

Submission to the UN Special Rapporteur on Freedom of Religion or Belief

Introduction

This submission is in response to the UN Special Rapporteur on Freedom of Religion or Belief's "*Call for input: Report on freedom of religion or belief and migrants, IDPs, and refugees.*" We will focus on the populations of refugees and asylum seekers in Thailand and displaced Hmong Christians in Vietnam. The Thai Government should be called out for acting as an instrument of transnational repression, and the Vietnamese Government for denying basic rights to tens of thousands of undocumented Hmong Christians.

Detention and refoulement of refugees and asylum seekers in Thailand

Thailand, while not a signatory to the 1951 Refugee Convention, hosts a significant number of asylum seekers and refugees, including those fleeing religious persecution from neighboring countries. Its government, not the usual suspect for religious persecution, has, however, refouled victims of religious persecution and imprisoned advocates for religious freedom at the behest of governments in neighboring countries, including China, Vietnam, Laos, Cambodia, and Myanmar. It has practically acted as an instrument of international repression at the service of regimes that grossly violate FoRB.

Since 2009, BPSOS has provided protection and legal aid services to some 1700 cases of asylum seekers (some 6,800 individuals) from Vietnam, Cambodia, China, Pakistan, and Nigeria who fled to Thailand. Over 90% of them suffered religious persecution back home. They include primarily Montagnard and Hmong Christians as well as Catholics and Khmer Krom and Hoa Hao Buddhists from Vietnam and Christians and Ahmadiyya from Pakistan. We are aware of many instances of and attempts at refoulement, to name a few:

- In 2009, Thai police arrested and promptly sent to Cambodia 5 Khmer Krom Buddhist monks; they were to be picked up by the Vietnamese police. These monks managed to come back to Thailand and were later resettled in Scandinavian countries.
- In or around 2010, the Thai government refouled some 300 UNHCR-recognized Lao Hmong Christians to Laos. Under a special arrangement among the Thai Government, US Government, and the UNHCR, they were allowed to quietly return to Thailand for resettlement to the US.
- In 2018, Pastor A Ga, founder and head of Evangelical Church of Christ of the Central Highlands, was arrested by the Thai police on the day the Vietnamese police issued an arrest warrant against him. Under a special arrangement with the US Department of State,

the Thai Government allowed UNHCR to move him and his wife and son to the Philippines while being processed for resettlement to the US.

- In 2023, the deportation of 63 members of the Mayflower Church back to China was intercepted by human rights organizations (including our lawyers in Thailand). They were soon resettled in the US.
- Y Quynh Bdap, a young Montagnard Christian advocate for FoRB, is in a Thai prison facing extradition at the request of the Vietnamese Government.
- 48 Uyghur Muslims detained in Thai IDC for over a decade are at risk of deportation to China (according to an unconfirmed report, some 40 of them might have been deported on Feb 27, 2025).

The long arm of the Vietnamese government

The Vietnamese Government is arguably the most aggressive in securing Thailand's tacit collaboration for targeting Vietnamese refugees residing in Thailand with harassment, intimidation, and threats. In early 2024, the Vietnamese Government declared the human rights organization Montagnards Stand for Justice (MSFJ) a terrorist organization and sentenced in absentia its co-founder Y Quynh Bdap, a UNHCR-recognized refugee in Thailand, to ten years in prison. On March 13, 2024, the Thai police took the MPS delegation led by Major General Rahlan Lam, Director of MPS Department in Gia Lai Province, to visit two neighborhoods with large concentrations of Montagnard refugees/asylum seekers in Bang Yai District, Nonthaburi Province, on the outskirts of Bangkok.

The Vietnamese police accused the Montagnard refugees of illegally leaving Vietnam, threatened that they would be arrested by the Thai police, and urged them to return to Vietnam voluntarily in order to benefit from legal leniency and material support from the government. General Lam promised them freedom back in Vietnam, according to his definition: *"If you want to eat cassava leaves, you can have cassava leaves. If you want to eat dog meat, you can have dog meat."*

Among the some 20 MPS officers accompanying Gen. Lam, refugees recognized:

- (1) Lieutenant Colonel Y Luong Nie, Deputy Head of the Internal Police Department of Dak Lak province – he had twice conducted interrogation of Y Quynh Bdap, in 2009 and 2010. He reportedly held public denunciation sessions where members of Montagnard Christian house churches had to admit to being wrong and repent.
- (2) Tran Xuan Phi, formerly Head of the Security Team in Cur Quyn, Dak Lak province, and currently Deputy head of security of Dak Lak province, a refugee and key member of MSFJ, recognized him to be his interrogator in 2018.



Maj. Gen. Rah Lan Lam



Police Lt. Col. Y Luong Nie

In November 2023, Thai police actively searched for MSFJ members and successfully arrested four of them.¹ The Thai police arrested Y Quynh Bdap in June 2024. He is currently detained in Remand Prison in Bangkok. In October 2024, the Criminal Court in Bangkok ruled that his extradition would be lawful.² At around the same time, Thai police actively sought and arrested Lu A Da, a UNHCR-recognized refugee and leader of the faith-based Christian Hmong Coalition For Human Rights.³



Y Quynh Bdap and his family

¹ Thai police arrest 11 Montagnards near Bangkok, RFA, 2023, available at: <https://www.rfa.org/english/news/vietnam/thailand-arrests-montagnards-11272023214538.html#:~:text=Thai%20Royal%20Police%20arresting%2011,24%2C%202023.&text=Thailand's%20Royal%20Police%20and%20immigration,organization%20representing%20the%20ethnic%20group>.

² Bangkokpost, 2024, available at: <https://www.bangkokpost.com/thailand/general/2877713/court-approves-extradition-of-vietnamese-activist>

³ “Vice Chair @FredDavieUSCIRF: “USCIRF is concerned for Lù A Da, a #Hmong activist & preacher who fled religious persecution in #Vietnam”, X, 2023. available at: <https://x.com/USCIRF/status/1735763924228751828>

Precarious and unsafe living conditions in Thailand

On February 23, 2025, Thai authorities detained 68 Montagnards during a raid on a Christian funeral prayer service in Bangyai, Bangkok, including Y Quynh's wife and children. After a court hearing, 43 adults (24 females and 19 males) and 5 children were taken to prison for illegal entry and stay in Thailand. They will then be detained indefinitely at either the Suan Phlu Immigration Detention Center (IDC) or the Bangkhen IDC. Women with underaged children will be sent to the Mother and Children Center. Some of them may apply for temporary supervised release if they can afford to pay bail at 50,000 Baht (US \$1,500) per person above 18 years old.



Montagnard Christian refugees and asylum seekers on their way to the Criminal Court in Bangkok

In IDC, some one hundred detainees shared the same cell, where living conditions were very harsh and unhygienic. Vietnamese detainees are subjected to intimidation and harassment by Vietnamese Embassy officials and their proxies. The 11 Montagnard Christians sent to IDC in late 2023 reported regular visits by Vietnamese Embassy officials, including Hoàng Minh Hải, First Secretary of the Vietnamese Embassy in Bangkok.⁴ Mr. Hải also threatened Lu A Da with deportation to Vietnam and harm to his family if he did not cooperate. Vietnamese embassy authorities reportedly employ some Vietnamese detainees, primarily undocumented migrants, to physically abuse and spy on Montagnard and Hmong Christian detainees under promises of leniency from Vietnamese authorities. IDC officials have routinely ignored such violence.

⁴ Hoang Minh Hai profile, Vietnamese Embassy website. Available at: <https://vnembassy-bangkok.mofa.gov.vn/vi-vn/Consular%20Services/Contacts/Trang/default.aspx>

Most refugees and asylum seekers detained in IDC cannot afford the hefty bail of 50,000 THB (\$1,500) per person. For the few who could borrow money, they still need Thai guarantors and a legal clinic to help apply for bail. After being released, they also need to show up at IDC twice every month and may not work. If caught working, they will get arrested, and the bail would be revoked.



Living conditions in Thai IDC

Not legally permitted to work, refugees and asylum seekers cannot access formal employment; they are forced into exploitative informal labor markets with low wages, poor working conditions, and the constant threat of arrest and deportation. Many resort to begging or rely entirely on aid from NGOs, churches, and temples. As many of the Montagnard and Hmong

Christians have large families with many children, they live in extreme hardship. When the head of the family is arrested and sent to IDC, the entire family loses their livelihood.

Unable to practice their faith safely in their countries of origin, many victims of religious persecution face constant threat of raids and arrests by Thai police when they gather to worship in the privacy of their homes. As a latest example, on 23 February, 68 Montagnard Christians were arrested while holding a prayer service at one of the refugee's rented apartment.

In one disturbing case, Duong Van Quan, a Hmong Christian, faced repeated harassment by Thai police. Officers frequently visited his home, demanding bribes and threatening to deport his family. In December 2013, he was abducted and brought back to Vietnam, where he was sentenced to 5 years in prison on false charges of “*organizing or brokering for others to flee abroad*”. He fled back to Thailand in 2018. In 2020, Thai police raided their house; one officer suggested to his daughter, 16 or 17 years old at the time: “*Stop studying, give her to us, so we can take her to work as a prostitute.*”



Duong Van Quan and his family in a church in Bangkok, Thailand

Internally Displaced Hmong Christians in Vietnam

There are approximately 800 Hmong Christians seeking protection in Thailand. The vast majority of them were victims of forced renunciation of faith. Originally residing in the Northwestern Highlands of Vietnam, they were expelled from their home for refusing to abandon Christianity. After years of being evicted from province to province in the North, thousands of them resettled in the jungle of the Central Highlands. For the past two to three decades, they have lived practically as undocumented internally displaced persons (IDPs). They do not have access to basic social or medical benefits. Couples are not issued marriage certificates. Children

do not have birth certificates; those with birth certificates do not have their fathers' names listed. Many children don't have access to education.⁵

One notable example is the community of about 700 Hmong Christians in Subdivision 179 in Lam Dong Province. For years, community leaders fought hard for their civil rights through both domestic and international advocacy. Finally, in November 2023, the government issued IDs for some and allowed most adults to vote. In September 2024, the government inaugurated the elementary school in this commune, enabling many children access to education for the first time⁶. However, even after seeking refuge in Thailand, their lives remain under threat due to the Thai authorities' cooperation with the Vietnamese government. These gains were achieved at a heavy price: Practically all community leaders who spoke out had to flee to Thailand under threat of imminent arrest – two of them traveled from Thailand to the 2022 Southeast Asia Freedom of Religion or Belief (SEAFORB) Conference in Bali, Indonesia to tell their stories to the UNSR on FoRB.

Transnational repression against BPSOS

In March 2024, Vietnam's Ministry of Public Security(MPS), as it falsely labeled MSFJ a terrorist organization, also falsely claimed a BPSOS staff, Hibap Krong, to be a member of MSFJ and identified her as a terrorist. She had to relocate immediately to Switzerland, where she applied for refugee status.

On 10 February 2025, almost immediately following the conclusion of the 2025 International Religious Freedom in Washington DC, Vietnam's MPS condemned this event as “just a forum for hostile organizations and individuals to spread slanderous information and distort the truth about the situation of freedom of belief and religion in countries around the world, including Vietnam.”⁷ Four days later, the MPS declared BPSOS a terrorist organization led by Dr. Nguyen Dinh Thang.⁸ An article in the official publication of the Vietnamese Communist Party spelled out the crime committed by BPSOS: “Reports from the authorities showed that from 2016 to the present, BPSOS has organised many training courses for domestic subjects, mainly intellectuals, members with distorted perceptions of politics and law, and political extremists in religion and ethnicity. Through training, BPSOS has guided these subjects to write reports on democracy and

⁵ Statelessness as form of punishment against H'Mong and Montagnard Christians in the Socialist Republic of Vietnam, BPSOS, 6 March, 2019, available at:

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

⁶ Dam Rong, 2024. Available at:

<https://damrong.lamdong.dcs.vn/thong-tin-hoat-dong/type/detail/id/50817/task/1414>

⁷ “The Summit and False Accusations Related to Freedom of Religion and Belief in Vietnam”, MPS publication, 10 Feb, 2025, available at:

<https://dvov.org/wp-content/uploads/2025/02/PB-Cong-an-Ministry-of-Public-Security-on-IRF-Summit-2025.pdf>

⁸ Vietnamnet, 2025, available at:

<https://vietnamnet.vn/en/boat-people-sos-labelled-as-terrorist-organisation-2372064.html>

human rights issues to propagandize against Vietnam.”⁹ Since 2016, BPSOS has helped persecuted communities prepare and submit over 500 incident reports to the different UN Special Procedures and Treaty Bodies.

⁹ “Freedom of belief and religion in Vietnam: the undeniable truth”, The People, 7 Aug 2024, available at: <https://en.nhandan.vn/freedom-of-belief-and-religion-in-vietnam-the-undeniable-truth-post138902.html>