

Alternative report to the CEDAW - Convention on the Elimination of All Forms of Discrimination against Women: Montagnard Indigenous of Vietnam

A Joint Submission

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1. Introduction

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 Montagnard women.

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 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

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>

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>

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 the result there were approximately more than 500 Montagnard Christians arrested and imprisoned including women. The Christian Montagnard prisoners were held in the Northern Provinces that unable their relatives for prison visits. In 2008, particular, an traffic accident took 6 lives of Montagnard on their way home returning from prison visit, among the death were 3 adult Montagnard women and one small girl.

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 Dega 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 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 Đàng 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

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>

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.)

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.

1.1 The background of Montagnards

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.

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, Mjong, K'ho and Bana. Despite of being called Montagnards in general, these ethnicities are distinguished by a variety of customs, cultures and languages. In 1962, the population of the Montagnard people in the [Central Highlands](#) was estimated to number as many as one million. 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.

The Montagnard people have a long history of fighting alongside with the U.S. army and the former Vietnamese Republican regime of Saigon throughout the Vietnam War. Ever since the

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.

Revolution, this community became forgotten and the target for the persecution from the authority. The loyalty of the Montagnard people towards the former regime as well as the U.S. army turned into the seed of hatred in the eyes of the current regime. The current regime always refers to the historical nemesis, as well as the Evangelical faith, in their reasoning for the arbitrary persecution towards the current generation of Montagnard people in Tay Nguyen, despite of these people have little understanding as to why such persecution upon them.

Between 2001 and 2018 there have been approximately 489 Montagnard people getting arrested for their religious belief, the majority of whom are the leaders of the congregations.

Between 2007 and 2016 there have been up to 8 Montagnard people killed by the public security for speaking up about the freedom of religious and human rights for the Montagnard people, not mentioning those who were killed during the protests in 2001 and 2004.

Another concerning issue is that there are currently 1560 Montagnard people who are living in their very indigenous territory are holding the stateless status. These stateless communities are living in the communes and districts inside Gia Lai province where the border between Vietnam and Cambodia is.

These stateless people are deprived from access to education as well as other social benefits due to their lack of identity documents. This is another consequence of holding on to one's religious belief, where these people are deprived of the right to live like other normal citizens, where there is no provision of identity documents, no rights to speak up about the unjust in the society, with the constant threat of persecution upon them if they do so.

Between 2010 and 2018 there were around 18 churches of the Montagnard people being forced to close down, or even get burnt down or demolished mid-construction.

These stateless people are also the victims of the land grabbing under the hands of the authority, in which land right is used as means of blackmailing the Montagnard people into renouncing their religion. This became the main reason why the Montagnard people had to flee to other countries to seek protection.

In 2017 there are approximately 176 Montagnard people seeking asylum in Cambodia. Under the collaboration between the Vietnamese and Cambodian authorities, between 2017 and 2018 there have been a great number of extraditions back to Vietnam, while the others due to the fear of facing more persecution after the extraditions had fled to Thailand from Cambodia. Currently there are only 49 Montagnard people left who are seeking asylum in Cambodia.

Currently, there are around 1200 Montagnard refugees and asylum seekers in Thailand. These refugees and asylum seekers arrived in Thailand between 2006 and 2024, the majority of who are the victims of religious persecutions who are also arbitrarily accused of political motivations, along with others who are activists and Civil Society members.

2. Violence against Montagnard women

2.1 Religious grounds

Montagnard Christians are targeted for their religious beliefs. Women who belong to this indigenous group are being targeted and oppressed by the government in a different way.

a) Female members of targeted ethno-religious communities include, among others, Montagnards who live primarily in the Central Highlands of Vietnam and Hmongs who live primarily in the northern provinces of Vietnam. Ms. H Ik Kbuor, a Montagnard woman, refuses to join the government-controlled Evangelical Church of Vietnam - South, even after Evangelist Y Krec Bya, her husband, was unjustly detained and prosecuted in early April 2023. This couple's home has been used for religious services by the local followers of the banned Evangelical Church of Christ of the Central Highlands.

Extracts from past reports submitted to SR-FoRB in recent years:

Ms. H Ik Kbuor, Evangelical Church of Christ of the Central Highlands

- **9 October 2023**, Ms. H IK Kbuôr, Ćuôr Knia 2 Village, Êa Bar Commune, Buôn Đôn District. Evangelist Y Krêc Byă, her husband, is in detention awaiting trial for his lawful religious practice. At 8 am she arrived at the police station as requested, to be interrogated by Tu Đức Bình. They accused her church of being a front for opposing the government, asked about religious practice led by Y Yuan Byă (who replaced detained Y Krec Byă), ordered her to leave the Evangelical Church of Christ of the Central Highlands, stop all contact with Pastor A Ga, and sign a pledge to follow their orders. They released her at close to 5 pm.

- **From 15 November 2023 to present**, Ms. H IK KBUôr (wife of Evangelist Y Krêc Byă who is being detained and prosecuted), Ćuôr Knia 2 Village, Êa Bar Commune, Buôn Đôn District, Đắk Lắk Province

The police have been monitoring her home on Wednesday evenings and Sunday mornings to stop her fellow church members from participating in religious service at her home. The police even park a van in front of her home as a warning that they would arrest and drive victims to detention centers should they dare assemble for religious service. This shows that the charge of "sabotaging national solidarity" against her husband is nothing more than punishment for not joining a government-controlled religious organization.

- **On 15 November 2023**: Ms. H Ik Kbuôr, Ćuôr Knia 2 Village, Êa Bar Commune, Buôn Đôn District, Đắk Lắk Province.

More than 20 Security Police officers arrived at the home of H Ik Kbuôr (wife of detained Evangelist Y Krêc Byă) at 7 pm on Wednesday 15 November to stop a dozen Montagnard Christians from participating in the religious service. Security Police of Buôn Đôn District, Mr. Y Thê Knul, threatened to have all detained unless they stopped. The police also monitored her during the UN Special Rapporteur's visit, before this incident.

- **17 November 2023** H IK Kbuôr, Ćuôr Knia Village 2. Êa Bar Commune, Buôn Đôn

At 8 am she arrived at the government center of Êa Bar Commune to be interrogated about the religious service held at her home on 15 November 2023, and ordered her to join the registered Evangelical Church of Vietnam - South. She remained silent, but had to sign the interrogation report and pledge prepared by the police.

- **29 November 2023**, Ms. H IK KBUôr, Cuôr Knia 2 Village, Buôn Đôn District

She tried to visit her detained husband - Evangelist Y Krêc Byă - but the police asked her to leave the Evangelical Church of Christ of the Central Highlands first, before they allowed her to see him. That evening, several police officers wanted to enter her home. She did not let them in. The police chased away her fellow believers who tried to visit her.

- **5 December 2023**, Ms. H IK KBUôn, Cuôn Knia 2 Village, Êa Bar Commune, Buôn Đôn District, Đắk Lắk

She came to the station of the police of Buôn Đôn District as requested, to be interrogated by Phạm Hoàng Minh, security investigation team.

Police: we kept warning you about remaining with the Evangelical Church, but you continue to break the law by not joining the registered Evangelical Church of Vietnam - South. Do you want to go to prison?

Reply: We don't disrupt public order or attack the government. We won't stop our religious practice, whether the government agrees or not.

Police: We can arrest you anytime, like now. We will never allow you to visit your husband in detention until you leave your banned house church.

They let her leave at 7 pm, but many government persons passed back and forth near her home to intimidate her.

b) Victim Ms. H Lisa Nie, born in 2000, is a mother of a young child living with 8 other relatives in a shack. Her husband, a member of Montagnards Stand for Justice (MSFJ), fled to Thailand and has been working with Boat People SOS to help Montagnard Christians and Montagnard victims of human trafficking (at the end of this document are some messages and documents on Montagnard victims of human trafficking from H Lisa).

Ms. H Lisa Nie and her family - Montagnard Christians living in the Central Highlands of Vietnam - have been persecuted for many years because they refuse to join the government-controlled Evangelical Church of Vietnam - South. Police and government set up monitoring stations near their home, follow family members around, deny their requests for needed government documents, arrest family members for interrogation without prior notice, enter their home whenever they choose to intimidate them, seize their cell phones for unlawful examination of private information, subject them to public denunciation sessions, and stop them at the airport when they were ready to board flights to visit relatives in neighboring countries or attend regional conferences on freedom of religion or belief and meet with UN and western government representatives.

- On 26 February 2023, the police talked to her employer about her "anti-State, reactionary activities" to pressure him to fire her from her low pay job (7 USD per day). Yesterday the police stood near her home to prevent her from going to work for another employer (she lost that potential work assignment because he had to hire someone else).

In mid-March 2023, she and her daughter were about to fly to Thailand with other travelers in a tour group when airport police stopped them and handed them to police officers from her Central Highlands province. The provincial security police interrogated her about the arrangement for her guided tour, the source of the money, her online training by Boat People SOS on Vietnamese and international law, including the plan of peaceful action developed in consultation with human rights organizations - using Vietnamese law and international advocacy to claim their rights to religious freedom. The police had already read the plan from other sources and quizzed her on the status of each milestone from the lawful, non-violent plan. They took back the travel ban order issued by the airport police to hide this persecution evidence.

Further, the constant presence of the police is very stressful for the family, particularly the 3-year old daughter of H Lisa. The child is scared of the police and cries a lot each time they show up.

- **19 March 2023**: H Lisa Niê at her home in Êa Kăp Village, Êa Sin Commune, Krông Búk District, Đắk Lắk Province

A large group of police officers entered their home, terrifying members of the family, especially her three-year old daughter and two other school-age children. H Lisa was terrified, too. The police intimidated the family and left. This and similar past incidents are unlawful and traumatic for the victims. H Lisa is constantly fearful of being arrested and sent to prison.

- 13, 14 March 2023: H Lisa Niê and three-year-old H Phêby Êban from Êa Kăp Village 11/03/2023, they left Đăk Lăk at 2 a.m., arrived at Ho Chi Minh City at 3 p.m., stayed in a hotel. On 13 March, left hotel for Tân Sơn Nhất Airport. At 11 a.m., she and the rest of the tour group checked their baggage and received tickets. Around noon, they stood in line. Airport police came and took her plane tickets, passport, and the birth certificate of her daughter. She quickly called her father, Evangelist Y Săc Mlô, to inform him of the incident. The police took her to the Immigration and Foreign Travel Management Office at the airport. Three police officers stayed in the room with her while two others sat outside the room. On 13 March, at 10 p.m., police officers from Đăk Lăk came and brought them back. Around 7 a.m. on 14 March, they arrived in Đăk Lăk and she was led into an interrogation room of the security police of the provincial police department. They asked her many questions about the financing and planning for her Thailand tour, her voluminous reporting of violations to international human rights organizations for reporting to the UN and international community, the peaceful action plan for her local group involving training on the use of cell phones and the internet, Vietnamese law, international covenants, how to collect information for UN reports, need for milestones useful to tracking progress of advocacy projects, etc. They also claimed that Boat People SOS, Montagnards Stand for Justice, and the other human rights organizations schemed to defame the Vietnamese Government. They still have her cell phone.

- 10 March 2023

Around 6 a.m., four police officers from the Police of Krông Búk District and police force of the commune came and monitored her home until the evening. A family in the neighbourhood had some work for her, but she dared not venture outside and therefore lost a day's earnings because the would-be employer had to hire someone else to do the work.

H Lisa called the chief of police of Êa Sin Commune about strangers standing near her home from early morning, telling him that one of the men was named Phúc. The chief told her "not to worry".

- 26 February 2023

Police officers talked to a family whose cropland provided seasonal employment for H Lisa Niê. They told this employer that H Lisa Niê was being watched by police in the province because she intends to oppose and undermine the Vietnamese State. She had been employed from October 2022 by this property owner to water and fertilise crops (primarily macadamia and jackfruit), dig trenches, plant seedlings, trim branches, remove weeds, among other tasks. She was also paid to watch the employer's home when they went somewhere for a few days. At times, they paid her to clean the house. This job was at least a reliable source of income for her family.

- Latest incidents: March 2023 to 3 April 2023

The significantly reduced hiring by local employers - after the police told them to not hire members of the family headed by Evangelist YSM because they "sabotage government policy of national unity" - and continued police presence near their shack resulted in her (HLN, a daughter of YSM) decision to escape, although the police still kept her cell phone and passport after they interrogated her in mid-March 2023 (travel ban event described earlier). She could no longer support her large family and the risk to her was higher. She and her young daughter arrived in Thailand in the

afternoon of 5 April 2023. Born in 2000, resided in Krong Buk District, Dak Lak Province before fleeing to Bangkok.

2.2 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.⁹

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.¹⁰ Many such victims were rescued and repatriated, but have received no assistance from the government, and most of the culprits have not been prosecuted.¹¹

- 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. 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.

Children and women protested against land confiscation were beaten and hospitalized. Please see the excerpt in the attached report. [UNPO: UNPO and Montagnards Community Report: Land Confiscation and Injustice against K'Ho Indigenous People in K'Ren Hamlet, Lam Dong Province, Vietnam](#)

⁹ https://www.rfa.org/vietnamese/in_depth/is-the-policy-to-support-ethnic-minorities-effective-07162021125555.html

¹⁰ <https://www.iwgia.org/en/vietnam/4659-iw-2022-vietnam.html>

¹¹ <https://www.state.gov/reports/2023-trafficking-in-persons-report/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.

[Biểu tình đòi ngưng dự án xả thải ở Đắk Lắk: Người Ê-đê bị Cảnh sát đánh đập — Tiếng Việt \(rfa.org\)](#)

2.3 Political view: Targeting female human rights defenders in aftermath of the June 11, 2023 shootings in Dak Lak Province

a) H Tlun Bdap, (nickname: Sani) came from a Montagnard Protestant family in Cu Kuin District, Dak Lak Province, Vietnam, whose livelihood is farming (coffee and rice). Several of her family members joined the large-scale Central Highlands protest in 2004 to demand religious freedom and other equal treatments of Montagnards. They were beaten, tortured, and imprisoned.

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.

H Tlun is a member of Montagnards Stand for Justice - MSFJ. Currently, many Vietnamese state media websites have posted many untrue videos, slandering our organization Montagnards Stand for Justice as a terrorist organization, after the shooting incidents in Dak Lak on June 11, 2023 despite Montagnard Stand For Justice group is a peaceful organization that guides their members, their communities, and other domestic communities on how to keep safe and learn civil society and Vietnamese law as taught by BPSOS and other NGOs. It is the Vietnamese Government which represses, arrests and harasses Montagnard religious believers, and accuses MSFJ of being a reactionary organization, while we are a civil society organization supporting people facing legal issues such as land confiscation and registration for religious practice. Taking advantage of the shooting incidents in Cu Kuin District on June 11, 2023, the government took action to suppress churches in the country and my family, slandering me and our MSFJ group as the ones behind it. After this incident, and using that as an excuse, they wanted to take revenge on MSFJ group and the opinion pages and some police pages posted on Southeast Asia Magazine, Facebook pages, and many other websites. "They blamed MSFJ - Y Quynh Bdap, Y Pher Hdue and 15 other members of MSFJ - for being a reactionary organization undermining and defaming villages in the Central Highlands". H Tlun Bdap is active in MSFJ, and she was told that the police would kidnap and take her to Vietnam because she was with FULRO (United Front for the Liberation of Oppressed Races) in which she has never been involved in.

b) H Biap Krong also known as Rebecca or Becky, is a Montagnard Christian. When still in high school, Ms. Krong started collecting information about imprisoned Montagnard Christian leaders to pass to an advocacy organization in Australia. She traveled to different villages in the Central Highlands to meet with family members of those prisoners of conscience. By 2016, she had collected information on over 400 cases when her advocacy work was discovered by the communist police. She left home, went into hiding and later fled to Thailand. She has been declared a refugee under the protection of the office of the UN High Commissioner for Refugees (UNHCR). She has spoken at many regional and international forums on the rights of women, minorities and indigenous peoples. In December 2018, she attended a consultation meeting with UN officials in Geneva ahead of the Universal Periodic Review for Vietnam. She twice traveled to the U.S. to meet with officials of the State Department and U.S. Commission on International

Religious Freedom. In December 2019, she was a panelist at the conference on freedom of religion or belief organized by the ASEAN Intergovernmental Commission on Human Rights (AICHR) in Bali, Indonesia, speaking about the persecution faced by Hmong and Montagnard. On 21st December 2023, Public Security TV (ANTV) - Ministry of Public Security ANTV released a new that slandered and falsely accused MSFJ of being a terrorist and pointed out that Ms H Biap Krong is a member of MSFJ, even though H Biap Krong has never been a member of the MSFJ, and had more than 10 years of experience in peaceful human rights activism. However, the Vietnamese government took advantage of the opportunity after the shooting on June 11 to smear and attack her on the national social media to undermine the international community's trust in this strong female activist. Please see the attachment 1 sent with this report.

Other

a)

Zen (Meditation) Centre at the Edge of the Universe

Vietnam mistreats nuns and female members of the Buddhist Centre

The Vietnamese government, including local and central government, turns a blind eye to the unscientific “virginity tests” that the police forced Buddhist nuns to undergo in 2021. Young school-age girls and nuns were immobilized and hair/skin samples forcibly taken for DNA tests after the victims were unjustly accused of being products of incestuous relationships within their centre. Six Buddhists were sentenced to prison terms on 20 July 2022 on false charges because they refused to join the government-controlled Vietnam Buddhist Church (VBC). VBC members falsely accused nuns and other members of incestuous relationships, with the orphans being not real orphans, but products of incest. However, the prison sentences were not based on this horrible accusation because there is no evidence. Nevertheless, the nuns were subjected to insults by police and debasing “virginity tests” against their will. A nun submitted complaints against the lawyer representing the VBC monk who made the accusations. The lawyer was disciplined by the city’s lawyers’ organization (HCM City bar). However, the government refused to punish or investigate VBC and this lawyer, thus violating current Vietnamese laws. We have images of complaint letters from the nun to the Vietnamese police and government, citing her horrible virginity tests.

The Zen Centre at the Edge of the Universe (Thien Am Ben Bo Vu Tru), an unregistered Buddhist

group whose monks and nuns are not associated with a typical Buddhist temple. The founder and his disciples cared for orphans whom they raised as child monks and child nuns. Four adult monks, a female believer, and the founder are now in prison for the crime of “abusing democratic freedoms to infringe upon the State’s interest” (a vague, indefensible charge from the 2015 Criminal Code). Nuns who are not imprisoned are traumatised and still at risk. Note that the group was formerly known as Tinh That Bong Lai (Bong Lai Meditation centre).

In July 2023, three of the five lawyers who defended the victims had to seek asylum in the US after the government started to prosecute them because they had revealed numerous unlawful activities by the Vietnamese government, police, and judiciary in this case. The UN Committee on the Rights of the Child had also raised the issue because the police mistreated the orphans when raiding the compound of this peaceful Buddhist group and detained the adults who cared for the orphaned child nuns and child monks.

In 2022, two female members of this group were charged, and one of them was sentenced to imprisonment whereas the other had terminal cancer and was not brought to trial. Four female child nuns and six male child monks have been traumatised by several police raids targeting the group’s compound and were badly treated when police took their hair samples for DNA testing. Two adult nuns and a member who is not a nun were immobilised for unlawful DNA sampling by security police officers. One of the two nuns was also physically “tested” , i.e., they checked her private parts for virginity (an unscientific and unlawful test).

One of the six victims who received prison sentences in 2022, the 92-year founder of this group, was sent home under house arrest because he is very sick. The other five are mistreated in prison and survive on just rice, salt, and water because they cannot eat non-vegetarian food whereas the prison doesn’t serve vegetarian meals. The ten children (child nuns and child monks) - orphans raised and cared for by the imprisoned group - lack adequate care and supervision. The government constantly harasses and intimidates those who are not yet imprisoned. Everyone is traumatized, particularly the child nuns and monks.

In Vietnam, some Buddhists don’t want to become monastics in a full-fledged Buddhist temple (pagoda). Instead, they shave their heads and live like Buddhist monks in a privately owned facility typically named Zen centre, meditation centre, and the like. The Vietnamese government persecutes independent abbots and their temple congregations to force them to join the State-controlled Buddhist Church of Vietnam. The Centre encourages the orphans/monks it raises to

excel in performing arts. Several of them won prizes at competitions.

High Venerable Thích Nhật Từ, a monk of the VBC, used to admire the talent in performing arts of the young orphans raised as “non-temple” monks at The Centre. He tried to persuade the group to formally join his government-controlled church, but they did not do so. So, he started to falsely accuse them of various acts of misconduct, requesting the police to investigate and punish centre members. Later, the VBC leader of Long An Province - High Ven. Thích Minh Thiện - joined the former monk in falsely condemning The Centre and requesting the police to investigate “crimes”. Since all news media are controlled in Vietnam by the communist government, the news media became an accomplice to this scheme by the government-controlled Buddhist church.

A young girl joined this Buddhist group to become a monastic against her family’s will. Her family members worked with the police to persecute the group. The police also used their authority to frame the victims. A group of lawyers representing the victims were aghast at the subjectivity and sloppiness of law enforcement and complained to the top leaders of Vietnam before the trial, to no avail. The court found that the Zen Centre members defamed and slandered a senior VBC leader and misrepresented Buddhist doctrine. The Zen Centre members and their lawyers argued that the evidence presented at trial constituted commentary taken out of context and that the victims never claimed to be Buddhist monks.

During the investigation phase, police examined allegations that centre members engaged in incest after a local television station broadcast a documentary claiming the children at the temple were not orphans but were actually living with their nun birth mothers at the centre compound. Members of the Zen centre reported that police forcibly took DNA samples of adults and minors within the centre three times without their consent. The members denied the incest claims, saying the nuns were not biologically related to the children, but that they adopted the children to facilitate the issuance of birth certificates so the children could attend school. By year’s end, police were unable to confirm the reports of incest, despite a lengthy investigation and the multiple forced DNA tests.

One nun within the centre reported that local commune police forced her to undergo a gynecological exam by a male doctor at a local hospital. The centre’s lawyers filed a complaint regarding the forced gynecological exam with central and provincial authorities, who provided no explanation for the action but referred the case back to the local police for investigation. Local

police reportedly assigned one of the officers who forced the nun to undergo the exam to interrogate her about her complaint. The nun reported feeling intimidated by the presence of this officer and was scared to answer questions about her complaint.

Currently, fearing religious persecution by the government and government-controlled Buddhist Church - child monks and nuns dare not shave their hair (hiding their status as child monks and nuns).

Excerpt from 2022 complaint sent by the five defense lawyers to the government:

3. Regarding the incident of forcing Ms. Bui Ngoc Tram to undergo a physical and gynecological examination.

- Official Dispatch No. 231/CV-CAH dated 28 March 2022 "Response to the complaint" by the commander of Duc Hoa District Police officially determined the physical and gynecological examination of Ms. BNT did take place.

- Duc Hoa district police could not show evidence that Ms. BNT had voluntarily consented to a physical and gynecological examination.

- Duc Hoa district police could not show legal justification for this physical and gynecological examination. Whether voluntary or not, what is the purpose of Duc Hoa District Police's participation in taking Ms. BNT and forcing a physical and gynecological examination? Which existing case does it serve?

b) **Ms. Nguyen Xuan Mai, Cao Dai Religion**

She is a vocal advocate for religious freedom for Caodaists in Vietnam whose headquarters ("Holy See") and numerous temples had been confiscated by the Vietnamese Communist government and turned over to a sect created by Vietnam which is being used to suppress the traditional Cao Dai Church.

- **21 December 2023**, Ms. Nguyen Xuan Mai - chairperson of the Executive Committee of her Cao Dai parish in Vietnam - was arrested at the market where she worked and detained for interrogation at the police station of Vinh Long City in the afternoon. She was released at the end of the day. Her phone was confiscated

- **23 July 2022**, she attended the International Religious Freedom Summit in late June 2022 in Washington, DC, USA. On her return trip, when the plane landed at Tân Sơn Nhất Airport, security police ordered her to undress, searched her body and luggage, confiscated documents, and deleted her Facebook account after printing many documents about religion and religious freedom they found from her cell phone, and they questioned Ms. Mai until 2:30 a.m.

- **On 6 August 2022**, Ms. Mai wrote a complaint asking the Ministry of Public Security to respond pursuant to Vietnam's Law on Handling Citizens' Requests and investigate its agents' violations of her religious freedom. No reply to date.

- **On 25, 30, and 31 March 2023**, she was interrogated by the police at the management office of Vinh Long City Market where she has a retail stall. They showed her a Decision to Fine her 7

million VND for her religious practice because Vietnam wants all Caodaists to join the Cao Dai Sect established by the government in 1997.

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 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.

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