

**The Tom Lantos Human Rights Commission
Congressional Hearing
March 26, 2014**

“Registration on Religious Activities”

**Testimony from the Montagnard Human Rights Organization and Council of Indigenous Peoples in Today’s Vietnam
Rong Nay, Executive Director and Vice President**

The Honorable Frank Wolf and James McGovern
Chairman, Subcommittee on Human Rights Commission

Mr. Chairman,

My name is Rong Nay, and I am the Executive Director of the Montagnard Human Rights Organization based in Raleigh, North Carolina and I am also Vice –President of the Council of Indigenous Peoples of Today’s Vietnam. I speak today on behalf of 30 Indigenous peoples in Vietnam in general, and on behalf of the Montagnard people living both in the US and in the Central Highlands of Vietnam.

I would like to thank Mr. Chairman for the honor and opportunity to share our feelings and experiences about the ongoing abuses of religious freedom and human rights abuses in Vietnam. I am very sad to report that religious freedom and human rights conditions in Vietnam have gotten much worse for my Montagnard Indigenous Peoples and all indigenous peoples, including the Cham, the Khmer Krom and the Hmong in the past decade.

As you may know, “Montagnard” is a French term that is often used to describe our indigenous tribal people who live on their ancestral Central Highlands, land which was claimed by the Vietnam nation for many years. We do not consider ourselves “ethnic minorities” since our ancient “Anak Cu Chiang” Montagnard peoples are not ethnically or linguistically connected to the majority Vietnamese population, a majority population that now has occupied much of our ancestors’ lands. We are the indigenous peoples of the land now known as the Central Highlands of Vietnam. Our Montagnard people feel our hearts are broken because our land is being stolen and our Montagnard culture and way of life is being destroyed.

Article 70 of the Vietnam 1992 Constitution protects religious freedom, but in fact since 1975 there has been no freedom of religion in Vietnam and the government violates article 70 of its own Constitution.

My testimony focuses on **Registration of Religious Activities** of the Montagnard Indigenous Peoples of the Central Highlands.

The government of Vietnam has a long memory about the Vietnam War and considers the Montagnard Indigenous Peoples as a long-term historical enemy. This is because we fought

alongside the French and Americans during the French Indochina War and the Vietnam War, we are Christians and we are the rightful owners of the land in the Central Highlands of Vietnam. For these reasons, the Montagnards are always viewed as a long-term threat and enemy which must be ultimately destroyed by the government of Vietnam.

After the Communist take over of South Vietnam in 1975, the government of Vietnam has carried out a policy of punishment and discrimination against the Montagnard Indigenous Christians in the Central Highlands. It has accused the Montagnard Protestant Church to be a spy for the American CIA and to worship “the American religion.”

For this reason, the government of Vietnam has imprisoned thousands of Montagnard leaders and Christians for up to 12 years. These prisoners endure terrible conditions. Many Montagnard Indigenous Peoples who have lived on their ancestral lands before 1975 have been pushed out to the so called “new economic zones” or other areas far away from city so that this land is made available for Vietnamese migrating from North Vietnam.

In 2001 and 2004, over 30,000 Montagnard Indigenous peoples staged peaceful protests in Pleiku and Daklak provinces against the government of Vietnam. They demanded the return of their lands, the right to live and the right for freedom of religion. The government of Vietnam responded by sending a huge force of police and military into the Central Highlands and expelled all foreigners and news media. They used tanks and helicopters to crush the Montagnard peoples protest.

As a result, hundreds of Montagnard were killed, over 2,000 were missing without return, and over 500 were arrested and jailed for up to 17 years. The remaining thousands crossed into Cambodia to seek protection from the UN High Commissioner for Refugees and later were resettled in the United States.

Mr. Chairman, the Montagnard Indigenous Christians in the Central Highlands, now approximately 500,000, are among the largest Christian group in Vietnam. The government of Vietnam considers their worship illegal since 1975 and for this reason; the Montagnards have suffered a wave of oppression and persecution. The government has denied them association with the Evangelical Church of Vietnam, ECVN that was recognized by the government on April 2001 and the government continues attacking Montagnard Christians in an effort to force them to give up their faith.

For decades the government security forces have terrorized Montagnard Christians with a ceremony where the police force Christians to take a public oath renouncing their Christian faith. These events have taken place in Gialai(Pleiku) and Daklak provinces where the police use this ritual as a means to intimidate and control other Montagnard Christians in the village. Since then the religious and human rights issues in Vietnam have become a matter of much controversy between on the one hand, the government of Vietnam, and on the other hand international human rights organizations and Western government, particularly that of the United States.

From the time the United States designated Vietnam a: “**Country of Particular Concern**” for its violation of religious freedom in 2004, the government of Vietnam has released some

religious dissidents and loudly reported that this included some prisoners from the Central Highlands. However the repression continued and months later the government of Vietnam issued new directives on religion that expedite church registration in order to force Christians to join government controlled churches.

The Montagnard Churches in the Central Highlands today are divided in two groups:

1. One group is registered under the government's control. In this group some Montagnard pastors have become employees of the government. An example is a particular Montagnard Jarai pastor.

This pastor once lived in Vietnam's Central Highlands and was very well known preaching in Vietnam Central Highlands. He now lives in Raleigh, NC USA. This pastor became a tool of the Vietnamese government to promote the government's policies. He was issued travel visas and he traveled frequently to the U.S. and other countries spreading propaganda about how Vietnam was making progress with religious freedom. Unfortunately, the U.S. Consulate in Ho Chi Minh City, often relied on this pastor as an "un-official Montagnard spokesperson" on behalf of Montagnard Christians. The information the U.S. government received from the pastor was often biased and inaccurate, but the pastor usually reflected the official policies of the Vietnamese government.

The pastor traveled to every county which has Montagnard refugees, but primarily the United States and the state of North Carolina which has the largest population of Montagnards outside of Vietnam. He became a spokesman for the Government of Vietnam's propaganda about its religious freedom policy and would often preach that if everyone follows his religion, there would be no problems in the future with the government if a Montagnard wanted to return to visit relatives.

This example illustrates how the government of Vietnam uses Montagnard Pastors and their Congregations to watch, report and spy on each other, not only in Vietnam, but within the U.S. These pastors and some church members become a part of the government's security apparatus and a tool to control people and to restrict religious freedom. The registration of churches under government control gives legitimacy to government security forces to monitor, interrogate, arrest and imprison suspected Montagnard Church activities. This is not freedom of religion.

2. Other Montagnard Christians belong to independent or unregistered groups. The government of Vietnam continues to persecute members of unregistered Christian groups who practice their faith outside of State-sanctioned institutions. They are always accused of being "spies" and "wanting to overthrow the government." These groups still worship secretly in their villages and the government of Vietnam continues hunting and pressuring members to sign pledges renouncing their religion or pledging loyalty to the government-authorized church.

The two groups of Montagnard Christian Churches (those who are government churches and those who are not) are uneasy with each other. The government churches try to manipulate those who belong to house churches with intimidation and pressure. The name "house church" refers

to Montagnard Christian families worshipping and praying within their own homes, often with family members and other members of their own tribe. This is a traditional Montagnard practice among many Montagnard Christians.

The government of Vietnam views Montagnard house churches as a threat and tries to sow discord among the two groups of Montagnard Christian churches. This division is a strategy of the government to cause conflict within the Montagnard Christian community to undermine and destroy their own religion and people. This is the same tactic used during the Vietnam War where the Montagnard peoples were used as tools of the war by both the North and the South governments of Vietnam. After the war ended, North and South united under a communist country and the Montagnards continued suffering and being destroyed by the government of Vietnam.

Mr. Chairman, the government of Vietnam claims there is freedom of religion in Vietnam, but in reality, it is not true. The Vietnamese government only allows Montagnard Christians to worship in government controlled churches. Montagnard preachers in villages continue to be arrested and persecuted.

Human Rights Watch has published a detailed report in March 2011 on the continuing religious persecution of Montagnards in the Central Highlands. Those who are arrested often end up in the living hell of Vietnam's prisons and secret jails. Reports from Montagnard prisoners tell a story of pain, loneliness, torture, forced labor, and isolation. Montagnard pastors are forced to renounce their faith, they are beaten, and many put in prison to suffer long and terrible years in prison without enough food, medicine or even family visits.

The Vietnam government continues to arrest, torture and jail Montagnard Christians. There are currently over 300 Montagnard Christians in prison for their religious or political beliefs for up to 17 years. Many suffer solitary confinement and torture. We are urging the U.S. government, the United Nations and the international community to intervene on behalf of these Montagnard prisoners who were wrongly put in prison for their Christian faith and for those who were arrested trying to escape persecution or those who expressed peaceful dissent.

We ask and urgently recommend that the Vietnamese government free all political and religious prisoners, including Montagnard prisoners before any more U.S. government defense, trade treaties and the Trans Pacific Partnership(TPP) with Vietnam go forward. I respectfully ask that this list of Montagnard prisoners be included in the record (Submit the 2014 list of prisoners) and ask that my statement is included in the record. (Submit full statement of Rong Nay) Mr. Chairman, we also call on the U.S. government to reinstate Vietnam's designation as a "Country of Particular Concern" (CPC) for extreme violations of religious freedom. Additional recommendations are included at the close of this statement.

Related Issues of Human Rights Abuse, Refugee Protection, Land Theft by the Government and Forced Assimilation

I will now address the issue of **Montagnard Refugee Protection** and the need for the UNHCR and the U.S. government to provide protection for those Montagnard asylum seekers seeking protection in Vietnam, Cambodia, Thailand or other countries.

The UNHCR site in Phnom Penh, Cambodia closed in Feb. 2011. Montagnard asylum seekers have no place to find sanctuary. Today over 200 Montagnards have escaped and are living illegally in Thailand. They do not want to go back to Vietnam and some have been arrested and put into detention by the Thai immigration police. We respectfully request that the U.S. State Department helps to bring them to the US or a third country.

Vietnam's Assimilation Policies and Degradation of the Environment

We, as Montagnard indigenous peoples, are crying out to keep our ancestral lands, our language and our culture. We ask for help from the U.S. government, the United Nations and the world community. So many of our ancestral lands have been seized by the Communist government for rubber or coffee plantations. The government accuses our Montagnard people of causing trouble, but we only want only to keep our land and our farms, our heritage, our survival.

Our languages are being lost and our children shamed into believing they are no good. Even Montagnard prisoners in Hanoi's prisons are not allowed to write letters in Montagnard language. The Montagnard names of our rivers, forests, mountains, and provinces have been altered into Vietnamese names. We believe this is a policy of quiet genocide and ethnic cleansing targeting our Montagnard people. Why? The Vietnamese Communist government wants our precious land of the Central Highlands and their goal is complete assimilation. For us, this is a terrible human rights violation.

The government of Vietnam has violated almost all principles of the UN Declaration on the Rights of Indigenous Peoples, including the right of self-determination. Our ancestral lands have been stolen and our precious forests and wildlife continue to be exploited by the government with de-forestation and illegal logging, including the unlawful trade in endangered species of wildlife.

Need for Development Assistance

The United Nations, the European Union, and the U.S. State Department have all acknowledged that the rate of poverty for the Montagnard indigenous peoples is much higher than the majority Kinh or Vietnamese populations in Vietnam. We believe that the Hanoi policies have been carefully constructed to prevent educational opportunities abroad for Montagnard students.

The policies have restricted NGOs from working in the Central Highlands for years. We ask and recommend that the UN and the U.S. government put more emphasis on development assistance, scholarships, boarding schools and Montagnard education in the Central Highlands.

Montagnards do not have the same opportunities in education and development as Vietnamese people. For example, over 15,000 Vietnamese students have been sent to the US for education, but not a single Montagnard college graduate is allowed to have a scholarship to the U.S. The

U.S. Consulate website promotes educational opportunities for Vietnamese students. We believe more can be done and should be done for the indigenous Montagnards who were such loyal allies of the U.S. during the Vietnam War.

Violations of Free Emigration Agreement

The government of Vietnam has betrayed the agreement of free emigration that was outlined in the U.S. Jackson-Vanik Amendment that was tied to the U.S.-Vietnam Trade Agreement in past years.

Montagnard family members who are eligible to emigrate legally to the U.S. still face obstruction in obtaining Vietnam documents necessary in the U.S. immigration process. There is also the issue of family visits. Family members, on returning to the Central Highlands, many of whom who are U.S. citizens, are always interrogated by the local police. These American citizens are often called back three and four times to the local police office to face harassment and inappropriate questions about the Montagnard community in the U.S.

On November 2011, one Montagnard American couple traveled to Vietnam from North Carolina spending thousands of dollars in air fare and 22 hours to fly to Saigon with the plan to visit their family in the Central Highlands. At the airport in Saigon, the police stopped the Montagnard American family and would not even allow them to talk with their family who had driven for hours from the Central Highlands to the airport to pick up the visiting family. The police then forced the Montagnard American citizens back to the US and said it was an order from government, regardless that the Vietnamese Embassy had already approved the visa.

Some Montagnard families, before their departure to the US, were made by the police to sign a paper saying that the American Montagnard visitor would not say anything bad about the Vietnamese government after leaving Vietnam. Vietnam continues to break its agreement with the US about free emigration and freedom of movement in the country.

We Montagnards are treated like enemies in our own homeland and we have lost more than any other group in Vietnam. We have lost the right to live, the right to own our ancestral lands, our language, the right to have practice our religious faith freely, the right to access international scholarships for education and travel, and the right to practice our traditional way of life, including the administration of our tribal courts and tribal law according to our history and culture. Hundreds of prisoners in Ha Nam prison are suffering terrible abuse and isolation, and other Montagnard men, women and children quietly suffer in their villages under constant fear and police surveillance.

We are in danger of losing our entire culture. Our traditional way of life has been systematically abolished. International observers are restricted from the Central Highlands. Our religious freedom and political prisoners continue to be abused. The Central Highlands has become a prison for Montagnard Indigenous Peoples with the Communist system of internal security and secret police. The campaign of Vietnamization, assimilation and ethnic-cleansing has continued.

Mr. Chairman, it is our privilege to come here today to tell you the truth about the violations of religious freedom and human rights that the Montagnard Indigenous Peoples are facing right now in Vietnam's Central Highlands. We recommend the following actions of the U.S. government:

1. The Vietnamese government should free all political and religious prisoners before the U.S. Congress approves any further trade or defense agreements with the U.S., including the Trans Pacific Partnership (TPP).
2. The Vietnamese government should immediately ratify the Convention Against Torture and immediately stop the practice of holding political and religious prisoners in long periods of solitary confinement. The government must disclose accurate lists of prisoners and the locations of prisons. It must allow independent monitoring of all prisons and jails in the country.
3. The Vietnamese government must recognize and acknowledge to its citizens and the world that there are indigenous peoples living in Vietnam who include, among others, the Montagnard tribes of the Central Highlands, the Khmer Krom and the Cham peoples. The government must **respect and restore the rights of indigenous peoples as outlined in the UN Declaration on the Rights of Indigenous Peoples**, including the right to self determination, the right to own ancestral land, and the right to education and development assistance. The government must immediately stop the expropriation of ancestral lands of indigenous peoples, and end the exploitation and destruction of natural resources such as forests, rivers, wildlife, and endangered species.
4. The Vietnamese government must repeal Decree 92 and end the persecution of independent religious organizations such as Montagnard house churches and it should end the registration requirement for religious organizations.

We hope that the Committee today, the U.S. government and the world, will hear our prayer and plea for help.

Thank you very much for the opportunity to share the plight of our Montagnard people in the Central Highlands of Vietnam and our recommendations on how to help.

Respectfully,

Rong Nay

Attachment: List of Montagnard prisoners