South, whose members in the Central Highlands are primarily

¹ Vietnam's new president pledges to make people's interests focal point of policymaking, VNExpress, 2 March, 2023, available at: <https://e.vnexpress.net/news/news/vietnam-s-new-president-pledges-to-make-people-s-interests-focal-point-of-policymaking-4576602.html>

Montagnards, predated the takeover of South Vietnam by the communist regime in 1975. In April 2001, the government offered it legal recognition² and at the same time launched a brutal crackdown on all Montagnard house churches in the Central Highlands, most of which were affiliated with ECVN-South. By 2004, practically all Montagnard house churches had been destroyed, burned or closed. In February 2001 and April 2004, tens of thousands of Montagnard Christians held peaceful demonstrations to demand religious freedom and return of ancestral lands.³ They were crushed by the police; reportedly numerous demonstrators were injured and several died, and hundreds arrested;⁴ with some still serving prison sentences. This led Vietnam to be designated a Country of Particular Concern (CPC) for its violations of religious freedom by the U.S. Department of State in 2004-2006.⁵

In exchange for legal recognition, ECVN-South has stopped advocating for its own Montagnard followers. In 2001, the same year it recognized ECVN-South, the government proceeded to crack down on all Montagnard house churches in the Central Highlands. By 2004, practically all Montagnard house churches had been destroyed, burned or closed. Between 2001 and 2004, tens of thousands of Montagnard Christians held peaceful demonstrations to demand religious freedom. They were crushed by the police; reportedly numerous demonstrators were injured or died, and hundreds arrested; some are still serving prison sentences. This led Vietnam to be designated a country of particular concern (CPC) in 2005 and 2006. ECVN-South not only stayed quiet about the brutal crackdown but also abstained from and Starting in 2005 an increasing number of Montagnard Christians left ECVN-South and formed new house churches independent of ECVN-South, such as the Degar Protestant Church and the Evangelical Church of Christ of the Central Highlands (ECCCH).

To this day, the police continue to coerce members of independent Montagnard house churches to join ECVN-South or other government-recognized churches. Many Montagnard Christians would rather face repression than joining or re-joining ECVN-South because they don't want to submit themselves to government control and/or because of their past experience with ECVN-South.

ECVN-South maintained a deafening silence - at least publicly - while its Montagnard members became victims of brutal persecution. Families of ECVN-South members may have consoled and/or provided material and/or moral support to the families of those killed or imprisoned, but the organization was silent. In exchange for legal recognition, ECVN-South seemed to have

² While the ECVN-South historically included Montagnard churches in the Central Highlands as members, the government's official recognition in April 2001 did not extend to Montagnard congregations, which continued to be considered illegal. Instead, they must go through an "additional, lengthy, government-supervised, church-by-church process". Reg Reimer, *Vietnam's Christians: A Century of Growth in Adversity*, William Carey Library, Pasadena California, 2011, p. 105

³ Socialist Republic of Viet Nam: Renewed concern for the Montagnard minority, Amnesty International, 27 April 2004, available at: <https://www.amnesty.org/en/documents/asa41/005/2004/en/>

⁴ Vietnam: Violence against Montagnards During Easter Week Protests, Human Rights Watch, 14 April, 2004, available at: <https://www.hrw.org/news/2004/04/14/vietnam-violence-against-montagnards-during-easter-week-protests>

⁵ Smaller protests broke out -- and were quickly quashed -- in September 2002 and April 2008. Human Rights Watch, "Montagnard Christians in Vietnam: A Case Study in Religious Repression," March 2011, <https://www.hrw.org/report/2011/03/30/montagnard-christians-vietnam/case-study-religious-repression>

abandoned its Montagnard members and let itself be used by the government as a shield to deflect international criticisms.

Starting in 2005 an increasing number of Montagnard Christians left ECVN-South and formed new house churches independent of ECVN-South, such as the Dega Protestant Church (Hội thánh Tin lành Đè Ga) and the Evangelical Church of Christ of Vietnam (Hội thánh Tin lành Đấng Christ Việt Nam).⁶ The government has since worked hand-in-hand with ECVN-South to suppress unaffiliated Montagnard Christian house churches.

Some registered churches in Vietnam have reported improvements under the Law on Belief and Religion. While it is true that churches operating under the umbrella of the government have enjoyed greater latitude under the new law, it is a fallacy to reason that as long as the government lets enough churches under its umbrella, that means it is making progress toward religious freedom. Oftentimes, slight improvements reported by government-recognized churches come at the (unreported) heavy expense of non-recognized ones: Such reported improvements practically help the government assert greater state control over religions.

Politically, the regime considers effective control of the masses the key to its monopoly on power. As religions encourage people of the same faith to act in community and follow a calling higher than the communist doctrine, the regime sees this as a threat that must be nipped in the bud. In this regard, not much has changed since 2005, when the United States designated Vietnam as a Country of Particular Concern (CPC).⁷

In practice, the country's leadership seeks to strike a balance between its inherent enmity towards religions and its need to present a façade of tolerance to the world by simultaneously implementing three strategies.

Background

Vietnam has over 50 ethnic groups, the dominant one being the “Kinh” group, accounting for approximately 85 million people or 85% of the population.⁸ Of the remaining 15% or 15 million people from ethnic and indigenous communities.

1. Montagnards

The Montagnards are the indigenous people of Vietnam who have resided, for many generations, mainly in the five provinces in the Tay Nguyen Central Highland Area of Vietnam, including Dak Lak, Dak Nong, Lam Dong, Gia Lai and Kon Tum. There are many ethnicities of Montagnard people including Ede, Jarai, Mnong, K'ho and Bana. Despite of being called Montagnards in general, these ethnicities are distinguished by a variety of

⁶ The independent house church movement was started in 2000 by Montagnard pastors. A few years later, this movement picked up steam after the government brutally quashed mass protests. Vietnam decried this reactionary “Dega Protestantism” movement (some such churches took the name of Dega Church XX, YY, etc.)

⁷ Extreme Policy Makeover: Re-Evaluating Current U.S.-Vietnam Relations under the International Religious Freedom Act, Washington International Law Journal, 6 January, 2005, available at: <https://digitalcommons.law.uw.edu/cgi/viewcontent.cgi?article=1394&context=wilj>

⁸ https://vietnam.unfpa.org/sites/default/files/pub-pdf/Ethnic_Group_ENG.pdf.

customs, cultures and languages. According to a statistic by the government in 2009, the total population of the Montagnard people is estimated to be 1,284,621, not including other ethnic minorities who are also living in the Central Highland.

Their main means livelihood is agriculture, which put great importance in their ability to own lands. They also have high concentration consideration in protecting forest and lands, before the northern people of Vietnam

In terms of religion, Evangelism is one of the mainstream religions across the country, especially among the 5 provinces in the Tay Nguyen Central Highland, which first arrived at the Montagnard people in Dak Lak 92 years ago in 1931.

2. Hmong

The Hmong or Miao began to migrate to Tonkin (Northern Vietnam) in 19th century, where they struggled to establish their community on the high mountains. They recognized the Tai-speaking overlords of valleys, who were vassals of the Vietnamese court in Hue. The Hue court of [Tu Duc](#) at the time was facing crisis after crisis, unable to retake control of Tonkin and the border regions. The [Taiping rebellion](#) and other Chinese rebels spilled over into Vietnam and had caused anarchy; the Hmong communities humbly thrived on either sides of the Red River, harmonizing with other ethnic groups, and were largely ignored by all factions.

During the colonization of '[Tonkin](#)' ([North Vietnam](#)) between 1883 and 1954, a number of Hmong decided to join the [Vietnamese Nationalists](#) and [Communists](#), while many [Christianized](#) Hmong sided with the French. After the [Viet Minh](#) victory, numerous pro-French Hmong had to fall back to Laos and [South Vietnam](#).

The Hmong groups in Vietnam and Laos, from the 18th century to the present day, are known as Black Hmong (*Hmoob Dub*), Striped Hmong (*Hmoob Txaij*), White Hmong (*Hmoob Dawb*), Hmong Leng (*Hmoob Leeg*) and Green Hmong (*Hmoob Ntsuab*). In other places in Asia, groups are also known as Black Hmong (*Hmoob Dub* or *Hmong Dou*), Striped Hmong (*Hmoob Txaij* or *Hmoob Quas Npab*), Hmong Shi, Hmong Pe, Hmong Pua, and Hmong Xau, Hmong Xanh (Green Hmong), Hmong Do (Red Hmong), Na Miao and various other subgroups. These include the Flower Hmong or the Variegated Hmong (*Hmong Lenh* or *Hmong Hoa*), so named because of their bright, colorful embroidery work (called *pa ndau* or *paj ntaub*, literally "flower cloth").

Christianity started spreading among the Hmong in the highlands of northwest and central Vietnam in the late 1980s through a Hmong-language [Christian radio program broadcast](#) from Manila and has led to “a remarkable religious transformation ... in the past three decades”, according to academic [Seb Rumsby, writing for The Diplomat](#).

Among the more than one million Hmong there are now [an estimated 400,000 Christians](#), and “the social, economic, and political impacts of religious change – from persecution and migration to lifestyle changes and new gender relations – are becoming increasingly difficult to ignore”, says Rumsby.

The Vietnamese government has reacted by publishing anti-Christian propaganda and maintaining restrictive policies, making it almost impossible for churches to register.

Persecution grounds

1. Religious and belief

Montagnard Christians are targeted for their religious beliefs. Two Montagnard evangelists from the Evangelical Church of Christ of the Central Highlands - Y Krec Bya and Nay Y Blang - were arrested in 2023 and will be tried for made up “crimes” because they refused to join ECVN-South.⁹ Following shooting incidents in the Central Highlands on 11 June 2023, the government launched a massive crackdown and Montagnards live in fear.¹⁰

In the Central Highlands, after the shooting incidents of 11 June, 2023, government attempts to blame “Dega Protestantism”, “Montagnards working for reactionary FULRO expatriates”, etc. and heavy-handed arrests, beatings, and threats using the incidents as a pretext to force independent house churches to submit to government-controlled churches have increased the divide between Montagnards and other ethnic groups, notably the dominant “Kinh” ethnic group.

Y Sī Êban - Evangelical Church of Christ of the Central Highlands - was arrested at the airport in November 2022 when he was about to board the flight from Tan Son Nhat Airport, Vietnam to Bali, Indonesia. He had hoped to share with the Special Rapporteur - FoRB (Dr. Ghanea) the persecution of independent Montagnard house churches, but instead, was detained and beaten (report submitted to SR - FoRB on 4 December 2022). As of 29 August 2023, he has been under surveillance day and night for the past 23 days and is too afraid to leave home to go to work. The police want to force him to join ECVN - South

Evangelist Y Krêc Byă, a resident of Cuor Knia 2 Village, Êa Bar Commune, Buôn Đôn District, Đắk Lắk Province, was a member of ECVN-South when he participated in peaceful demonstrations to call on the Government to respect Montagnards’ right to religious freedom, stop destroying their religious facilities, refrain from expropriating their lands, and release those detained or imprisoned. He was arrested and sentenced to eight years in prison. After returning home from prison, Y Krêc Byă decided to leave ECVN-South and join the newly established Evangelical Church of Christ of the Central Highlands, of which many members were, like him, disenchanted former members of ECVN-South.¹¹

In January 2022, Y Krec Bya was interrogated three times between the 5th and the 28th day of the month. Each time the police ordered him to leave his church or else risk being punished “according to the law”.¹² Y Krec Bya continued to be harassed, interrogated, and threatened in 2022 and 2023 until he was detained and prosecuted in early April 2023.

⁹ <https://www.hrw.org/news/2023/06/08/human-rights-watch-submission-european-union-ahead-eu-vietnam-human-rights-dialogue>. Montagnards in the Central Highlands must join the Evangelical Church of Vietnam - South or renounce Christianity if they choose not to join. The government harasses, fines, and threatens those who belong to unregistered religious organizations or independent house churches.

¹⁰ <https://www.voanews.com/a/deadly-conflict-in-vietnam-s-central-highlands-ramps-up-persecution-of-ethnic-minorities-7183904.html>

¹¹ Later, a subgroup left under Pastor A Ga to establish the Evangelical Church of Christ of the Central Highlands.

¹² In 2021 and prior years, at least from the reports we translated and submitted, the government did not explicitly order victims to join or rejoin ECVN-South as frequently as from 2022 on. In past reports, the government typically ordered them to leave their “illegal” churches.

Security Investigation Agency personnel reading the order to prosecute and detain Y Kréc Bya on 8 April 2023

<https://cand.com.vn/Ban-tin-113/bat-doi-tuong-pha-hoai-chinh-sach-dai-doan-ket-i689378/>

In the evening of 20 November 2022, Evangelist Y Jũ Hwing, member of the Degar Protestant house church in Klat C Village, Êa Drông Commune, Buôn Hồ Town, Đắk Lắk Province, received the interrogation request delivered to him by Y Sương Knul, member of the police of Êa Drông Commune. On 21 November, at 8 am, he arrived at the police station to meet Y Philip Niê, Security Police of Buôn Hồ Town. This man and his fellow police officers interrogated Y Jũ Hwing until noon. The police threatened him with long-term imprisonment unless he joined ECVN-South.

In 2022 the government refused to consider and even harassed and/or fined several Montagnard evangelists who repeatedly submitted requests to their commune governments asking for clarification and guidance on a provision in the Law on Belief and Religion that appears to authorize independent religious groups to practice their religion without registration with, or approval by their commune governments. The punishment happened soon after they submitted the requests and the fines were ostensibly for “administrative violations” that took place many months earlier.

On 10 June 2022, Cư M'gar District government fined Y Don Niê and Y Čung Niê, for their religious practice “without the prior approval of the People’s Committee of Cư Suê Commune” (i.e., independent of government-controlled religious organizations), and for observing on 22 August 2021 the International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief and in December 2021 the International Human Rights Day. On 10 June 2022, this government belatedly fined another observer of these International Days, Y Thinh Niê, for the related offense of forwarding pictures to Y Quynh Bđap (leader of MSFJ) in June - August 2021 for posting on the Facebook page of MSFJ.

On 6 September, 2022, with the support of other mandate holders, the UN Special Rapporteur on Freedom of Religion or Belief raised this case in a joint allegation letter to the Vietnamese Government¹³. The Vietnamese Government responded on July 23, 2023:

Y Cung Niê, Y Thinh Niê, Y Don Niê are individuals with complicated activities related to FURLO organization (an organization that takes advantage of ethnic and religious issues to threaten national security, incite riots, secession, and self-rule in the territory of Viet Nam). In the process of living in the locality, the above 03 individuals have often taken advantage of themselves as ethnic minority people to provide false information, fabricate false accusations against the government and local police force of religious and ethnic oppression; contacted organizations abroad that lack goodwill towards Viet Nam to propagate false information, slandered Viet Nam of human rights violations, and created inaccurate information about the human rights situation in Viet Nam.

In May 2022, the local police invited Y Cung Niê, Y Thinh Niê, and Y Don Niê to the headquarters to discuss. Sending invitations to citizens is a normal activity of the Vietnamese police force, prescribed in the Criminal Procedure Code, for the purpose of coordinating information collection, clarifying issues related to the process of ensuring local security and order or investigating a criminal case. Inviting citizens to discuss is not an arrest, so according to the law, a lawyer is not required; citizens receiving an invitation have the right to invite lawyers, legal representatives, and relatives to

¹³ AL VNM 4/2022, available at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27538>

accompany them. Allegations of the above three cases of being arrested and interrogated without a lawyer is incorrect. During the discussion process, the three individuals above admitted to providing false and fabricated information about the activities of local government agencies and the State's guidelines, policies and laws in the field of religion and ethnicity; transferring information abroad for the purpose of accusing Viet Nam of human rights violations and religious persecution. The meeting was recorded in a minute signed by Y Cung Niê, Y Thinh Niê, and Y Do Niê.

On that basis, the People's Committee of Cu M'gar district issued a decision to sanction administrative violations against Y Cung Niê, Y Thinh Niê, and Y Don Niê according to Article 7 of Decree No. 144/ND-CP dated 31 December 2021. The decision to sanction is based on the violations of the law by these individuals, not related to the fact that the three individuals above submitted an application to the government asking for guidance on registration of religious activities and "International Day Commemorating the Victims of Acts of Violence Based on Religion or Belief".

In its response, the Vietnamese Government falsely alleged that these three Montagnard Christians are member of FULRO¹⁴, which ceased to exist in 1992; that they fabricated information to tarnish the government in incident reports submitted to the UN Special Rapporteur on FORB; and that they admitted to doing so. Moreover, to this day the government has yet to respond to their requests for guidance to register their independent house churches in accordance with the Law on Belief and Religion.

In all, in the past 24 months, 6 Montagnard house churches have written to different levels of government to request guidance on registering their religious activities to no avail.¹⁵ Some of these house churches were recently intensely pressured to join ECVN-South. For example, several households, including that of Y Don Niê, deputy leader of the independent Sut M'dung Village Church, left and joined ECVN - South.

To inflict fear and humiliation, the local authorities have arranged for house church leaders to be publicly denounced and shamed in front of their fellow villagers. The victims are required to be present but not permitted to speak in their own defense.

On 29 July 2020, Evangelist Nay Y Blang - Evangelical Church of Christ of the Central Highlands in Pung B Village, Ea Lâm Commune, Sông Hinh District, Phú Yên Province - was interrogated and forced to sign the police interrogation report which consisted of the minutes of the interrogation, with a "confession" added by the interrogator. He refused to sign it. The police ordered him to sign a pledge to leave his independent house church. He resisted. The police warned him that he must pay an administrative fine and if he did not comply, they would seize his assets. Nay Y Blang refused to pay, saying that it was not right to criminalize him for resisting their pressure to recant his faith. The police angrily said that they would hold a public denunciation of Nay Y Blang in the presence of all the villagers where he would be shamed into confessing to his criminal adherence to the Evangelical Church of Christ and collusion with the international community.

¹⁴ FULRO is the acronym for the French equivalent of *United Front for the Liberation of Oppressed Races* (disbanded in 1992). Montagnards and a small number of other indigenous fighters used guerilla tactics to oppose what they considered oppressors, i.e., South Vietnam and then Communist Vietnam (after Vietnam was forcibly unified under the Hanoi Communist government in 1975).

¹⁵ Sut M'dung Village, Drai Si Village, Tara Puor Village, Ea Khit Village, Cue Village, and Dhia 2 Village - all in Dak Lak Province.

At times, the police escalated their intimidation and humiliation tactic by targeting an entire family and spreading fear among residents of multiple villages.

In the morning of 25 March 2023, about 40 police officers rallied residents from three villages in Krông Năng District, Đắk Lắk Province – Giêr, Wik, and Đê villages - to attend a public denunciation held at Êa Truôr Elementary School of Wik Village. Evangelist Y Năi Mlô of the Dega Protestant house church of Đê Village, Êa Hồ Commune, Krông Năng District, Đắk Lắk Province and other members of his household had to witness Senior Lieutenant Colonel Y Thu Êban from the Security Branch, Police Department of Đắk Lắk Province verbally attack his absentee son whose name is Y Pher Hdruê – a member of Thailand-based MSFJ. Y Thu Êban also issued warnings to villagers about the Evangelical Church of Christ of the Central Highlands.

Churches that tacitly compromise with the government are not spared public humiliation when they deviate from government policies. The Good News Mission Church is one such example. Before mid-2022, although it was not officially recognized, it was allowed to operate to a limited extent by the government. Lately its members are told that their church is illegal. It still has hundreds of followers in the Central Highlands and still avoids speaking up for its Montagnard members.¹⁶

Public denunciation on 15 November 2020: Victims were Evangelists Y Săc Mlô and Y Song Mlô, Dhiă Village, Cù Né Commune, Krông Buk District, Dak Lak Province. At that time, they were with the unregistered but mostly tolerated Good News Mission Church (now they and their village church members consider themselves independent house churches).

Around 8 AM, the government staged a public denunciation in Dhiă Village. Approximately 50 police officers participated, along with nearly 200 villagers. The event ended at 11 AM.

Y Ngul Mlô, Police of Krông Buk District, said: No one should follow Y Săc Mlô who is with the Good News Mission Church because the government has not recognized this church. The government has recognized the Evangelical Church of Vietnam (South). Y Săc Mlô is not qualified enough to preach to his church. Y Ngul Mlô, Police of Krông Buk District, said: Y Song Mlô must remove the Cross which he had attached to his gate because only certified preachers may enroll in religious classes and conduct house church activities.

The police said: the Good News Mission Church, the Evangelical Church of Christ, and the International Dega Church in the Central Highland have been working to overthrow the Vietnamese government using the guise of religion.

The police showed films about asylum seekers in Thailand and Cambodia. The police said: See? Y Băm Ênuôl and Ksor Kok died in exile. No villager shall follow Y Săc Mlô because his group works to undermine the government - due to their lack of education. You villagers must be careful when using Facebook because Facebook contains many reactionary articles which tell lies to undermine the security and order in villages. They plot to overthrow the Vietnamese government. No villager shall listen to those reactionaries in Thailand such as Y Quynh Bdap, Y Pher Hdruê, and Y Arôn Êban who are with MSFJ (MSFJ), or Pastors Y Hin Niê, A Ga and Y Duên Bdap in the US.

Even ECVN-South members are subjected to public denunciation for stepping out of the boundaries set by local government authorities.

¹⁶ This information was provided by some church members in mid-2022.

Deacon Y Bhen Mlô, a member of ECVN-South, deviated from government policy by observing the UN International Day of 22 August 2022 to commemorate victims of violence based on religion or beliefs. On 31 August 2022, he was subjected to a public denunciation in Trăp Village, Đắk Lắk Province. At the public denunciation, the vice chairman of the commune said that Y Bhen Mlô and Y Nêp Niê held a sign when observing 22 August 2022, in opposition to the Vietnamese government. Nobody should be enticed by bad people living abroad into observing the UN Day commemorating Victims of Acts of Violence Based on Religion or Belief. (Source: report submitted to the Special Rapporteur in November 2022).

In many instances, ECVN-South pastors have been found to take part in public denunciations, leading the way for government officials and some villagers hand-picked by the police to verbally abuse and humiliate leaders of independent house churches.

On 21 October 2022, Evangelist Y Krêc Byă was forced to attend a public denunciation session at his village. The government convened over 200 villagers for the denunciation against the Evangelical Church of Christ of the Central Highlands. Ms. H'Kao Knul, member of the Security Police of Buôn Đôn District, falsely accused the Evangelical Church of Christ of the Central Highlands of being a front for establishing a separate Montagnard State. She then condemned Pastor A Ga, this church's founder who lives in the United States, to be the instigator. She warned that the government will use the law to punish those who joined this church, and declared that Evangelist Y Krêc Byă was being investigated by the police for this. Pastor Y Čuah Hđők of ECVN-South accused that the Evangelical Church of Christ of the Central Highlands was guilty of disobeying God and the Vietnamese government and that its members who refused to join ECVN-South would not be accepted by God in Heaven. He went on to claim that only ECVN-South is loyal to the Vietnamese government and never collaborates with foreign opponents of the Vietnamese State.

Using ECVN-South to target independent house churches was not an aberration of the local or district government authorities. On 4 February, 2023, ECVN-South Pastor Nay Sia appeared on the television program of the Police Department of Đắk Lắk Province to accuse leaders of the Evangelical Church of Christ of the Central Highlands of "taking advantage of religion for political purposes, disturb the lives of citizens, to undermine beliefs... Their goal is to overthrow the government and establish a Dega state."¹⁷ On 18 June 2023, only a week after a shooting incident in Đắk Lắk Province that caused the death of some local government employees and police officers, this video was posted again, likely to imply that the Evangelical Church of Christ of the Central Highlands must bear responsibility for the violent act of 11 June 2023.¹⁸

- Policies of the Party and the State

On 4 February, 2023, the same day the Police Department of Đắk Lắk Province featured ECVN-South Pastor Nay Sia on its television program, the Ministry of Public Security also aired practically the same propaganda piece under a slightly different title: "Unmasking the malicious conspiracy of the reactionary organization 'Evangelical Church of Christ of the Central

¹⁷ Vạch bộ mặt phản động của "Hội thánh Tin lành Đấng Christ Tây Nguyên" (Unmasking the reactionary face of the "Church of Evangelical Christs in the Central Highlands"), AN-TT Đắk Lắk, 4 February 2023, available at: https://www.youtube.com/watch?v=K_9S8cx7EyA

¹⁸<https://www.youtube.com/watch?v=NP03Tb9vNtE>

Highlands”¹⁹ which featured the same ECVN-South Pastor Nay Sia attacking the said house church. It carried an almost identical content as the aforementioned television program aired by the Police Department of Đắk Lắk, also on 4 February 2023. The decision to use ECVN-South as a tool to set the stage for an all-out attack on the Evangelical Church of Christ of the Central Highlands stemmed from State policy and carried out by the Government of Đắk Lắk Province.

The Ministry of Public Security repackaged this propaganda piece for its daily news program, also broadcasted on 4 February, 2023, but with a title that more directly reflected the policy at the highest level of government: to eliminate the Evangelical Church of Christ of the Central Highlands, which is also the conclusion of this and the aforementioned television programs:

“In fact, for a long time in the Central Highlands, the life of religious freedom and pure belief has always been facilitated by the State Party and authorities at all levels. Particularly for Protestantism (in the Central Highlands), the Vietnamese State has only recognized five organizations, including the Evangelical Church of Vietnam - South, the Seventh-day Adventist Church, the Presbyterian Church, the Christian Missionary Church, and the Evangelical Christian Church. And of course, the reactionary organizations disguised as religion under names such as the Evangelical Church of Christ of Vietnam and the Evangelical Church of Christ of the Central Highlands need to be eliminated, need to be boycotted by the community.”²⁰

The persecution against Montagnard Christians emanates from policies of the Communist Party and central government through the Central Highlands Steering Committee which set policies for the State to implement in the Central Highlands up until its dissolution by the VCP Central Committee in 2017 and in July 2020, Decision No. 352/QĐ-UBND on Project on continuing tasks for ethnic minorities and mountainous areas (from the 3 former steering committees - Northwestern, Central Highlands, and Southwestern).²¹ The continuous targeting of independent Montagnard Christians shows that nothing has changed much. Previously, the Ministry of Public Security used its Central Highlands Security Bureau (PA 90) to coordinate the implementation of policies set by the Central Highlands Steering Committee. Now, government websites still carry articles praising PA 90 suppressive operations.²²

Government websites associated with the Public Security Ministry and Prime Minister’s office discuss very explicitly the need to “eradicate the evil cults” -- the official characterization of the various unapproved Montagnard Christian denominations that have been so thoroughly persecuted. In the sections that follow, some Vietnamese government websites are listed, but the links are no longer operational. After BPSOS posted a report proposing the Global Magnitsky sanction against the late Police General Trần Đại Quang, former Minister of Public Security and

¹⁹ Vạch mặt âm mưu thâm độc của tổ chức phản động 'Hội thánh Tin lành đấng Christ Tây Nguyên' (Unmasking the malicious conspiracy of the reactionary organization 'Evangelical Church of Christ of the Central Highlands'), An Ninh TV,

²⁰ Cần loại bỏ tổ chức phản động Hội Thánh Tin lành đấng Christ Tây Nguyên (Need to eliminate the reactionary organization Evangelical Church of Christ of the Central Highlands), Public Security Television, 4 February, 2023, available at: <https://www.youtube.com/watch?v=p7Cvo36NOYk&t=88s>

²¹ For information about how Central Highlands Steering Committee tasks were re-designated after 2017, see: <https://luatvietnam.vn/co-cau-to-chuc/quyet-dinh-352-qd-ubdt-2020-de-an-tiep-nhan-nhiem-vu-cong-tac-dan-toc-va-mien-nui-186333-d1.html>

²² <https://cand.com.vn/Truyen-thong/Nhung-nguoi-linh-anh-hung-chong-Fulro-i350223/>

then President of Vietnam, the government removed several of his articles from government websites and “sanitized” some others, but BPSOS captured the images of several such articles. Appendix 3 includes an original article that was later sanitized to hide the actual repression policy set by the central government, with images captured by BPSOS before it was sanitized. Appendix 3 also traces the origins of the policy to suppress religious freedom in Montagnard communities, regardless of the subsequent removal of incriminating materials from government websites.

Articles such as the one titled “Those who rescue the people from darkness”, dated February 27, 2015, and published on Public Security Minister Quang’s website: “...When I arrived in the Central Highlands, our task of rescuing the people from the evil Hà Mòn cult²³ was accomplished only recently. The Security Team of the Police Force of the Town of Kontum performed deeds that were representative of the indefatigable efforts of security forces throughout the Central Highlands in our fight against reactionary enemy forces disguised as ethnic religious groups...”²⁴

Equally explicit material was in another article by the Public Security Ministry:

“Through 10 years of growth and combating the enemy, a more mature Ethnic Communities Security Office (PA90) of Gia Lai Province, in coordination with the local government and the people, has derailed plots by the reactionary FULRO and contributed to the security of the region. From 2004 on, the Office has unmasked and dealt with several FULRO organizations, ‘Dega Evangelical Church’, and established 3 projects to end FULRO elements’ operation out of the forest. The Office captured 12 Hà Mòn Cult adherents, convinced 69 fugitives to give themselves up, made substantial progress in resolving the Hà Mòn Cult issue, and achieved several other unheralded successes.

“With its outstanding results, PA90 has been honored 4 times with the President’s Order of Merit while its employees have been honored with several other awards from the President, the Prime Minister, and other officials.”²⁵

In July 2021, the police coordinated simultaneous, pre-dawn raids of a dozen homes belonging to targeted house church leaders and their followers. To terrorize them, police officers put manacles and even leg shackles on the victims’ limbs and kept them at police stations until late evening. Their purpose was to shut down the house churches and direct all to join registered churches such as ECVN - South. This series of violations is in Appendix 1, Recent religious incident reports for Montagnards submitted to the Special Rapporteur on Freedom of Religion or Belief.

- ECVN-South publicly boycotting independent house churches

The government has increasingly pressed members of unaffiliated Montagnard house churches to join ECVN-South. At the same time, ECVN-South has launched a campaign to explicitly boycott the Dega Protestant Church, a network of independent house churches. The Vietnamese government has deleted many incriminating articles, videos, and other evidence formerly found online, but we came across a page from a document (date unknown, shown below) on the bylaws of a village branch of ECVN-South.

²³ This sect is a Catholic offshoot of Catholicism. Members worship Mary - the mother of Jesus.

²⁴ <http://trandaiquang.org/nhung-nguoi-cuu-dan-ra-khoi-bong-toi-u-me.html> (Vietnam has removed this article; its screenshots were preserved by BPSOS).

²⁵ Heroes in the battle against FULRO, Văn Nghệ Công An, 13 May 2015, available at: <http://vnca.cand.com.vn/Truyen-thong/Nhung-nguoi-linh-anh-hung-chong-Fulro-350266/>

QUY CHẾ HỘI THÁNH TIN LÀNH VIỆT NAM (MN)

IV: QUAN HỆ XÃ HỘI

Chi hội Tin Lành BUỒN.....hoạt động theo Hiến Pháp và pháp luật của nước Cộng Hòa Xã Hội Chủ Nghĩa Việt Nam, chấp hành các quy quy định của Nhà nước và Chính quyền đại phương.

Chi hội Tin Lành BUỒNluôn giáo dục tín hữu về lòng yêu nước, đoàn kết các dân tộc và cùng nhau xây dựng, bảo vệ tổ quốc Việt Nam ngày càng giàu đẹp.

Chi hội Tin Lành BUỒN.....hiệp thông với hội Thánh Tin Lành Việt Nam (Miền Bắc), và với các hệ phái Tin Lành cùng tín lý trên tinh thần bình đẳng và tôn trọng lẫn nhau.

Chi hội Tin Lành BUỒN.....không chấp nhận cái gọi là “ Tin Lành Dega”

V: ĐỊNH HƯỚNG HOẠT ĐỘNG THỜI GIAN TỐI.

Chi hội Tin Lành BUỒN.....sẽ hoạt động theo đường hướng của Giáo hội HTTLVN (MN) Căn cứ theo bản đăng ký quy chế và phương hướng hoạt động như đã xây dựng trên. Chấp hành đúng chủ trương chính sách của Đảng nhà nước và các quy định của địa phương.

ECVN – South. Page from a document specifying obligations of affiliates at the village level, which includes boycotting Dega Protestantism and following government policy.²⁶

In the above document, ECVN-South imposed the requirement on all its members to “not acknowledge the so-called ‘Dega Protestantism’,” thus violating Article 22 of ASEAN Human Rights Declaration, Article 18 of International Covenant of Civil and Political Rights, and provisions 1-3 of Article 5 of Vietnam’s 2016 Law on Belief and Religion:

Prohibited acts:

1. Discriminating and stigmatizing people for beliefs or religions.
2. Forcing others to follow or not to follow, bribing others into following or not following, or hindering others in following or not following a belief or religion.
3. Profaning a belief or religion.

Furthermore, this regulation undermines the “rule of law” principle and allows local authorities to impose their arbitrary interpretation of the national law. Namely, ECVN-South’s regulation requires its affiliates to “comply with the policies of the Party and State and the regulations of local authorities.” As explained before, the policies of the Party and State are to outlaw and eliminate unaffiliated Montagnard house churches while regulations of local authorities are often arbitrary and at times violate national law.

²⁶ According to Human Rights Watch, this protestantism “combines aspirations for independence and the particular type of evangelical Christianity many highlanders practice. Montagnard preachers often use Biblical stories of the lost tribes of Israel and the promised land to illustrate the political struggle for independence”.
<https://www.hrw.org/reports/2002/vietnam/viet0402-08.htm>

- Escalation of repressive policies

Since July 2022, the central government's Decree No. 144/2021/NĐ-CP on administrative violation penalties has been used more and more by the local government in an escalation of the repression of independent Montagnard Christian house churches.²⁷

On April 8, 2023 the police of Đắk Lắk Province arrested Evangelist Y Krêc Byă as he was hosting an Easter vigil service at his home. All fellow church members were ordered to leave except eight male members were taken into temporary police custody, where they were forced to denounce Y Krêc Byă on video before being released. On the same day, the Police Department of Đắk Lắk Province announced criminal prosecution against Y Krêc Byă for “sabotaging the State’s national unity policy” under Article 116 of Vietnam’s Penal Code, which may carry a sentence of up to 15 years in prison. The Government appears to have interpreted his steadfast refusal to join ECVN-South as an act of disunity with this state-sanctioned church.

On the same day that the Police Department of Đắk Lắk Province initiated criminal prosecution against Y Krêc Byă, it also announced criminal prosecution against Pastor A Ga, in absentia under the same charge of “sabotaging the State’s national unity policy.” Pastor A Ga is the founder of the Evangelical Church of Christ of the Central Highlands and a resident of Raleigh, North Carolina. According to Freedom House’s 2022 report on transnational repression, he has been a target of MPS.

“A Ga, a Vietnamese pastor who resettled as a refugee in the United States, told Freedom House that he received threatening messages on Facebook from suspected Vietnamese officials. One message said, “If we wanted to kidnap you, we could have—remember the case in Berlin,” in an apparent reference to the brazen 2017 state-sponsored kidnapping of a Vietnamese asylum seeker in broad daylight.”²⁸

After the two shooting incidents in Ea Ktur and Ea Tieu communes, Chu Quynh District, Đắk Lắk Province that left 9 government officials and citizens dead, the government mounted a mass crackdown against Montagnards that involved arbitrary beatings, arrest, and detention. The government encouraged or condoned Vietnamese civilians to play vigilante against Montagnards. Local authorities took advantage of the situation to aggressively force members of independent house churches to join ECVN-South or they would be accused of taking part in terrorism, and arrested and imprisoned.

For example, Y Dương Bkrông from Phong Village, Êa Tul Commune, Cư M'gar District, Đắk Lắk Province:²⁹

On June 20th, he and his family members rode in his truck to Cư Dliê Mnông, 6 km from home to find fallen timber to make a fire with. He was wearing fatigues because many Montagnard farmers wear these durable garments when doing heavy farm work.

²⁷ Clause 4.c, Article 7, Decree No. 144/2021/NĐ-CP dated 31 December 2021 for penalties for administrative violations related to public security, social order, social security, social vices, fire prevention and fire fighting, primary responders, and preventing and combating domestic violence

²⁸ Defending Democracy in Exile, Freedom House, June 2022, available at: https://freedomhouse.org/sites/default/files/2022-05/Complete_TransnationalRepressionReport2022_NEW_0.pdf

²⁹ Report submitted to Special Rapporteur FoRB on 18 July 2023

Around 1 pm, five dozen riot police officers arrested him, beat his wife who tried to stop them, and carried him away in a transport truck. Later, he realized that they had brought him to the station of the Police of Buôn Ma Thuột City because the shooting incidents in Cư Kuin District had taken place only 30 km from his home. The police beat him cruelly, thinking he was involved with the terrorists who killed government personnel on 11 June 2023.

Police interrogators punched and used batons to brutally beat him to force him to admit that he had supplied weapons to those who shot dead several victims. He wept and begged them to stop. The more he wept, the harder they beat him. They injected a drug in his back, then continued to question him. He said in desperation and pain: even if you imprisoned me and let me die in prison, or if you killed me now, the truth is I have nothing to do with those terrorists.”

On 20 August, 2023, he shared his experience with the UN Special Rapporteur on FORB at an event hosted by BPSOS to mark the International Day Commemorating Victims of Acts of Violence Based on Religion or Belief. Please see the medical analysis of Mr. Y Duong Bkrong’s health condition after being injected with an unknown drug that send along this report as appendix 2.

The table below is a partial list of independent house churches whose members have been forced to join ECVN-South following the shooting incidents. Please see it in appendix 1 attached to this report.

- Co-opting existing churches

Some churches agreed to compromise with the government in exchange for legal recognition and greater latitude for their activities, even at the detriment of some of their own members. The Evangelical Church of Vietnam (ECVN) is the most typical example of co-opted churches.

ECVN was founded in 1911 through the work of Christian and Missionary Alliance (C&MA) missionaries from North America. With the division of Vietnam into the communist North (Democratic Republic of Vietnam) and the anti-communist South (Republic of Vietnam), ECVN was split into two organizations: ECVN-North and ECVN-South.

In 1958, ECVN-North was recognized by the communist government but at a price: ensuring docility and obedience among church members towards government policies and speaking well of the regime to the international community. For example, a Vietnam Plus English language article: “Over the years, the Church has accompanied with the nation by actively responding to patriotism emulation movements.”³⁰

In 2010, the government intensified its efforts to brutally force Hmong Christians in the Northwestern Highlands, including tens of thousands of ECVN-North members, to renounce their Christian faith. Those who showed resistance were evicted from their villages, denied household registration documents, and forced to live on the margin of society. In May 2011, some 5,000 Hmong Christians gathered in Muong Nhe Village, Dien Bien Province, to pray for religious freedom and an end to government expropriation of their homes and farmlands. The military and police moved in. Their bloody crackdown resulted in many demonstrators, including

³⁰ <https://en.vietnamplus.vn/evangelical-church-of-vietnam-north-convenes-36th-general-assembly/227700.vnp>

women, the elderly and children, being injured and at least a dozen deaths. Scores of demonstrators were detained or sent to prison.³¹

Facing brutal government crackdown, tens of thousands of Hmong Christians fled the Northwestern Highlands and migrated to the Central Highlands, where they formed new communities of undocumented people in the middle of the forest.³² ECVN-North has maintained a deafening silence about their plight all along.

ECVN-South has put itself in a similarly compromising situation and will be the subject of this paper.

- Infiltration

The Catholic Church serves as an example. It is the only independent religious organization that has been legally recognized by the Vietnamese Government, probably thanks to its ties to the Vatican. However, to undermine the influence of the Vatican, the government supported the creation of the Committee for Solidarity of Vietnamese Catholics, the membership of which includes about 400 Catholics and scores of priests. Formed in November 1983 with the blessing of the Vietnamese Communist Party (VCP), it was part of the Fatherland Front, the popular arm of VCP. This organization has infiltrated Catholic congregations and Church hierarchy. Its founding chairman was Mr. Phan Khắc Từ, a Catholic priest who reportedly lived with his wife and their two children. Due to the government's support of Mr. Từ, Vietnam's Catholic Conference of Bishops hesitated to discipline him.³³ Members of the government-controlled Committee for Solidarity of Vietnamese Catholics have viciously attacked priests and parishioners who speak out against social and environmental injustices, defend religious freedom, or simply refuse to compromise with the government.

A simmering scandal involving the ordination into priesthood of Hồ Hữu Hoà, a former convict with close ties to corrupt Communist apparatchiks, may reveal one of the many ways the Catholic Church could be readily infiltrated.³⁴

- Evangelical Church of Vietnam - North

The ECVN-North has been recognized by the Vietnamese government since 1963. In exchange for legal recognition and greater latitude for religious activities in Ha Noi and other major cities, ECVN-North tacitly agrees not to speak up against the government's mistreatment of its members in remote areas.

In 2005 – 2009, BPSOS helped 671 of ECVN-North-affiliated house churches in the Northwest Highlands to register their activities according to Vietnam's 2004 Ordinance on Belief and Religion. Only 34 registration applications were approved and only for one year – the approvals

³¹ Statelessness as form of punishment against H'Mong and Montagnard Christians in the Socialist Republic of Vietnam, Boat People SOS, 6 March 2019, available at: <https://dvov.org/wp-content/uploads/2019/03/Stateless-Hmong-Montagnard-Christians-03-06-19.pdf>

³² Consequences of Statelessness on Hmong Christians: The Children of Subdivision 181 in Vietnam – a Case Study, Boat People SOS, 30 December 2021, available at: <https://dvov.org/wp-content/uploads/2022/01/BPSOS-submission-to-CRC-12-30-2021.pdf>

³³ Vietnam: Catholics bewildered – so many priests and religious join the “patriotic” association, VietCatholic News, 22 September 2013, available at: <http://www.vietcatholic.net/News/Html/116145.htm>

³⁴ 'Fake' ordination scandal rocks Vietnamese diocese, UCANews, 14 February 2023, available at: <https://www.ucanews.com/news/fake-ordination-scandal-rocks-vietnamese-diocese/100354>

were not renewed afterwards. See list of these house churches: <https://dvov.org/wp-content/uploads/2014/08/ecvn-hmong-affiliates-in-northwest-highlands.pdf>

The government in many provinces has systematically purged local areas or entire provinces of newly converted Hmong Christians. Evicted from their home villages, they are denied household registration and citizenship ID cards, and forced to live on the margin of society. ECVN-North has done little in the defense of their affected members.

In May 2011, some 5,000 Hmong Christians, mainly from the above 671 house churches, gathered in Muong Nhe Village, Dien Bien Province, for a mass prayer, praying the government to allow them freedom to practice their Christian faith. The military and police mounted a bloody crackdown. We documented many demonstrators, including women, the elderly and children, suffering injuries and at least a dozen deaths. Scores of demonstrators were sent to prison. Earlier this year, two of those who stayed in hiding in the jungle were caught and sentenced to life. See: <https://dvov.org/wp-content/uploads/2014/07/bpsos-the-muong-nhe-incident-02-12-12.pdf>

Many of these “stateless” Hmong Christians have fled or migrated to the Central Highlands and formed new communities. They founded new house churches and, living in the jungle, have encountered less government interference. Subdivisions 179 and 181 in Lam Dong Province are two such communities.

The 2016 Law of Belief and Religion, effective 1 January, 2018, has practically not changed this situation. The cases in point in this report not only illustrate ECVN-North’s silence and inaction when its members are forced to renounce their faith in recent time but also show how an ECVN-North’s pastor has acted in cahoot with local government authorities to hinder followers from registering their parish’ activities according to the new law. Appendix 1 is a report submitted to the Special Rapporteur in 2022 which typifies this situation.

2. Land grabbing

Most Montagnard households are significantly poorer than the average Vietnamese household. Although the National Assembly recently promulgated a resolution aiming to have agricultural companies give back some land to ethnic families, typically the land returned to the people is of poor quality or too far from where they live, according to Professor Đặng Hùng Võ, formerly vice minister of Natural Resources and the Environment. He said that the lack of suitable cropland is a key issue for poverty-stricken ethnic communities in remote areas.³⁵

While internet accessibility has been increasing rapidly, gender inequality has not improved much, with female workers working abroad more likely to become victims of human trafficking.³⁶ Many such victims were rescued and repatriated, but have received no assistance from the government, and most of the culprits have not been prosecuted.³⁷

- The Lam Dong Authority, in collaboration with the C47 bidder, orchestrated the confiscation of lands in K'Ren Hamlet on the 20th February 2023 under the pretext of the Ta Hoet water catchment project. However, evidence has surfaced indicating an ulterior motive: the subsequent sale of the seized lands to the Han Viet Company for the construction of a golf course and holiday resort.

³⁵ https://www.rfa.org/vietnamese/in_depth/is-the-policy-to-support-ethnic-minorities-effective-07162021125555.html

³⁶ <https://www.iwgia.org/en/vietnam/4659-iw-2022-vietnam.html>

³⁷ <https://www.state.gov/reports/2023-trafficking-in-persons-report/vietnam/>

This raises concerns about corruption, lack of transparency, and the blatant disregard for the rights of the indigenous people.

The K'Ho indigenous people, predominantly Evangelists and Catholics, faced significant challenges during the land clearing process. Religious leaders were coerced by the Authority to convince their followers to surrender their lands. Despite opposition from some local religious guilds, the authority persistently pressured the residents through Sunday services. Approximately 110 households were directly affected, with 76 households expected to be impacted later.

Importantly, the K'Ho people, forcibly evicted from their homes and farmlands, have received minimal resettlement assistance and financial compensation. The compensation offered by the authority was lower than initially claimed, with residents only receiving VND 170 million (approx. 7000USD) per 1000 m² for residential land and VND 20 million (approx. 800USD) per 1000 m² for agricultural land. Only 30% of the impacted households have received their compensation so far, and those without proper land documents were only compensated for their agricultural lands. The lack of proper resettlement plans and fair compensation further exacerbates their vulnerabilities, leaving them marginalized and disenfranchised. [UNPO: UNPO and Montagnards Community Report: Land Confiscation and Injustice against K'Ho Indigenous People in K'Ren Hamlet, Lam Dong Province, Vietnam](#)

[2825.pdf \(unpo.org\)](#)

- On September 2, 2022 Forest rangers from Gia Lai province went to Plei Hla village, Ia Hla commune, Chu Puh District to force activist Siu Nan to sign a land allocation paper to the authorities, when he did not sign them, they beat him and continue to grab the land to get revenge on him for having met with the US consulate delegation to report on his community's religious freedom and human rights situation

Buon Ja Wam Forestry One Member Limited Liability Company was assigned by the local government of Dak Lak province, Cu Mgar district to 6,940 hectares of forest and forest land in the two communes of Ea Kiet and Ea Kuêh in 1993. In 1996, this unit signed a contract to subcontract to local households with an area of 400 hectares of land for cultivation, and collect products every year. However, since 2016, many households have stopped submitting products, leading the company to file a lawsuit requesting the court to demand people to pay debts and return land.

In 2018, this company filed a lawsuit against 13 households for not fulfilling their contractual obligations to lease the property.

In March 2022, hundreds of farmers in Cu M' Gar District for several days continuously protested against land acquisition. Ede indigenous people in Ea Kiet commune, Cu M'Gar district, Dak Lak province gathered to raise slogans to claim land use rights.

A resident in village 11, Ea Kiet commune, said on condition of anonymity for safety reasons, about the reason why people stopped paying contracts:

“People are now standing up to fight for their rights because they realize that this company is deceiving people. Because, as we have understood, when you have linked up with each other to do business, you have to invest capital for people, then people will have annual income to

pay taxes, pay the output to the company. But on the contrary, the company did not invest a single grain of fertilizer or a drop of water, or any technology, but collected annual output from the people. Then, if any household did not meet the deadline to submit its output to the company every year, the company sends people to their home to harass and threaten. In some cases, people were not able to deliver output in time to the company, they beat people to the extent of 20, 30 percent injuries, but in the end, the government could not handle anything. Because the people realize that there is a certain group of interests behind this company, they are covering up for this company. This company is clearly wrong, but the government did not help us, so we do not know whom should we call to, and the people had to suffer slavery.”

In an article in the online newspaper Enterprise Integration in 2018, Mr. Phan Quoc Tan, Deputy General Director of Buon Ja Wam Forestry One Member Limited Liability Company, said that the reason people stopped submitting products was "incited by wrongful subjects".

<https://doanhnghiepv.vn/kinh-doanh/doanh-nghiep-lam-nghiep-buon-ja-wam-va-nhung-vu-kien-gay-xon-xao-du-luan/2020033110575830>.

[Đắk Lắk: Nông dân biểu tình phản đối công ty lâm trường vì không chịu “cảnh nô lệ” — Tiếng Việt \(rfa.org\)](#)

- On April 21, 2023, the indigenous Ede people in Ea Bhok commune Cu Kuin district protested against a project to discharge waste into the lake, dozens of riot police were dispatched to suppress them, causing many injuries and arrests. According to the authorities of Dak Lak province, the project of the Drainage System of the Administrative Center of Cu Kuin District was implemented to bring rainwater from the district's agencies into Ea M'ta Lake, Ea Bhok commune. However, the people around the lake opposed the project because they feared that wastewater would be discharged into the lake along with rainwater, which could cause environmental pollution as well as flooding in the area near the lake.

On April 20 and 21, dozens of riot police with batons and shields arrived on several troop carriers to suppress the people and help carry out the final part of the project. Dozens of riot police clashed with local people holding red flags with yellow stars and most of them were women, who wanted to prevent the implementation of the project. These people live in village 5 and Ea M'ta village, Ea Bhok commune.

A woman said anonymously for security reasons. Three people were hospitalized and discharged on April 24, while those arrested at the police station were released on the same day of April 21 after having to write a pledge not to oppose the project, if they oppose again they will be arrested and imprisoned. The project continued to be implemented because people were not allowed to approach.

On April 20, the local authorities expressed their determination to carry out the remaining part of the project, considering any action that obstructs the construction as illegal. According to state media, the authorities warned that they would severely punish those who opposed, but did not mention anything about the crackdown on April 21, 2023.

3. Political view accusation

Targeting MSFJ in aftermath of the June 11, 2023 shootings in Dak Lak Province

Montagnards Stand for Justice (MSFJ) was founded in 2018 by four Montagnards seeking asylum in Thailand to help train Montagnards in Vietnam on Vietnamese and international laws, civil society, Vietnam's obligations under international treaties and covenants, and how to collect information and prepare reports on religious persecution to the United Nations and international community. These four co-founders are:

- 1) Y Phic Hdok, a UNHCR-recognized refugee who is currently in the United States
- 2) Y Quynh Bdap, a UNHCR-recognized refugee still in Thailand. All his family members also have refugee status except for his younger brother Y Yohan Bdap, who has been in Thailand for five years but has not received a refugee status determination (RSD) interview.
- 3) Y Pher Hdrue, an asylum seeker in the RSD process
- 4) Y Aron Eban, an asylum seeker in the RSD process

MSFJ, incorporated as a non-profit organization in the United States, serves as a liaison to the international community for Montagnard communities at risk of political and religious persecution inside Vietnam. The organization also facilitates the training of Montagnard Christians in Vietnam about identifying and reporting human rights violations. MSFJ members have attended many international forums to highlight the persecution faced by Montagnards in Vietnam, including the annual Ministerial on International Religious Freedom hosted by the US Department of State, the annual Southeast Asia Freedom of Religion or Belief (SEAFORB) Conferences co-hosted by BPSOS and its civil society partners, and the annual International Religious Freedom Summit hosted by a coalition of some 80 civil society organizations (CSOs).

An ongoing activity involves MSFJ providing timely reports on religious persecution in Vietnamese to BPSOS for BPSOS to translate and submit to the UN Special Rapporteur on Freedom of Religion or Belief, the Office of the UN High Commissioner for Human Rights, and the US Department of State. The US Department of State's 2023 International Religious Freedom Report acknowledged that BPSOS reported 92 human rights violations targeting Montagnards in Vietnam's Central Highlands in 2022; the vast majority of these violations were documented by MSFJ.

Since 2021, MSFJ has worked with BPSOS to identify Montagnards trafficked to Saudi Arabia and Cambodia. Scores of them have been rescued and repatriated as a result. The UN Special Rapporteur on trafficking in persons, especially women and children has initiated multiple joint allegation letters to the Government of Vietnam regarding cases documented by MSFJ.

Over the past four years, the Vietnamese government authorities in the Central Highlands of Vietnam where most Montagnards live have been falsely alleging and condemning MSFJ for "anti-state" activities with the aim to establish an independent Montagnard ("Dega") nation in the Central Highlands.

The danger to MSFJ members has intensified in the aftermath of two attacks on 11 June by armed Montagnards which caused the death of several police and government personnel in Dak Lak Province³⁸. MSFJ immediately issued a statement denouncing the violence³⁹.

Despite the statement and the absence of any evidence linking MSFJ to the attacks, the Government of Vietnam continues to link the organization to the shootings. The Ministry of Public Security's (MPS) official media outlets have recycled old television programs and publications targeting MSFJ, and added photos of the Montagnards who were arrested for suspected involvement in the recent shootings to create the false impression that somehow MSFJ was tied to these violent incidents. While MPS initially abstained from directly implicating MSFJ, government-friendly social media explicitly accused MSFJ of being the instigator of these attacks.

On 21 June, the Police of Chu Se District, Dak Lak Province implicated that MSFJ was responsible for the 11 June violent incidents, via an article published on its official Facebook page:

<https://www.facebook.com/conganhuyenchuse/posts/pfbid02WDM8SpKc5nQaPWhdnv64doGYGg3cE9zNVGZAcajPLeo2hkGXWfngdxS6FjAyan5el>. The article specifically named Y Quynh Bdap and Y Phic Hdok and displayed the photo of Y Pher Hdrue crossed out with a large, bold red X.

Furthermore, there are signs that the Government of Vietnam is actively monitoring Montagnard refugees in Thailand following those attacks. On 28 June, witnesses among the Montagnard refugee/asylum seeker community in Thailand reported seeing four individuals in black taking photographs of Montagnard parents as they picked up their children at the Sao Thong Hin School. The following day, Montagnards in the Bangyai area reported a man in black taking photos of their apartment complex and several of its Montagnard residents.

On 4 July, at 11:30am the police in Vietnam came to the residence of Y Quynh Bdap's parents, forcing them to identify their son from a line-up of six individuals. His father was then made to sign a form acknowledging that he had positively identified Y Quynh Bdap. This appears to be the first step in the process of criminal prosecution of a suspect in absentia.

On 7 July, the MPS published on its official website the article titled "BPSOS blatantly slandered and misrepresented facts after the terrorist attacks in Dak Lak", wherein the MPS attacked BPSOS and identified MSFJ and ECCCH as two organizations "led by expatriates living in Thailand" that are in the MPS' crosshairs. The article reported that on 20 June MPS Deputy Minister Nguyen Van Long met with the Department of Prisons Director of Thailand's Ministry of Justice to "effectively implement the 'Agreement on Transfer of Convicts and Cooperation in Criminal Judgment Execution'" signed by Vietnam and Thailand in 2010. This meeting may signal heightened risks for Montagnard refugees and asylum seekers in Thailand.

Other

³⁸ <https://www.rfa.org/english/news/vietnam/prosecute-06232023145504.html>

³⁹ <https://www.facebook.com/MSFJUSTICES>

Vietnam follows in the footsteps of China in outlawing churches led by those who want to remain free of government undue interference in their spiritual affairs and creating government-controlled impostors as substitutes. For example, in 1981 the government outlawed the Unified Buddhist Church of Vietnam (UBCV), which at the time represented Vietnam's majority religion. Most of its top leaders were sent to prison; some died of torture in detention while others became permanently incapacitated after release. In the same year, the government created the Buddhist Church of Vietnam (BCV). Buddhist monks refusing to join the government-controlled BCV find themselves denied personal documents and restricted in their movements; their temples have been systematically seized and transferred to BCV or destroyed.⁴⁰

The collusion between BCV and the government is even more overt when the government sentenced the entire six-members leadership of a Buddhist group known as Thiền Am Bên Bờ Vũ Trụ (Meditation Shrine at the Edge of the Universe) aka Tịnh Thất Bồng Lai (Heavenly Retreat), including its 92 year-old founder, to a total of 23.5 years in prison based on the allegations of two BCV monks under Article 331 of Vietnam's Penal Code (Abusing democratic freedoms to infringe upon the interests of the State, lawful rights, and interests of organizations and/or citizens). These BCV monks demanded criminal prosecution against this sect, accusing sect members of illegally using Buddhist terminologies such as meditation center, monks, nuns...; dressing themselves in saffron robes; and displaying statues of Buddha without BCV's approval and of allegedly characterizing a BCV monk "as stupid as a cow" in private conversation. The BCV Monks further claimed that the ten child monks being raised by this independent Buddhist group are the "products of incest". Yet, four rounds of forced DNA tests conducted by the police have failed to turn up any evidence of incest.⁴¹ Three of the lawyers representing the accused have also been notified of criminal investigation under Article 331.⁴²

Similarly, in the early 1980's the government outlawed the Administrative Council of the Cao Dai Religion, which was founded in 1926. Seeing that Cao Dai followers continued to congregate in small groups to practice their faith at the local level, in 1997 the government created a new government-controlled Cao Dai Sect (the "1997 Sect") to take the place of the original Cao Dai Church. The government then transferred all facilities of the central Cao Dai Church to this Sect. Sect members, supported by the police, have taken over, often violently, some 300 local Cao Dai temples. The remaining dozen temples not yet taken by this government-created sect are under constant threat of being seized. Cao Dai followers who continue to practice their religion in private

⁴⁰ The Vietnamese Communists' Intolerance Towards Independent Buddhist Churches, Democratic Voice of Vietnam, 2 February 2018, available at: <https://dvov.org/wp-content/uploads/2018/03/Independent-Buddhist-Communities-Summary-02-21-18.pdf>

⁴¹ Negative Impacts of Religious Persecution on Ten Child Monks at Thiền Am Bên Bờ Vũ Trụ (TABBV), Boat People SOS, 15 August 2022, available at: <https://dvov.org/wp-content/uploads/2022/08/BPSOS-UNCRC-report-on-TABBV-for-public-release.pdf>

⁴² Vietnam: Cease spurious criminal investigation against human rights lawyer Dang Dinh Manh, International Commission of Jurists, 14 March, 2023, available at: <https://www.ici.org/vietnam-cease-spurious-criminal-investigation-against-human-rights-lawyer-dang-dinh-manh/>

homes are harassed or physically assaulted by members of the 1997 Sect, often in the presence of the police.⁴³

Recommendations

UN mandate holders:

- UN Treaty Bodies and Special Procedures should conduct their independent investigation of government-created or controlled religious organizations being used by the Vietnamese government as its instruments of religious suppression, such as ECVN-South, ECVN-North, the Cao Dai Sect created by the government in 1997, and the Buddhist Church of Vietnam created by the government in 1981, among others.
- UN Treaty Bodies and Special Procedures should raise questions and concerns about the roles of government-created or controlled religious organizations, such as ECVN-South and ECVN-North, in their communications with the Vietnamese government and their reviews of Vietnam's compliance with UN conventions.
- UN Special Rapporteurs should communicate directly with ECVN-South and ECVN-North and request, as a first step, that they issue a policy statement denouncing forced renunciation of faith as a matter of principle and refusing to admit anyone who only join them as a result of duress or coercion.
- The UN High Commissioner for Refugees (UNHCR) should expedite the refugee status determination (RSD) process for Montagnards being targeted for transnational repression by the Vietnamese Government and the resettlement of those already recognized as refugees.

U.S. Government:

- The US Department of State's International Religious Freedom (IRF) Office should include the roles of non-state violators of religious freedom such as ECVN-South in its annual report on international religious freedom, and consider applying targeted sanctions against the leaders of such non-state violators.
- Delegations from IRF Office and USCIRF visiting Vietnam should meet with these non-state violators and communicate to them the ramifications of their gross violations of human rights, particularly the right of religious freedom, and with their victims to obtain supporting evidence of such human rights violations.
- The US Government should encourage the Vietnamese authorities to investigate and criminally prosecute these non-state actors for violating Vietnam's Law on Belief and Religion, particularly, for violating provisions 1-3 of Article 5 (Prohibited Acts) of

⁴³ The 1997 Sect: Non-state actor with a long record of human rights violations against the Cao Dai Religion, Boat People SOS, 30 June 2018, available at: <https://dvov.org/wp-content/uploads/2018/07/1997-Sect-non-state-actor-June-30-2018-final.pdf>

Vietnam's 2016 Law on Belief and Religion and provisions in other laws, i.e., on anti-defamation and on infringing upon the interests of other citizens.

Other Governments (particularly key trading partners with Vietnam such as EU members and Japan):

- Engage Vietnam through periodic meetings on freedom of religion or beliefs in which country representatives ask Vietnam about a limited number of specific cases provided by NGOs
- Review the language of bilateral or multilateral trade agreements to ensure that a credible mechanism exists for encouraging Vietnam to do more to comply with the International Covenant on Civil and Political Rights and seriously address the specific cases provided by NGOs.

NOTE: Please refer to the appendices in a companion document.