

## **UPR Report on Montagnard Community in Viet Nam Submitted by the Christian Church (Disciples of Christ) in the United States and Canada and the United Church of Christ**

1 - Over the past few decades, members of the Montagnard community from the Central Highlands of Viet Nam have been resettled in the United States. Some of these people have joined our churches or have had their own Christian religious gatherings hosted in our church buildings. Members of this community have expressed their increasing concern for their family and communities who remain in Viet Nam.

2 - They report harassment and intimidation of individuals by the local police in Viet Nam because they are members of certain churches. They also report land and crop confiscations by local police and other local government officials along with disproportionate, violent reprisals for those who publicly protest actions taken by the government along with mass arrests, detention, and fines.

3 - The UPR of Viet Nam during the third cycle (32nd session) made a variety of recommendations regarding freedom of thought, conscience, and religion<sup>1</sup>; freedom of expression and association<sup>2</sup>; and equality and non-discrimination<sup>3</sup>. Based on the information reported by our community members, none of these recommendations has been implemented.

4 - Every member of the Montagnard community we spoke with had stories of discrimination and harassment dating back to the start of Communist rule in Viet Nam and the end of U.S. military presence there. They were clear that discrimination against the Christian Montagnard community is historic and systemic. Not only do they target the Montagnard churches and their leaders, but they also target the economic opportunities of the villages, keeping the entire Montagnard ethnic group impoverished.

5 - The 2016 Law on Belief and Religion that was mentioned in the 3rd UPR report of Viet Nam<sup>4</sup> may have been passed, but it has not been implemented or enforced in the Central Highlands. And even if it was implemented, it places greater restrictions on non-registered, independent religions<sup>5</sup> of which most Montagnard Christians are members.

6 - Community members report that if the Montagnards want to establish a church, they must go to the government and complete a lot of paperwork. Montagnards have the lowest literacy rate in Viet Nam and therefore completing the paperwork required to be recognized by the government is a large burden. They also must agree to certain rules set forth by the government; rules about what they will and will not teach in the church, including a requirement for every place of worship to have an image of Ho Chi Minh that is venerated. This is not religious freedom.

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<sup>1</sup> 38.169 (Lao People's Democratic Republic), 38.199 (Italy), 38.206 (Angola), 38.210 (Kenya), 38.277 (Luxembourg), 38.212 (Canada and Croatia), 38.191 (Poland)

<sup>2</sup> 38.179 (Luxembourg), 38.186 (Ireland), 38.215 (Czechia), 38.198 (Italy)

<sup>3</sup> 38.95 (Madagascar), 38.170 (Brazil)

<sup>4</sup> A/HRC/41/7, paragraph 9

<sup>5</sup> A/HRC/WG.6/32/VNM/3, paragraph 19

7 - Nglol Rahlan, a Montagnard Christian pastor, was resettled in Charlotte, North Carolina in 2003 after he led a peaceful protest in February 2001 calling for the freedom to practice his religion. In response to those protests, the army and police went to the Montagnard villages and assaulted, tortured, and arrested those who participated. He fled with others to Cambodia in May 2001 where he received refugee status.

8 - Mr. Rahlan reported that in December 2020, four members of his family and home church, who still reside in Viet Nam, were arrested due to their work for the church and its celebration of Christmas. In February 2021, the police confiscated 61,000,000 VND (around \$2600 USD) from the church. In March 2021, the police assaulted and fined members of Mr. Rahlan's family and other church members. 17 people (one of whom was 14 years old) were assaulted and fined 2,000,000 VND (around \$85 USD), most of whom were members of Mr. Rahlan's family. The entire village of Plai Pa Pet in the Xa Bo ngong commune was told by the police at that time that if they told Mr. Rahlan what had happened and he reported it to the UN and international community, the police would return to arrest and imprison everyone in the village.

9 - Threats of imprisonment are effective deterrents as over the past two decades, many Montagnard Christian leaders have been imprisoned, particularly after the peaceful protests in 2001. Some have died in prison while others have died after their release, but their deaths were caused by their deteriorated health due to their prison stay. Some who were arrested after the 2001 peaceful protests are still in prison. These arrests of Christian Montagnard community leaders and members continue today.

10 - Many of those who have been resettled in the United States have since returned to Viet Nam to visit their families. They report extra surveillance and harassment by the government. Mr. Rocham<sup>6</sup> went to visit his family in Viet Nam in March and April 2023. When he landed at the airport in Saigon, he stood in line to go through international customs since he has a U.S. passport. A police officer saw him and knew he was Montagnard. He sent Mr. Rocham to a "priority" gate and asked him to put money (a bribe) in his passport and give it to him. When the police officer searched his bag, he asked Mr. Rocham for more money to let him pass through without confiscating his possessions or threatening to arrest him.

11 - Mr. Rocham then went to his village. The police came to his house and interviewed him about his life in the U.S. They asked him what church he goes to and where he works. They asked if he goes to a Montagnard church in the U.S. They insisted he tell them lots of personal information about his family in the U.S., including details about each of his children, like their education, work, what kind of cars they drive. He did not know what they would do to him if he didn't answer their questions. He was afraid they might take away his passport. The police officer asked to see his Facebook profile. The police officer made him add him as a friend on Facebook. A police car would drive by his home every day he was there to keep an eye on him. This harassment is solely because he is a Montagnard Christian who previously protested the lack of religious freedom in Viet Nam.

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<sup>6</sup> Mr. Rocham's first name has been omitted due to his concerns about retaliation against his family who lives in Viet Nam.

12 - There have also been reports of discrimination against Montagnard people during COVID-19 lockdowns. There were very strict quarantine measures imposed on the Montagnard villages that were not imposed on the non-Montagnard communities nearby. People were unable to care for family members who were in quarantine, severely impacting their ability to recover. In some cases, healthy people were forced to quarantine with infected patients. When factories shut down, the government provided no assistance for Montagnards to return to their villages.

13 - On June 11, 2023, 60-100 Montagnard members from 3-4 different villages attacked police in Dak Lak City at night. Community members claim they were motivated to attack the police because of the increasing intensity of land confiscations and religious persecution by the government. 10 police officers were killed on June 11, and, in retaliation, the police have killed at least 40 Montagnard villagers in the days following<sup>7</sup>. It is likely that the number of dead reported is an undercount. These villagers were extra-judicially executed to send a message to the community as a whole and instill fear and hopelessness.

14 - It has also been reported that since the June 11 attack, Montagnards are being pulled from churches and being forced into churches that are recognized by the government, Montagnard children whose parents the government believes were involved in the attack are being pulled out of schools, and adults are being kept from work. Many are being removed from school and work simply because they look Montagnard. While the attack on the police on June 11 was violent and resulted in deaths, the response from the police and government should be through the legal system and should not involve communal punishment.

15 - In conclusion, the persecution of Montagnard Christians continues in Viet Nam. Many other human rights organizations<sup>8</sup> as well as the U.S. State Department<sup>9</sup> and the U.S. Commission on International Religious Freedom<sup>10</sup> have reported on Viet Nam's violations of religious freedom and other human rights in recent years. Since the last visit of the UN Special Rapporteur on Freedom of Religion or Belief in 2014 and the previous UPR report on Viet Nam in 2018, the situation for Montagnard Christians has not improved, and has worsened in many ways.

#### Recommendations

1. The government of Viet Nam must allow the practice of religion without any reporting or application requirements and prosecute any government official, police officer, member of the military, etc. who arrest, detain, imprison, harass, spy on, and otherwise impede any person's ability to freely worship.
2. The government of Viet Nam must pardon and release those currently imprisoned for their religious beliefs, activities, and/or expression, including those imprisoned for peacefully protesting government policies related to freedom of religion or belief.

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<sup>7</sup> Numbers as of July 31, 2023

<sup>8</sup> <https://www.hrw.org/news/2022/10/10/vietnam-un-human-rights-council-candidacy-demands-progress-human-rights>

<sup>9</sup> Department of State Public Notice 11943, December 29, 2022, <https://www.federalregister.gov/documents/2022/12/29/2022-28311/secretary-of-states-determinations-under-the-international-religious-freedom-act-of-1998-and-frank-r>

<sup>10</sup> <https://www.uscirf.gov/countries/vietnam>

3. The government of Viet Nam must stop confiscating land from the Montagnard people and work to protect their right to own the land they inhabit, including farmland, and their right to determine what to do with their land, without interference from the government.
4. The government of Viet Nam must grant the Montagnard people the unrestricted right to freedom, equal citizenship rights, and provide them with such protections and provisions accorded to minority communities under international law. And ensure that the Montagnard people have the right to their own identity and to express that identity by practicing and professing their respective faiths, beliefs, and unique religious and cultural traditions.
5. The United Nations must continue to monitor the human rights situation of Montagnard communities in Viet Nam, in particular that the Special Rapporteur on Freedom of Religion or Belief should visit and interview Montagnard communities in the Central Highlands. This visit must be conducted freely without the government of Viet Nam intimidating, pressuring, or enacting negative repercussions on those who speak with the Special Rapporteur or any of their family or other community members.