

29 October, 2023

Mr. Surya Deva

UN Special Rapporteur on the Right to Development

Via email: hrc-sr-development@un.org

Re: Input for upcoming country visit to Viet Nam, 6th to 15th November, 2023

Dear Mr. Deva,

We would like to congratulate you on your recent appointment as the UN Special Rapporteur on the Right to Development and on the Vietnamese Government's approval of your upcoming country visit, scheduled to take place from 6th to 15th November, 2023. We also thank you for the opportunity to recommend for your consideration the issues to look into, places to visit, and persons to talk to while in Vietnam.

For the past four decades, our organization, BPSOS, has monitored the human rights landscape and conditions of vulnerable populations and communities in Vietnam. Since 2012, we have submitted to different UN mandate holders some 500 reports on human rights violations in Vietnam. For your upcoming country visit, we would like to bring to your attention the following vulnerable populations and communities:

- (1) Undocumented indigenous people
- (2) Victims of land grab
- (3) Victims of the ecological disaster caused by the Formosa Steel Plant
- (4) Victims of labor trafficking
- (5) Disabled veterans of the former Republic of Vietnam (aka South Vietnam)

Although Vietnam has achieved substantial economic growth over the past three decades, disparities persistently afflict marginalized communities, which have been left out as the government reports its progress towards Sustainable Development Goals (SDGs).

(1) Communities of undocumented indigenous people

According to the Vietnamese Government's own statistics, by the end of 2018, some 20,000 households of Hmong ethnicity were without legal household registration and citizenship ID in the Central Highlands alone. According to our estimates, the total number of individuals affected exceeds 100,000. Originally from the Northwestern Highlands, tens of thousands of Hmong who converted to Christianity were evicted or had to flee from their ancestral lands. After years of wandering, many of them formed new communities in the jungle of the Central Highlands.

Without household registration and citizenship ID cards, they became practically "stateless" in their own country and were denied even the most basic rights otherwise available to citizens. The targeted subjects' movements would be severely restricted, and so would their access to public benefits, including education and healthcare. They would not be accorded land use rights and could not own property, open a bank account, use the public library, get official employment, or apply for a business license. Undocumented couples would not be issued a marriage certificate, and their children birth certificates. Frequently, undocumented children would be denied formal education.¹ In most instances, a stateless person cannot even file a lawsuit to seek judicial redress due to lack of identifying documents.² These communities of undocumented citizens have been excluded from the government's development initiatives and projects.

Subdivision 179 in Lien Sronh Commune, Dam Rong District, Lam Dong Province, illustrates the challenges faced by the numerous communities of undocumented Hmong dotting Vietnam's Central Highlands. With a population of 700 inhabitants, this community is situated practically amid the jungle without easy access to any local town or city. After two decades of living undocumented and 15 months of intense advocacy conducted jointly by ADF International, Jubilee Campaign, and BPSOS, in January 2021, this community finally got the attention of the Dam Rong District Government, which announced the allocation of 76.78 billion VND (equivalent of US \$3,311,297), with 77% contributed by the central government and the rest by the local government, for infrastructure construction including a road, a medical clinic, a community center, and other facilities.³ The district government also promised to issue

¹ See: <https://dvov.org/wp-content/uploads/2022/01/BPSOS-submission-to-CRC-12-30-2021.pdf>

² See: <https://dvov.org/wp-content/uploads/2019/03/Stateless-Hmong-Montagnard-Christians-03-06-19.pdf>

³ See: <https://drive.google.com/drive/search?q=subdivision%20179>

citizenship ID cards to all residents. However, less than 12 months later, after the issuance of citizenship ID cards to a score of residents, the government reversed its policy. The infrastructure project was suspended indefinitely. Public security agents started targeting community leaders for having communicated with UN Special Procedures, the US and UK diplomatic missions in Vietnam, and international human rights organizations. Facing imminent arrest, two community leaders had to flee to Thailand to seek protection from the UN High Commissioner for Refugees (UNHCR). Similarly, members of other communities of undocumented Hmong Christians have been threatened with punishment, including imprisonment, if they contact foreign diplomatic missions or UN mandate holders.⁴ Furthermore, the Dam Rong District Government allocated to a private company Subdivision 179's farmland for a rubber plantation.

Without legal documents, including the government-issued certificate of land use right, the undocumented H'mong are powerless and defenseless when the local government expropriates their farmland and destroys their crop without due compensation. The domestic laws have failed to protect their rights, and they continue to be viewed as illegal occupants.

Thousands of Montagnard⁵ Christians have also been deprived of personal documents due to their refusal to abandon their faith. However, unlike the Hmong, affected Montagnards were not evicted from their villages.⁶

Recommendations:

- (1) Visit Subdivision 179 and/or Subdivision 181 in Lam Dong Province.
- (2) Visit one or more Montagnard villages in Ia Grai District, Gia Lai Province with significant number of undocumented households: Ia Der Commune (some 50 stateless households), Ia Grang Commune (17 villages with about 20 stateless households per village), Ia Hrung Commune (5 Bahnar and Jrai ethnic villages consisting of 200 households each, with over 20 stateless households per village), Ia To Commune (7 Bahnar and Jrai ethnic villages consisting of 105 households each, with about 12 stateless

⁴ 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

⁵ Montagnard or Degar is an umbrella term for the various indigenous peoples of the Central Highlands of Vietnam.

⁶ See: <https://dvov.org/wp-content/uploads/2019/03/Stateless-Hmong-Montagnard-Christians-03-06-19.pdf>

households per village); Ia Chia Commune (4 Bahnar and Jrai ethnic villages with about 120 stateless households per village).

(3) Speak to Pastor XXXXXX in Ho Chi Minh City, founder of the unregistered XXXXXXXX. Many undocumented Hmong and Montagnard Christians are his church members.

(4) Speak to diplomatic missions in Ha Noi and in Ho Chi Minh City that have worked on the situation of undocumented Hmong and Montagnards including those from the US, UK, Germany, and France.

(2) Victims of land grab

Most Montagnard households are significantly poorer than the average Vietnamese household. District governments have revoked the land right use from Montagnards for a token amount of compensation, then leased the reclaimed lands to developers. Many development projects, which the local governments may count as contributing to the national SDG targets, have thus further disenfranchised the indigenous populations. Supported and even encouraged by the government, the Kinh majority ethnic from different parts of the country have relocated to the Central Highlands and systematically encroached on the Montagnards' ancestral lands.

Vietnam's land market currently operates on a dual pricing system. On the one hand, the official state-sanction prices serve as the foundation for calculating tax payments and determining the acquisition costs. On the other hand, there exists what is commonly known as the market price, soaring to an astonishing 6 to 25 times higher than the State's price bracket. This dual pricing system has allowed the State to reclaim land from its rightful owners – that is, those who possess the land use right⁷ – at a substantially lower cost only to turn around and resell it to companies at vastly inflated prices. For example, in the historical land acquisition in Thủ Thiêm, District 2, Ho Chi Minh City, the State acquired the land for 18 million (732 USD)/m² and sold it for 350 million (14,285 USD)/m²⁸. Indigenous peoples, in particular, have been disproportionately

⁷ In Vietnam, land belongs to the “people” under the administration of the State. Individuals may only own the right to use land, not the land itself.

⁸ See: <https://vnexpress.net/nguoi-dan-thu-thiem-thu-hoi-dat-18-trieu-mot-m2-ban-350-trieu-3747222.html>

impacted by this dual land price system, as they often find themselves dispossessed of their ancestral lands with little recourse.

In 2009, the central government leased large areas in the Central Highlands to Chinese companies for bauxite mining despite a multitude of protests by thousands of Montagnards, expressions of concern from some members of the National Assembly and prominent scholars, and the personal appeal of war hero General Vo Nguyen Giap.⁹ The project would involve 25 mines in the Central Highlands covering 20,000 km², most of which are located in the provinces of Dak Nong and Lam Dong. Reportedly, tens of thousands of Montagnards were displaced from their ancestral lands with negligible compensation, and the government did not have any plan to address the negative impacts of both relocation and environmental degradation on the indigenous people of the region.¹⁰

As a more recent example, the K'Hor indigenous people, predominantly Evangelist and Catholic, in K'Rèn Village, Hiep An Commune, Duc Trong District, Lam Dong Province have faced significant challenges caused by the local government's land-clearing initiative. Local religious leaders were coerced by the authority to convince their followers to surrender their lands. Despite opposition from some local religious groups, government authorities persistently pressured the residents to relocate. Approximately 110 households were directly affected, with 76 households expected to be impacted later. Those forcibly evicted from their homes and farmlands have received minimal resettlement assistance and financial compensation from the government. The "reclaimed" lands were then leased to developers or forestry companies.

One such company is Buon Ja Wam Forestry One-Member Limited Liability Company. In 1993, it was allocated 6,940 hectares of forest land in the two Montagnard communes of Ea Kiet and Ea Kuêh, Cu Mgar District, Dak Lak Province. In 1996, this company leased back 400 hectares of land to local households for cultivation and collected products from them. However, many households have stopped sending products to the company since 2016 because the company did not provide them with the manure as expected. In 2018, this company filed a lawsuit against 13 households for not fulfilling their contractual obligations. The company asked the court to

⁹ See: <https://unpo.org/content/view/9126/130/>

¹⁰ See: https://escholarship.org/content/qt3jz331gj/qt3jz331gj_noSplash_82728486fdb118d6c59cf1023c9ddf3b.pdf

demand these households to pay compensation and return the land to the company, the same land that had been passed down to the affected Montagnards through generations.¹¹

On 20 and 21 April 2023, the indigenous Ede people in village 5 and Ea M'ta village, Ea Bhok Commune, Cu Kuin District, Dak Lak Province protested against the water drainage project that would direct rainwater to Ea M'ta Lake. Local residents feared that wastewater would be discharged into the lake along with rainwater, causing environmental pollution as well as flooding in the area surrounding the lake. This lake has supported the life and livelihood of local Montagnards for generations. In response, dozens of riot police with batons and shields suppressed the protesters and clashed with villagers, most of whom were women, who wanted to prevent the project. Many protesters were injured. Some were arrested and released on the same day after having signed a pledge not to oppose the project or they would be arrested and imprisoned. A woman, who prefers to remain anonymous for security reasons, reported that three villagers were hospitalized due to injuries. The government continued to proceed with its water drainage project.

In the Northwestern Highlands, Hmong communities had conducted slash and burn farming for centuries. Thousands of Hmong suddenly found themselves without farming land because as they moved to another area of the jungle, government-supported developers seized their lands. Some Hmong returned to their land and started planting crops, unaware that their land now belonged to those developers. As they harvested the fruit of their labor, they were arrested and charged with trespassing their own ancestral land and stealing the crop they grew with their own hard work.

Land-grab affects not just indigenous communities in Vietnam. Many Catholic parishes, congregations, and institutions have been targeted for land expropriation. The Loc Hung Vegetable Garden right in Ho Chi Minh City serves as a prime example. In 1954, the Catholic Mission of Son Tay allowed a number of Catholic families evacuating from North Vietnam to settle on 4.8 acres of land that it owned. The tenants paid monthly rent, at a reduced rate, to the mission. The ownership of the 4.8 acres of land was later transferred to the Archdiocese of Saigon. Most families in this community earned their living by growing vegetables that they sold

¹¹ See: <https://dvov.org/wp-content/uploads/2023/10/BPSOS-Submission-on-Vietnam-UPR-2024-3-FORB-IP.pdf>

at the local markets. In 2002, the occupants were notified by the government of Ho Chi Minh City that their land had been re-zoned for an economic development project, without the public consultation process as required by law. In the first week of 2019, the government of Tan Binh District, HCM City mobilized hundreds of public security officers and demolition workers to destroy all homes of this Catholic community that had existed since 1954 and that, in recent years, served as a sanctuary for at-risk human rights defenders and a score of disabled veterans of Army of the Republic of Vietnam (ARVN). After almost four years and hundreds of petitions to all levels of government, residents of this Catholic community are still waiting for an answer from responsible authorities.¹²

Recommendations:

- (1) Visit Ea Kiet Commune and Ea Kuêh Commune in Cu Mgar District, Dak Lak Province; Ea Bhok Commune, Cu Kuin District.
- (2) Meet with community representatives of the Loc Hung Vegetable Garden Catholic Congregation in Ho Chi Minh City, the pro bono lawyers representing them, and priests at the Redemptorist Church supporting them.
- (3) Requesting the transparent land pricing system that upholds the principles of fairness, equity, and the protection of property rights.
- (4) Speak to the Human Rights Officer at the US Consulate General in Ho Chi Minh City.

(3) Victims of the most severe human-made disaster in Vietnam's contemporary history

In early April 2016, toxic waste dumped into the ocean by the Taiwanese-owned Formosa Steel Plant in Ha Tinh Province contaminated some 200 km of coastline in four provinces in Central Vietnam: Ha Tinh, Quang Tri, Quang Binh, and Thua Thien-Hue, affecting the livelihood of hundreds of fishing communities. According to Amnesty International, as many as 270,000 people, including fishermen, women, and others who relied on the fishing industry for their livelihood as well as that of their families, were affected by the deaths of millions of fish and the

¹² See: <https://dvov.org/wp-content/uploads/2019/03/Loc-Hung-Vegetables-Garden-Summary-01-31-19.pdf>

destruction of the local ecological system.¹³ As tens of thousands of demonstrators demanded environmental justice and fair compensation, the government violently broke up the peaceful protests and arrested those suspected of being key organizers. Some of them are still in prison.

The government then negotiated a deal with Taipei-based Formosa Plastics Groups, which owns the Formosa Steel Plant, in which the company paid 500 million USD in fines and compensation. This deal was met with public anger as the people affected had been completely shut out of the negotiation process. The negotiated compensation ranged from 130 USD to 1,600 USD¹⁴ per affected family – equivalent to one month to 11 months of lost income.¹⁵ Moreover, the deal did not cover Nghe An Province, which had the largest number of affected residents. Most experts and even Vietnam’s government projected that full recovery of the ecology and fishery would take a decade.¹⁶ Yet, there was no development program to rebuild the fishing industry or create new livelihood opportunities for affected communities.

When affected Catholic parishioners, led by their parish priests, filed complaints with the court against Formosa Steel Plant, the government fostered the formation of Red Flag Associations, essentially organized mobs, to attack and terrorize both priests and parishioners.¹⁷ The UN Human Rights Committee, in its concluding observations following its review of Vietnam, expressed concern about the practical impunity accorded to these organized mobs: *“It is disturbed by reports that non-State actors, such as the ‘red flag associations’ attack Catholic communities, and are involved in propaganda activities that promote and incite religious discrimination, violence and hate speech (arts. 2, 18–20 and 26).”*¹⁸

¹³ See: Amnesty International, Urgent Action, June 1, 2017, available at <https://www.amnestyusa.org/wpcontent/uploads/2017/06/uaa12617-1.pdf>

¹⁴ See: Vietnam’s Growing Environmental Activism, <https://thediplomat.com/2016/10/vietnams-growingenvironmental-activism>

¹⁵ Average annual income for a fisherman in Central Vietnam was 890 USD; factoring in a 5% average inflation rate, it would be \$1,760 in 2017.

¹⁶ See: <https://www.reuters.com/article/us-vietnam-environment-formosa-plastics/vietnam-says-recovery-from-formosa-industrial-disaster-could-take-a-decade-idUSKBN14C1F5>

¹⁷ See: <https://dvov.org/wp-content/uploads/2018/03/BPSOS-Report-on-Red-Flag-Associations-03-27-18.pdf>

¹⁸ See: <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhslrjZYHLHPYdgrup6FR%2FpxpoKD6CFGnGSaZiMZA5cstApQ4%2FLSGVGL6rHIXBfZYdGh1DO9LG7%2BM6pkcuSoJ7H38G4X1D4w%2B0PGGRuCuB0OLW>

In June of 2019, over 7,000 Vietnamese migrant workers in Taiwan – they came from affected fishing communities in Vietnam – filed a lawsuit against Formosa Plastics Group.¹⁹ The case is pending hearing by Taiwan’s Supreme Court.

With their usual means of livelihood extinguished, tens of thousands of affected fisherfolks had to join the state-run labor export program and find work as deckhands on fishing vessels in other countries including Taiwan and South Korea. Many of them became victims of labor trafficking.

In 2008, Dong Yen Parish residents were the first to oppose Ky Anh District’s decision to lease 3,300 hectares of land for 70 years to Formosa Plastics Groups for its steel complex. Located next to this steel plant, Dong Yen Parish suffered the full impacts of the government’s land-grab policy and then the 2016 human-made ecological disaster. In March 2015, the government sent in its mobile police to seize land, destroy homes, and bring down religious edifices in Dong Yen Parish, turning a once thriving community into a desolate sight. About 158 households, or one-third of the parish’s original population size, resisted relocation and were resolute in defending their century-old parish. As the demolition team cordoned off the Dong Yen church for destruction, parishioners used themselves as human shields to protect the prime symbol of their faith. The police brutally attacked them, causing injuries to several parishioners, including four women – one of them being pregnant – and a Catholic nun. To force parishioners to relocate, the government sent its demolition team to destroy the village’s only school and barred children from going to any other school. Adults who volunteered to teach the children at their homes were subjected to threats and harassment by the government. Thus, Dong Yen Parish's 153 children and youth whose families defied the relocation order were without education for over two years. In April 2016, parishioners bore the brunt of the ecological disaster. Their fishing industry was completely destroyed.²⁰ The local coral reef ecosystem was severely affected, leading to severe erosion of its coastline. Many young parishioners had to find work as deckhands on fishing vessels in South Korea and some became trafficked. There have been anecdotal reports of much higher rates of miscarriage and cancer among parishioners.

¹⁹ See: <https://www.business-humanrights.org/en/latest-news/formosa-plastics-lawsuit-re-marine-pollution-in-vietnam-filed-in-taiwan/>

²⁰ See: <https://dvov.org/wp-content/uploads/2019/01/Dong-Yen-Parish-Case-Summary.pdf>

No study has been conducted on the health ramifications of the 2016 ecological disaster as the government allowed no such study. The few environmental justice advocates who attempted to take seawater samples in the region were threatened and barred from entering the area; the most prominent of them, citizen journalist Nguyen Lan Thang, has been kept in police custody for over 15 months without trial on charges of “making, storing, or spreading information, materials or items for the purpose of opposing the State of the Socialist Republic of Viet Nam”, under article 117 of Vietnam’s 2015 Criminal Code.²¹

Recommendations:

- (1) Visit Dong Yen Parish in Ha Tinh Province and any of the affected parishes in Nghe An including Song Ngoc Parish and Ke Gai Parish.²²
- (2) Meet with Catholic priests XXXXXX (former Parish Priest of XXXXXX Parish), XXXXXX (current Parish Priest of XXXXXX Parish), and XXXXXX (former Parish Priest of XXXXXX Parish) in Nghe An Province.
- (3) Meet with priests at the XXXXXX Church in Ha Noi – many of these priests, at their own risk, supported the demonstrators against Formosa Steel Plant.
- (4) Request a meeting with XXXXXX, who is in police custody. If that does not work, a meeting with his wife in Ha Noi is recommended.

(4) Victims of labor trafficking

Initially envisioned to strengthen the economy for low-income households, Vietnam’s state-run labor export program turned out to be a mechanism for brokers, recruiters, and labor export companies to make money at the expense of the exported workers. Many trafficked victims originated from the vulnerable populations described above, including Hmong and Montagnards, villagers affected by the 2016 ecological disaster, and land-grab victims.

²¹ See: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27619>

²² See: <https://dvv.org/wp-content/uploads/2018/03/Assault-on-Catholic-communities-in-Vinh-Diocese-Summary-02-21-18.pdf>

Since 2021, we have shared with the UN Special Rapporteur on trafficking in persons, especially women and children reports involving 107 Vietnamese victims of labor trafficking in five countries, including Saudi Arabia, Oman, Romania, Cambodia, and Myanmar, not counting the 402 Vietnamese migrant workers trafficked to Serbia, who refused to serve as witnesses for fear of reprisal.²³ The vast majority of these victims were trafficked under the umbrella of the state-run labor export program. None of them has received any assistance from the government upon repatriation – petitions for assistance have remained unanswered. Their repeated requests for criminal investigation of the labor export companies that had trafficked them have been ignored by responsible authorities at all levels of the government.

One particular subgroup of trafficked victims that deserves special attention comprises Montagnard and Hmong women, including underaged girls, sent to work as domestic workers in Saudi Arabia. They were subjected to slave-like treatment by their employers in private homes, exploited and sometimes raped by Saudi recruiters, and re-trafficked by Vietnamese-run trafficking rings in collusion with certain diplomats at the Vietnamese embassy in Riyadh.²⁴ At least 17 victims were forced to pay exorbitant airfare, about 4,000 USD for a one-way repatriation ticket, for government-chartered "rescue flights." Notably, 54 government officials, including high-ranking ones, were later prosecuted for corruption in the "rescue flights" scheme, which significantly inflated airfare costs.²⁵ BPSOS' legal team helped five trafficked victims write to authorities at local to central government levels to request repayment of the excess airfare. So far, there has been no response from any of the contacted authorities.

The few victims who spoke out have been threatened with retaliation by both government officials and the traffickers. The case of H'Thai Ayun, an Ede woman from an indigenous ethnic in Central Highland Vietnam, serves as illustration. She, along with eight other victims, had the courage to raise the specter of human trafficking on the internet, only to be met with threats to her life from both the labor export agencies, the Vietnamese-run trafficking rings in Riyadh, and

²³ See: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26950>

²⁴ See: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26748>

²⁵ See: <https://vietnamnews.vn/politics-laws/1506278/54-defendants-including-high-ranking-officials-to-be-charged-in-repatriation-flight-case.html>

the Labor Attaché at the Vietnam Embassy in Saudi Arabia. As a result, she found herself compelled to seek refuge in Bangkok, Thailand.²⁶

Another case involves Ms. Huynh Thi Gam, who was deceived by the labor export company into paying approximately US \$4,000 in repatriation costs, which her family in Vietnam had to borrow from neighbors at 10% monthly interest. Tragically, she continued to be kept in Saudi Arabia, exploited, raped, and mistreated. Eventually, she managed to escape from her sixth employer and sought help from the Saudi police. The International Organization for Migration (IOM) facilitated her return to Vietnam. She has since submitted over 38 petitions to different levels of government authorities, asking for intervention for the restitution of her repatriation payment, to no avail. Ms. Huynh Thi Gam now finds herself laboring to repay just the monthly interest on the US \$4,000 debt her family had incurred.

Furthermore, since 2022, we have documented cases involving 20 Vietnamese nationals in Cambodia, including eight minors, and seven in Myanmar, including one minor; they were mostly from the Montagnard and Hmong populations, including five Hmong residents of Subdivision 181 of which three were minors. These victims were lured into forced labor by Chinese operators of casinos. They were promised good pay but ended up working long hours, with minimal sustenance, to attract customers for online games or fictitious investments. Failure to meet quotas led to withholding of wages or even physical abuse.²⁷ Upon repatriation, the victims, including underaged ones, were fined for “illegally crossing the border,” and some were detained due to inability to pay fines.^{28 29}

The Government of Vietnam appears to give short shrift to combatting labor trafficking. Instead of investigating labor export companies involved in labor trafficking, the government has supported them to significantly step up labor export – the first quarter of 2023 witnessed an increase of 1500% compared to the same period in prior year.³⁰ In 2022, a total of 142,779

²⁶ See: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27223>

²⁷ See: <https://bangkok.ohchr.org/wp-content/uploads/2023/08/ONLINE-SCAM-OPERATIONS-2582023.pdf>

²⁸ See: <https://dvov.org/wp-content/uploads/2023/10/Complaint-to-AICHR-from-GAATW-Migrant-Care-Tenaganita-8-February-2023-1.pdf>

²⁹ See: <https://dvov.org/wp-content/uploads/2023/08/Further-Information-Re-Complaint-to-AICHR-by-GAATW-Final.pdf>

³⁰ See: <https://vneconomy.vn/quy-1-2023-xuat-khau-lao-dong-tang-hon-15-lan.htm>

workers were sent to work overseas, or 158.64% above the government's objective.³¹ Increasing the number of exported workers without fundamental policy changes and structural reforms to the state-run labor export program, labor trafficking would only get worse.

Recommendations:

- (1) Meet with repatriated victims of labor trafficking, especially those sent to work as domestic workers in Saudi Arabia. Some of these victims may travel to Ha Noi or Ho Chi Minh City for meetings.
- (2) Meet with representatives of Cao Dai congregations and Montagnard Christian groups that have assisted some of the repatriated victims.
- (3) Speak to the leadership of IOM in Ha Noi and in Ho Chi Minh City.
- (4) Speak to the Trafficking-in-Persons officers at the US embassy in Ha Noi and consulate general in Ho Chi Minh City.

(5) Disabled veterans of the former Republic of Vietnam

According to our estimate, there were at least one hundred thousand disabled veterans of the Republic of Vietnam (South Vietnam) at the end of the Vietnam War – they were treated as enemies by the victorious communists from the North. Many have since passed away due to illness or old age. Those alive have been victims of severe discrimination and, with few exceptions, have been denied access to disability services, including those funded by the US government via USAID to the tune of over 100 million USD.

For the past two decades, scores of US-based groups have discreetly offered financial assistance to thousands of these disabled veterans. Practically none of them, despite their eligibility, has received assistance from Vietnamese service providers that are funded with foreign grants. Worse yet, many of these disabled veterans were threatened and harassed for having received assistance from overseas organizations and groups; some local authorities reportedly even took away a portion or all of the assistance they received. There are a number of religious

³¹ See: <https://thanhvien.vn/xuat-khau-lao-dong-nam-2022-tang-cao-nhat-trong-3-nam-tro-lai-day-1851539592.htm>

organizations in Vietnam that have, in small ways, tried to help the South Vietnamese disabled veterans, at the risk of government retaliation. Lien Tri Pagoda in Ho Chi Minh City had for decades offered, once a year, free meals and small gifts for a few hundred disabled veterans until it was demolished by the government in 2016. Its abbot, the Most Venerable Thich Khong Tanh, has been harassed by the government for these and other charitable activities.³²

The Redemptorist Church in Ho Chi Minh City took over the work of Lien Tri Pagoda and offered financial and medical assistance to disabled veterans of ARVN. This church soon became the police's target. Nguyen Bac Truyen, a Hoa Hao Buddhist who coordinated its charity work, was abducted in 2017 and later sentenced to 11 years in prison. A few days ahead of US President Biden's visit to Vietnam in September 2023, he was released but sent directly, with his wife, into exile in Germany.³³

This same Redemptorist Church maintained a shelter at the Loc Hung Vegetable Garden for 18 homeless disabled veterans, where they received emotional and material support from neighbors. This shelter was razed to the ground when the government demolished the entire community in January 2019. These veterans have been left without a permanent place of residence.

Recommendations:

- (5) Meet some disabled veterans and priests at the Redemptorist Church in Ho Chi Minh City.
- (6) Meet with the Most Venerable XXXXXX and XXXXXX in Ho Chi Minh City.
- (7) Meet with USAID officials in Ho Chi Minh City.

In summary, many vulnerable populations and communities have not been accounted for when the Vietnamese Government reported progress towards its SDG targets. We would welcome the opportunity to discuss with you in more detail the plight of these populations and communities

³² See: <https://www.rfa.org/english/news/vietnam/vietnamese-authorities-demolish-buddhist-pagoda-in-ho-chi-minh-city-09122016162048.html>

³³ See: <https://www.uscirf.gov/news-room/releases-statements/uscirf-welcomes-release-vietnamese-religious-prisoner-conscience>

and how to access witnesses in Vietnam without endangering them. Please let me know your availability and the best way we could be of assistance to you for your upcoming country visit.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Nguyen Dinh Thang". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Nguyen Dinh Thang, PhD

CEO & President