

**Alternative Report to the Committee on the  
Elimination of Racial Discrimination (CERD)  
for its 80<sup>th</sup> Session Review of Viet Nam**



**Montagnard Foundation Inc.**

**Dedicated to the preservation of the Indigenous People of  
Vietnam's Central Highlands  
[www.montagnard-foundation.org](http://www.montagnard-foundation.org)**

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## 1. About the Degar Montagnards

The Degar Montagnards are the indigenous peoples of South-East Asia who for over 1000 years inhabited the “Central Highlands” a region geographically located in the western mountains (bordering Cambodia and Laos) of the Socialist Republic of Vietnam. Estimates indicate the Degar Montagnard population is over one million persons (UNDP figures). Often called ‘Hill Tribes’ the Degar Montagnard people include over two dozen ethnic groups and sub groups that are distinct from the lowland Vietnamese and recognized as indigenous peoples by the *United Nations Working Group on Indigenous Populations*. Historically the Degar Montagnard world revolved around remote village communities where they practiced traditional agriculture, hunting and gathering.

During the American Vietnam War an estimated 30 to 40 thousand Montagnards served with the US military at any one time and the total figure was likely over 100,000 throughout the decade’s long conflict. Half of the adult male population would die in the Vietnam war and the renowned anthropologist Dr. Gerald Hickey reported the Vietnam War foresaw the deaths of over 200,000 Degar Montagnards (a quarter of their population) and that 85% of their village societies were abandoned or destroyed.

In 1975 at the end of the war the communist government of Vietnam executed or imprisoned Degar Montagnard religious and political leaders. Many thousands were sent to brutal re-education camps. The subsequent decades saw persecution against the Degar Montagnards involving Christian religious repression, expropriation of ancestral lands, torture, killings, disappearances, coercive sterilization policies, discrimination and numerous violations of internationally accepted human rights practices carried out by the Vietnamese government.

Today in 2012 the communist authoritarian regime perpetuates severe economic exploitation of the Degar Montagnard’s homelands resulting in increasing ethnic Vietnamese immigration and economic expansion that marginalizes the indigenous Degar Montagnard population. The Vietnamese government also continues with religious persecution that involves severe human rights abuses including killings, torture and imprisonment. These systematic human rights violations namely ongoing political and religious repression (arrests, torture, killings and imprisonment) has resulted in severe violations of racial/ethnic discrimination and persecution against the Degar Montagnards. In fact the decades of persecution is nothing short of a blueprint for ethnic cleansing of one of Asia’s oldest indigenous races of people.

## 2. Introduction to this report: racial and ethnic element to Vietnam's human

This report focuses on Vietnam's compliance with the International Covenant on the Elimination of Racial Discrimination (ICERD). The Montagnard Foundation Inc has extremely close ties to Degar Montagnard people inside Vietnam and we affirm that the information provided is accurate and confirmed by various reliable sources. We invite the CERD to further investigate the acts of racial discrimination and human rights violations contained in this report and reiterate that that these abuses are interrelated to the various sections of abuses under Article 5.

The following human rights abuses highlight the Vietnamese government's policies that target ethnic Degar Montagnards including race based forced and coerced sterilization, and an official campaign to eliminate so called illegal house church Christians (including arrests, torture, imprisonment and killings) and ancestral land confiscation and transmigration.

## 3. Violations of Article 5 (a) – Equal treatment before court

The Vietnamese government has long discriminated against Degar Montagnard people and implemented arrests and imprisonment upon our people for non violent offences. Vietnam has conducted most of the sentencing of Degar Montagnards in closed secret one day trials. The quote below from the US State Department sums up this lack of justice and equality inherent in the Vietnamese court system.

*Individuals were arbitrarily detained for political activities and denied the right to fair and expeditious trials. Political influence, endemic corruption, and inefficiency strongly distorted the judicial system.*

US State Department Human Rights Report: Vietnam 2010 – released April 2011.

It is this abovementioned judicial system that has seen many hundreds of Degar Montagnard people sentenced to prison for lengthy prison terms while untold thousands have been subjected to a policy of "arrest, torture and release" (a tactic of repression). Due to the closed nature of the Vietnamese justice system it is however, difficult to acquire details of the abuses and inequalities in the court, were trials are routinely held in secret and Degar Montagnards report being forced to sign their names to blank confessions. The following sections in this report describes how thousands of Degar Montagnard people have been subjected to large scale repression based on ethnicity, non violent activities and religion.

4. **Violations of Article 5 (b)** – Right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution
  - a. **Arbitrary arrests, detentions, killings and torture**

Since the year 2000 until the present time, thousands of Degar Montagnards have been arrested, in what can be described as a policy of “arrest, torture, threaten and release” by Vietnamese security forces of whose intent is to *repress the Degar population*. Many Degars however are not released, being sentenced to prison terms and others die from torture and abuse for non violent peaceful activities. In recent years the Vietnamese government has intensified surveillance and paramilitary operations in the Central Highlands with the intent to crush both the spread of house Church Christianity and the Degar population from seeking legitimate redress for human rights abuses. Such arrests involved threats and torture, including beatings designed to deliberately cause death from internal injuries, electric shock torture and outright killings of indigenous Degar people for religious and non-violent political human rights activities.

The following quote is from a 2011 Human Rights Watch Report that stated: “*Since 2001, more than 350 Montagnards have been sentenced to long prison sentences on vaguely-defined national security charges for their involvement in public protests and unregistered house churches considered subversive by the government, or for trying to flee to Cambodia to seek asylum. They include Dega church activists as well as Montagnard Christians who do not describe themselves as followers of Dega Protestantism, including pastors, house church leaders, and land rights activists.*” Human Rights Watch: Montagnard Christians in Vietnam, Report of March 2011 at page 23.

The US State Department has for example also confirmed killings of Degar Montagnards. The US State Department described death in police custody of Degar Christian **Y-Ngo Adrong** as “*a credible report of an extrajudicial killing by security forces*” (see: Vietnam Country Report on Human Rights Practices 2006 released March, 6, 2007). Further the US State Department reported on the Easter 2004 killings in the Central Highlands, stating “*Credible estimates put the number of protestors killed by police at least in double digits; some international organizations report that the figures may be much higher.*” See, Vietnam Country Report on Human Rights Practices 2005 released March 8, 2005.

For specific information please see attached addendum reports with detailed lists of victims titled,

Addendum A: Extrajudicial Killings

**b. Race Based Sterilization: Forced and Coerced Targeting of Degar Montagnards**

Abuse of family planning programs in Vietnam have been reported in recent years, however, the extent of the abuse or investigations has not been presented to the public. The Vietnamese government has most certainly embarked on a policy of denial and cover up of any such abuses of family planning, namely coercion, fines, monetary incentives and forcible sterilizations.

It is noted that Vietnamese Minister Tran Thi Trung Chien stated in 2001 that Vietnam intends to achieve a “zero growth rate, especially in rural remote areas”. Asia Pulse, *Vietnam Plans Targets 0% Population Growth in Rural Areas by 2005*, December 27, 2001.

Further, on 8 August 2001, the Vietnamese Ambassador to the UN, Nguyen Quy Binh testified before the CERD. His response to questions of forced and coerced sterilizations was that the Vietnamese government offers “incentives and fines only” for sterilizations of Montagnard women and denied sterilizations are “forced”.

However, the ongoing allegations and personal testimony of Degar Montagnard people indicate that abuse has occurred and continues today in 2012 and such abuse includes forced surgical sterilization. Previously in 2001 the Montagnard Foundation documented over 1000 cases of Degar Montagnard women who were surgically sterilized by the Vietnamese authorities through force, coercion, bribery, threats of fines or imprisonment. In fact the names and details were published on the Montagnard Foundation website. The Montagnard Foundation also reported that the Vietnamese army had assisted medical teams to force entire Montagnard villagers at gunpoint to attend propaganda meetings where they were threatened to get surgically sterilized. Young Degar girls also reported they were forced to receive injections that they were told prevents them from getting pregnant. The Montagnard Foundation even compiled the names of approximately 40 young Montagnard girls from the village of Buan Plek who have been recently detained at various times by medical teams, which had injected them with some “unknown substances”. The medical teams had made statements that these injections prevent pregnancies and it was reported that soldiers intimidated and threatened the girls to undergo these injections. It is highly probably these injections were the hormonal contraceptive drug “Depo Provera”.

Many Montagnards report security officials holding mandatory meetings at least twice each month; in certain villages women were the only attendees conducted in private settings. They report of militia of security forces entering into villages and rounding up women to take them to clinics or hospitals for the surgery. Women report being threatened that if they do not undergo the surgery, their family

members who are teachers or who work in government positions will lose their jobs. The Montagnards also report of incentives by form of money for the surgery (typically less than 100 U.S dollars) were given to women who agree be surgically sterilized.

Females and household members were repeatedly told that surgical sterilization is a way to save themselves, so that “they could have enough food to eat or maintain their population.” Montagnards describe they were being persuaded and manipulated. Many of these women who underwent the surgical sterilizations were not properly informed about the operation and many have incurred gynaecological health problems or deaths after having the surgical sterilizations and limited healthcare services.

It is noted that in the early 1990s the communist authorities conducted sterilizations using an acid chemical “quinicrine,” in pellet form which when inserted into the uterus, the pellet would dissolve and *burns the uterus shut*. The British Medical journal 'Lancet' reported over 31,000 women being sterilized in Vietnam by this method (see: *Lancet*, 1993, 342, 24 July at page 213-217). It is unknown whether Vietnam still uses this “acid” today.

What is clear however, is that there are Degar woman and men today continue to report sterilizations and various related abuses by Vietnamese authorities and that such abuses are specifically directed against Degar Montagnards and that such policies do not apply equally to the ethnic Vietnamese. The implementation of Vietnam’s family planning policy through forced and coercive sterilizations specifically targets the Montagnards and continues unabated in Central Highlands in Vietnam. While the exact number of people sterilized unwillingly is unknown in a two week time-frame, the Montagnards inside Central Highlands provided over one thousand names of women, including males and an adolescent girl of age 14 years old who underwent coercive surgical sterilization. This list is an updated list from the previous list released back in 2000 and even includes details of the actual doctors who performed the sterilizations with many occurring in 2010 and 2011.

The list is not exhaustive and does not take into account persons who underwent other forms of birth control methods without full consent or prior knowledge such as tubal ligation, quinacrine, IUDs, or other forms of contraceptives. The implementation of the sterilization is race based hence this appears one of the reasons why Degar Montagnards believe they are targeted for genocide.

The updated report of over 1000 Degar Montagnard woman who were sterilized will be made available to CERD in the near future, including details of Degar Montagnard women who were forcibly and coercively sterilized in 2010 and 2011.

## 5. Violations of Article 5 (d)(v), (vi) – Right to property

### a. Forced eviction from land

Since 1975 the Vietnamese government has undertaken the forced confiscation of Degar ancestral land – essentially stealing the lifeblood of these indigenous peoples and over the preceding decades, forcibly relocated Degar villages to areas of poor farmland and limited health services. Ancestral land rights of Degar Montagnards has not been recognized and reminiscent of Stalin’s purges, the land confiscation began as 5-year plans implementing large-scale internal migration policies, which brought thousands of ethnic Vietnamese from the coast and Northern Vietnam onto traditional Degar lands. This occurred throughout the 80s and 90s and while no longer called 5-year plans, this spontaneous and government sponsored internal migration continues today in 2012 throughout the Central Highlands. Various authorities including the US State Department has acknowledged such policies. This displacement program was initially called “Fixed Field, Fixed Residence” (which also makes the Degar Montagnard’s traditional agricultural practices illegal) and has effectively condemned the Degar people to a life of poverty. In many cases the reasons for land confiscation and forced relocations are implemented to make way for large scale state controlled coffee plantations.

The Vietnamese government through discrimination, namely by ignoring ancestral land rights has been unable to provide reasonable alternatives for the welfare of its indigenous peoples such as the Degar Montagnards minorities or acceptable compensation for land confiscation. The US State Department has long reported that, “*longstanding societal discrimination against ethnic minorities remained a problem*” while UNICEF had reported that ethnic minority children in Vietnam suffer the worst rates of malnutrition and poverty. The situation is one of general despair and the decades of such practices would indicate that in fact a creeping sophisticated plan of ethnic cleansing is taking place. Some earlier acknowledgment of forced relocations and land confiscation are identified in the following quotes and sources.

- The US State Department in its Vietnam Country Report on Human Rights Practices of 2006 (released March 6, 2007) reported that, “*The government resettled some ethnic minorities from inaccessible areas to locations where basic services were easier to provide; however, the resettlement sometimes diluted the political and social solidarity of these groups. The government acknowledged that one of the goals of resettlement was to persuade the minorities to change from traditional slash and burn agricultural methods to sedentary agriculture. This resettlement program also had the effect of making more land available to ethnic Vietnamese migrants and state owned plantations.*”

- The US State Department in its Vietnam Country Report on Human Rights Practices 2001 released March 4, 2002 stated, *“Large-scale, government-encouraged as well as spontaneous migration of ethnic Kinh to the Central Highlands has diluted the indigenous culture there.”*
  
- In 1997 the United Nations Development Program UNDP reported on the forced relocations of Degar people stating such relocations have, *“not always been favorable for the ethnic people mainly because of the limits on land allocations and land use”* and *“The resettlement of ethnic people often disrupted their social organization and their traditional farming systems.”* See: HPP - Highlands Peoples Program Management Team Report, March (1997) Country Comparisons On Highland Peoples Development Issues – Vietnam, A Background Document – Inter-Ministerial Committee for Highlands peoples Development in the North-east of Cambodia. (UNDP) United Nations Developmental Program at section titles, Ethnic Minority Situation.

The abovementioned quotes show that a history of land confiscation is not an isolated occurrence and that ancestral land rights have not been respected. The extent of ancestral land confiscation is thus a process of theft over many decades and essentially covers much of the land mass in Vietnam’s Central Highlands. Accordingly to quantify the land confiscation is difficult, however, the US State Department in its Human Rights Report on Vietnam 2010 – released April 2011 stated the following:

*Some members of ethnic minority groups in the Central and Northwest Highlands continued to complain that they had not received proper compensation for land confiscated by the government to develop large-scale state-owned coffee and rubber plantations.*

**6. Violations of Article 5 (d)(vii),(viii),(ix) – Freedom of expression, religion and peaceful assembly**

*Those who are hostile and extremely resistant treat them severely and publicly denounce them to the citizens explaining their activities of destroying the country, dividing the ethnic groups, and their other illegal actions.*” Central Bureau of Religious Affairs, Hanoi Vietnam 2006.

The Vietnamese communists have never been known for tolerance of religion and by utilising the entrenched apparatus of their police state, have suppressed both freedom of religion and human rights for decades. The Vietnamese communists however, were never able to crush religion *completely* from society and have responded by changing their strategy from trying to wipe out religion altogether to one of *controlling religion through force*. This control of religion is enforced by a police state through official policies emanating from the central government. This control includes persecuting so called “illegal” churches, many of whom are Degar Montagnard that refuse to submit to communist control. As recently as August 2010 Prime Minister Nguyen Tan Dung urged the country’s security forces to continue to crush any forces that might threaten the ruling Communist Party. Specifically he stated the police must fight the *“cunning plots of hostile forces and to prevent political opposition parties setting up to threaten our government.* It is estimated that over the past decade Protestant congregations have grown 600% in Vietnam, a statistic that has greatly alarmed communist officials. Religious persecution has found itself officially within the scope for repression by Hanoi and the authorities have long implemented attacks on Christian house churches.

Thus the communist party of Vietnam today is bent on preserving their authoritarian hold on the country and at the same time are struggling to appease the international community over its dubious human rights record. It’s no longer about communism or Marxism and the money making communists today seek ideological justification for retaining power. For Vietnamese citizens, whether one is a Degar Montagnard Christian or a Vietnamese Buddhist the Vietnamese government’s repressive control on religion has been a significant, controversial and brutal long running policy.

For the Degar Montagnard people, who are largely a Christian people this repression has resulted in many thousands of arrests, untold beatings, tortures and killings. Vietnamese security police are virtually unaccountable to anyone. In 2001 and 2004 widespread public demonstrations calling for religious freedom and land rights by Degar Montagnards resulted in severe crackdowns on their population in the Central Highlands by Vietnam’s security forces. The US State Department reported on the Easter 2004 killings in the Central Highlands, stating *“Credible estimates put the number of protestors killed by police at least in double digits; some international organizations report that the figures may be much higher.* Hundreds of Degar Christians have since vanished into Vietnam’s

prisons, like the woman Puih Hbat. Puih Hbat was arrested and tortured in April 2008 for having prayer services in her home and remains in prison at the time of writing this report. There have been many reports of killings by security forces too, however, most remain unconfirmed by the international community as the Vietnamese regime censors the press and does everything in its power to prevent human rights abuses reaching the outside world. The Vietnamese regime is in fact a closed society and one of the most restrictive nations in the world when it comes to freedom of the press.

*Plan 184 - Origins of Religious Persecution:*

Religious repression of Christianity, particular repression against house church Protestants practiced by many Degar people has long been part of Vietnamese government policy. The origins of such can be traced to Hanoi's policy called "Plan 184" and documentation of such was exposed by Freedom House in the late 1990s. Plan 184 included repressing the spread of Christianity such as forcing Degar Montagnard people to renounce their Christian faith in official ceremonies, under threat of imprisonment and torture. This policy included ceremonies conducted by authorities who by using threats of torture and arrest would force Degar Montagnard Christians to drink rice wine mixed with animal blood. These barbaric procedures were actually documented by the US State Department and the US Commission on International Religious Freedom. Human Rights Watch also confirmed such, reporting that, *"Beginning in June [2001], provincial authorities conducted dozens of ceremonies in the Central Highlands in which Montagnards who had participated in the February demonstrations were forced to read confessions about their alleged wrongdoings and renounce Christianity in front of entire villages, sealing their pledges by mandatory drinking of rice wine mixed with goat's blood."* Human Rights Watch also confirmed that such religious persecution stems from official Communist Party directives stating, *"Confidential government directives issued between 1999 and 2001 show a centrally directed national campaign and special bureaucratic infrastructure to target and suppress Christians in ethnic minority areas in the northern and western highlands."*

Recently Human Rights Watch reported in their 2011 report "Montagnard Christians in Vietnam: A Case Study in Religious Repression" that, *"Vietnamese government authorities persist in forcing Montagnard villagers to publicly recant their religion, despite strict prohibitions on forced renunciations of faith set out in Decree 22.45. Throughout 2010 and early 2011, hundreds of Montagnards in the Central Highlands were pressured or coerced to abandon Dega Protestantism in public criticism ceremonies by signing pledges or through intimidation in private meetings with police or local authorities. The state media regularly carries accounts of public renunciation ceremonies."*

At the present time the persecution of house churches continues and numerous arrests and acts of repression occur regularly. In September 2010 Degar Montagnards report that 32 villages were

attacked and surrounded by soldiers and security forces, in efforts to crush the occupants from joining “illegal” churches. Hanoi has merely changed tactics in persecuting Christians and since being dropped from the CPC designation in 2006, hundreds if not thousands of Degar Christians have been arrested, beaten and threatened in what appears a policy to repress the house churches from expanding membership. In effect “forced renunciations” have been simple replaced by control mechanisms, namely, torture, beatings, imprisonment and killings. Instead of forcing Christians to renounce their faith, Vietnamese authorities force Degar Montagnards to join “government approved” Churches, such as the Evangelical Church of Vietnam - South (ECVN-S), where Christians can be watched, controlled and if need be, arrested and imprisoned. ”

In 2004, the Montagnard Foundation completed a report documenting over 380 Degar prisoners and made this report available to numerous government bodies and human rights organisations. Since that period hundreds of other Degar Montagnards have been imprisoned though details of what has happened to them all is difficult to obtain. We note that the United States Commission for International Religious Freedom (USCIRF) in 2010 stated, *“In addition, hundreds of Montagnard Protestants arrested after the 2001 and 2004 demonstrations for religious freedom and land rights remain in detention in the Central Highlands. The circumstances and charges levelled against them are difficult to determine, but there is enough evidence available to determine that peaceful religious leaders and adherents were arrested and remain incarcerated. The continued detention of prisoners of concern, and the existence of vague “national security” laws that were used to arrest them, should be a primary factor in determining whether Vietnam should be designated as a CPC.*

Detailed information about religious persecution, torture and killings in police custody can be found in the Human Rights Watch Report titled, *Montagnard Christians in Vietnam: A Case Study in Religious Repression 2011.*

## 7. Conclusion: Racial Discrimination, Ethnic and Religious Persecution

The Degar people are experiencing persecution today much like indigenous peoples have long experienced. Religious persecution, human rights violations and lands rights abuses continue today in the Central Highlands much as they did over the past decades. While recognizing that the international community is engaged in constructive engagement with Vietnam and that Vietnam has come under some international condemnation about its human rights record, it appears that there exists serious and well founded doubts about the level of progress and actual good faith Vietnam has in complying with its obligations towards human rights.

The Degar Montagnard population continually expresses widespread dissatisfaction with the Vietnamese government and throughout the central highlands the situation is not improving. The Montagnard Foundation on behalf of its people inside Vietnam seeks a peaceful solution and would welcome Vietnam to sit down and address the issue humanely rather than react with allegations of separatism and repressive tactics by the Vietnamese government's security forces.

In conclusion the Montagnard Foundation quotes from the "Concluding Observations of the Human Rights Committee, 75<sup>th</sup> Session, 5 August 2002 which upon examining Vietnam stated

*19. While noting that the State party denies any violation of the Covenant rights in this respect, the Committee remains concerned at the abundance of information regarding the treatment of the Degar (Montagnard) indicating serious violations of articles 7 and 27 of the Covenant. The Committee is concerned at the lack of specific information concerning indigenous peoples especially the Degar (Montagnard), and about measures taken to ensure that their rights under article 27 to enjoy their cultural traditions, including their religion and language, as well as to carry out their agricultural activities, are respected.*

We believe that Vietnam has not responded adequately to the abovementioned concerns and actually increased persecution of the Degar Montagnard people. We respectfully request that CERD investigate and utilise its full powers to resolve the discriminatory practices implemented by Vietnam, as mentioned in this report particularly unjust imprisonment for non violent offences, race based sterilization of Degar Montagnards, extrajudicial killings, religious persecution and land confiscation.

Montagnard Foundation

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