

## Consequences of Statelessness on Hmong Christians: The Children of Subdivision 181 in Vietnam – a Case Study

Submission to:

- UN Special Rapporteur on Access to Safe Drinking Water and Sanitation
- UN Special Rapporteur on Freedom of Religion or Belief
- United Nations Committee on the Rights of the Child

December 30, 2021





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## OVERVIEW OF THE SITUATION

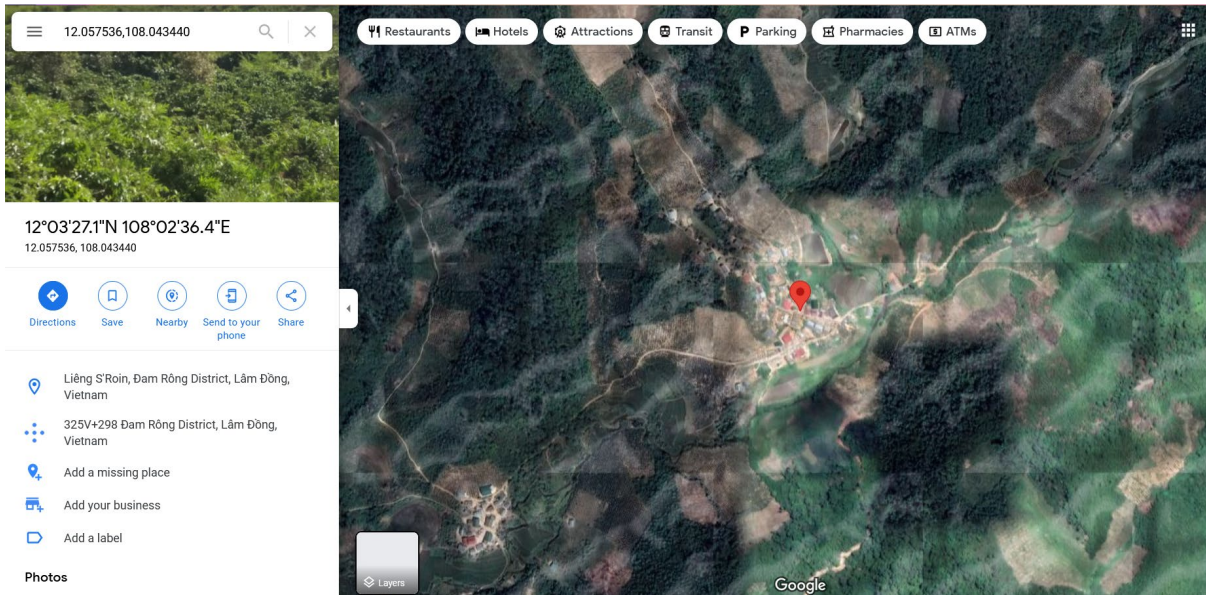
Denial of household registration and national ID documents has been used by some provincial governments in Vietnam as a punitive measure against members of unrecognized religions or banned churches. Without these documents, one would become “stateless” in one’s own country and be denied the most basic rights of citizens. The targeted subjects’ movements would be severely restricted and so would be their access to public benefits including education and healthcare. They would not be accorded land use right and would not be able to own property, open a bank account, use the public library, get official employment, or apply for a business license. Undocumented married couples would not be issued a marriage certificate, and their children may not have birth certificates. Oftentimes, their children would be denied formal education. In most instances, a stateless person cannot even file a lawsuit to seek judicial redress due to lack of identifying documents.

We have identified or been informed of over two thousand H’mong and Montagnard Christian households, accounting for some 10,000 individuals, that have been rendered stateless because of their religious faith. To illustrate the consequences of statelessness, this report will describe the unsafe and unsanitary living conditions affecting children of Hmong Christian residents of Subdivision 181 in Lam Dong Province, Vietnam. We have knowledge of similarly situated Hmong and Montagnard Christian communities in the Central Highlands of Vietnam.

This report is our response to the call for input by the Special Rapporteur on the human rights to safe drinking water and sanitation, in support of his reports to the 77th session of the United Nations General Assembly in October 2022. We also design this report as a follow-up to our prior submissions to the UN Committee on the Rights of the Child in preparation for its upcoming review of Vietnam’s compliance with the UN Convention on the Rights of the Child.

### **1. Introduction to Subdivision 181 and Stateless Christians in Lam Dong, Vietnam**

Subdivision 181, located in the Central Highlands of Vietnam, is home to more than 700 Protestant Christian H’mong people. This community was founded approximately two decades prior by people who fled or were evicted from their home villages in the Vietnamese Northwestern Highlands because of their Christian faith.



*Location of Subdivision 181 on Google map (12°03'27.1"N 108°02'36.4"E)*

For two decades, residents of Subdivision 181 (as well as those in nearby subdivisions) were denied “household registration,” and, thus, could not obtain state identification cards which are the primary authentication of a person’s Vietnamese citizenship. Without these documents, many Hmong Christians are denied access to the very basics of services, including health care and education. In effect, the denial of “household registration” (and other forms of national identification) is deployed by provincial governments in Vietnam as a “punitive measure” against minority groups, unrecognized religions, and banned churches. Far from unique, the circumstances faced by people of Subdivision 181 are akin to tens of thousands of “stateless” Hmong and Montagnard minorities across the Central Highlands of Vietnam.<sup>1</sup>

Only in recent years have changes been made to the precarious situation facing those stateless in the Central Highlands. These changes came in 2021, following the successful advocacy of the H’mong people in Subdivision 179 (a nearby village to Subdivision 181) to acquire citizenship documentation. In January 2021, the local government in Dam Rong District announced its decision to issue household registrations for H’mong people in the region and its allocation of 76.78 billion VND (the equivalent of US \$3,311,297)—77% contributed by the central

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<sup>1</sup> For more, see BPSOS-Religious Freedom Project, “Statelessness as a form of punishment against H’mong and Montagnard Christians in the Socialist Republic of Vietnam,” Boat People SOS, Inc., March 6, 2019, <<https://dvov.org/wp-content/uploads/2019/03/Stateless-Hmong-Montagnard-Christians-03-06-19.pdf>>.

government and the remaining by the local government—for infrastructure development for Subdivision 179 and a few surrounding communities. By June 2021, at least 338 people in Subdivision 179 have registered in the National Identification system.

Following successful registration of the Hmong residents of Subdivision 179, document No. 583/UBND-TD of the People's Committee of Dam Rong District was released on May 25 with an important notice: “At the moment, the People's Committee of Dam Rong district is reporting and proposing the competent authority to consider and approve the policy of setting up a project to stabilize free migrants in Subdivision 181, as happened in other areas: Subdivision 179, Tay Son, Da M'po.” On September 8, 2021, at least 71 people in Subdivision 181 were registered for the National Identification system by the local police force. However, despite this registration campaign, many within Subdivision 181 continue to struggle in obtaining educational access and basic social services.

## 2. Consequences of Stateless Status to Children’s Education Because



*The dirt road leading to Subdivision 181*

Since the people of Subdivision 181 and 179 were not registered into the National Identification system, children in both locales struggled to regularly attend formal schooling—an issue that had spanned decades. Historically, children with parents without household registrations were not issued birth certificates, preventing these children from registering in public schools. Local authorities had the power to deny educational diplomas, social security, and other legal certificates when identity could not be proven. Consequently, the legal parameters which dictate who may receive social benefits, as well as the arbitrary power deployed by local authorities in Vietnam, has driven many Hmong Christian families into destitution and chronic poverty without avenues for redress or relief.<sup>2</sup>

Within this context of chronic “statelessness,” the challenges faced by the children of Subdivision 181 are particularly acute. Most families were forced to send their children off to live and register in other families’ “households” (often the families of those located in urban areas) in order for their children to attend school. Other children, who stayed in their villages, had to travel at least 14 km to reach the nearest school. Consequently, numerous children dropped out of school to enter the labor force. Furthermore, a number of children in Subdivision 181 were prevented from boarding in schools because school officials deemed them “filthy children” (trẻ con sống bản).<sup>3</sup>

In hopes of providing their children a more accessible education, the communities of Subdivision 181 came together in 2020 to build several makeshift classrooms, furnished with tables and chairs for conducting local classes for children residents. Despite these efforts, these classrooms were eventually abandoned because of lack of teachers, and disallowed from use by the local authority.

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<sup>2</sup> BPSOS, “Statelessness as a form of punishment,” 2019. Furthermore, the statelessness perpetuated by local authorities is in direct contravention of Vietnam’s own [Law on Children of 2016](#), which stipulates that “Children are granted with equal opportunities for study and education, and developing their talent, creation and invention” (Article 16, Clause 2), and “Children have the right to education and study so that they can have a comprehensive development and promote their ability in the best way” (Article 16, Clause 1).

<sup>3</sup> As dictated in the 2020 CRC List of Issues, the Vietnamese Government is expected to report on the following issues:  
“(i) Children who are not registered or whose households are not registered;... (iii) Ethnic minority children;... (b) Adopt a national strategy to prevent ethnic discrimination; (c) Address ethnic, geographic and gender disparities in access to household registration, health care and education.”



*Pictures of classrooms built by the local communities of Subdivision 181*

On 4 May 2021, people in Subdivision 181 sent a letter to the local authority to ask about their children’s education. In late May, they received a response indicating that:

“[t]he District People’s Committee has no plans to build schools and send teachers to teach there... [since] the entire land area of households located in Subdivision 181 is illegally encroaching land in the forestry land area.” However, rather than providing local access to education, the People’s Committee decreed that children “who are of school-age in Subdivision

181... have been set and arranged to study at schools in Lieng S'ronh Commune according to Educational Law" [Document No. 582 /UBND-TD].

### 3. Dangerous Conditions the Children Must Endure to Attend School

As the new school year began in September 2021, the children in Subdivision 181 once again had to return to classes, but, without access to locally accessible education, these children must travel long distances to reach the schools in Lieng S'ronh Commune of which they were assigned. To attend school daily, the children have had to make temporary homes of local sheds near the school.

These makeshift sheds are hazardous for these children, rudimentarily constructed from wood, corrugated iron sheets, and canvas. A shed, which is little more than 18m<sup>2</sup>, often houses up to 10 children in dangerously cramped conditions.



*A shed that children of Subdivision 181 stayed in to attend school*

Despite meager means, some parents opted to rent an abandoned shanty for their children. The cost of even such a derelict shelter is a significant investment for the families in Subdivision 181. The rental fee of this shanty is about 100,000 VND (about \$4 USD) per month per child, whilst the monthly average income of a family in subdivision 181 is little more than 500,000VND (about \$21 USD).

Under these conditions, the children have had to rely upon one another to subsist. Elementary-aged children have had to cook and do housework, all the while they must attend school on their



own as their parents worked. Without due supervision by an adult, these circumstances are dangerous to the children and can potentially result in unwanted accidents.



*Children in the abandoned shanty*



*Children of Subdivision 181 living by themselves in a shed*

The precarious circumstances faced by the children of Subdivision 181 is not an inevitability. A solution which can greatly alleviate the risks faced by these children in accessing education can be found in their counterpart Subdivision 179. Here, despite similar circumstances, the Dam Rong District authorities have deployed five teachers in late September to Subdivision 179 to live within the village and teach children. This solution has mitigated the dangers (lack of supervision, dangerous makeshift housing, and long-distance travel) faced by the school-aged children in Subdivision 179. A comparable solution has not been implemented for Subdivision 181.<sup>4</sup>

Therefore, on October 16th, 2021, the people of Subdivision 181 sent a Letter to question this disparity and request to have similar opportunities as those in Subdivision 179. The solutions proposed include the provision of local teachers, allowing children to board in schools, and education for the children on sanitation [Appendix 1].

In his response dated November 03, 2021, the head of the Education Department of Dam Rong District went to Subdivision 181 and convened a meeting with community leaders. In this meeting, the Head of the Education Department alleged the Letter was an “overreaction” (nói năng quá) and threatened that the representatives of Subdivision 181 may incur fines if any errors are found on the Letter. Local officials considered the contents of the Letter a threat to their own professional standing, particularly if the cited complaints were to reach the higher offices.

According to the representatives of Subdivision 181, the head of the Educational Department argued that, in order to avoid an “illegal” situation created by this Letter, the representatives must sign on to a separate “Explanation Letter” by hand which negated the original complaints. With this “Explanation Letter,” the Educational Department disclaimed the original Letter, thus allowing local officials to report to the higher authorities that the issue of children’s education in Subdivision 181 has been resolved. Using the same informational source to deny original complaint is a typical tactic deployed by the Vietnamese government to misrepresent information provided by local residents.

When the people in Subdivision 181 asked when their children may begin boarding in schools, the head of the Education Department indicated that he needed to review the financial budget and vaguely promised that a boarding school could be opened in the next 2 or 3 years. He refused to document his answers to these questions in a formal response.

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<sup>4</sup> As dictated in the 2020 CRC List of Issues, the Vietnamese Government is expected to report on “5 (c) Address ethnic, geographic and gender disparities in access to household registration, health care and education.” & “10. (a) Ensure that ethnic minority children have equal access to quality bilingual education.”

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#### 4. Children’s Access to Safe Drinking Water and Sanitation

The children use two sources of water—a well and rainwater—for all daily needs including for drinking, cooking, cleaning, washing clothes, and taking baths. Water sources in this locale, however, are of questionable quality. No analyses have yet been conducted for detecting contaminants in these two local sources of water. It is unclear if this water is safe for regular and daily use. Moreover, the well is entirely exposed to the surrounding pollutant environment without any effective protection or cover.

Accessing the available water source can be hazardous for the children as well. To draw water from a well, locals must throw in a bucket which is attached to a rope, situate the rope upon the bank of the well, and then drag the bucket out by hand. This can be extremely dangerous for children because the bank of the well is low and, without physical safeguards, the children can easily fall into the well when trying to draw water.

The safer option has been to collect rainwater for daily use. To collect the rainwater, several big jars are placed at each makeshift shed. The rainwater is considered as more “fresh,” so is primarily used for drinking and cooking. However, rainwater is a problematic source for daily sustenance. For one, a number of children drink the rainwater without having it boiled. For another, while necessarily safer than drawing water from wells, rainwater is an irregular source and cannot sustain the daily needs of the children.

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On November 9 & 10, 2021 two Hmong Christians in Subdivision 181 (who provided necessary information to produce this report) were detained and forced to sign pledges to terminate all contacts with “foreign entities,” including Western diplomats and BPSOS. Local authorities determined that an act of providing a “List of Affected Children” [See Appendix 3] is an act of collusion with foreigners. This incident was reported to the Special Rapporteur on Freedom of Religion or Belief [Appendix 4]. Consequently, the people in Subdivision 181 ceased their communications with BPSOS. Additional information regarding the incident could not be obtained.



*The well without proper physical safeguards*



*The living conditions of the children in the shed*



## RECOMMENDATIONS TO THE U.N. COMMITTEE ON THE RIGHTS OF THE CHILD

1. Commend the work done by the Dam Rong District government to promote the right of the child to education in Subdivision 179, and encourage them to apply the same model to Subdivision 181;
2. Encourage the Dam Rong District Government to strictly comply with the Law on Education and the Law on children to ensure equal education for children and have a roadmap for universally organizing education for the H'mong in Dam Rong district.
3. Encourage the Dam Rong District Government to organize pedagogical training for local H'mong people to re-teach children in their community.
4. Closely monitor the situation in Subdivision 181 to ensure the cessation of any and all forms of harassment, intimidation, or manipulation of residents who request educational betterment for their children.

## Appendix 1: Legal Framework

### Convention on the Rights of the Child (CRC)

- Article 28.

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

a) Make primary education compulsory and available free to all;

b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

c) Make higher education accessible to all on the basis of capacity by every appropriate means;

d) Make educational and vocational information and guidance available and accessible to all children;


e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

- Article 29.

1. States Parties agree that the education of the child shall be directed to:



a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

- Article 30.

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.



## **Compliance by the Socialist Republic of Vietnam to the CRC**

This section addresses Vietnam's 2020 State Report addressing the following articles of the UN Convention on the Rights of the Child (CRC)

### Non-discrimination (Article 2)

According to Vietnam's State Report, "ethnic minority children, migrant children, children with disabilities, children living with HIV/AIDS and children living in remote areas are given priority access to social services. Most importantly, education, health care and social welfare are provided equally to all children." [State Report, Paragraph 22].

In reality, children in Subdivision 181 could not access the basic social service as the State claimed. Students were not only barred from attending boarding schools because of their "filthy lifestyle" [see Section 2] but also have not received equal educational assistance from the State comparable to their counterparts in Subdivision 179 [see Section 3].

### Parents' common responsibilities, assistance to parents and provision of childcare services (Article 18)

"The 2013 Constitution recognizes the right of children to be protected, cared for and educated by the state, society and family...[T]o ensure that all children receive healthcare, with priority accorded to children in special circumstances, including children in poor and near-poor households, ethnic minority children, children living in border communes, mountainous areas, islands, remote areas, and communes with extremely difficult socio-economic conditions."<sup>5</sup> [State Report, Paragraph 81].

Contrary to the report of the Vietnamese Government on Article 18, the parents in Subdivision 181 were denied the right to take efficient care of their children. Despite their efforts to build local classrooms, local authorities refused to provide teachers because "the entire land area of households located in Subdivision 181 is illegally encroaching land in the forestry land area."<sup>6</sup> The local authorities prioritize land disputes before the rights to education of children.

Local authorities had significant prior knowledge about the challenges facing the students but did not have any intentions to improve these children's living conditions. Furthermore, authorities ignored the Letter of Request by the people of Subdivision 181 regarding their children's education. Rather than addressing this imperative issue, local authorities made vague

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<sup>5</sup> 2013 Constitution, article 37; 2016 Law on Children, Art. 42, 43.

<sup>6</sup> See Section 2 of this report

promises, such as hoping to open a boarding school 2 or 3 years in the future [See Section 3]. Summarily, the lack of effective action by local authorities and the Educational Department serves to sustain existing disparities faced by the Hmong minority in Subdivision 181.

### **The right to education includes both vocational training and vocational education (Article 28)**

“136. The Government implemented some educational development policies for ethnic groups with very few people in the period 2010–2015.<sup>7</sup> The Government has established a system of boarding schools for ethnic minority children.<sup>8</sup> In the school year 2014–2015, there were 876 boarding schools with 329,228 ‘semi-boarders’. The Government has approved policies to support pupils and teachers in boarding schools. Ethnic minority children in especially difficult areas are supported with books, school supplies, lunches and rents in case they have to rent accommodation to attend school” [State Report, Para. 136].

### **Children in ethnic minority groups or other local peoples (Article 30)**

“Under the Scheme on renewal and development of social support activities for the period 2017–2025, with a vision toward 2030,<sup>9</sup> ethnic minority people and ethnic minority children are beneficiaries. In order to ensure a stable life through long-term livelihoods for ethnic minorities in general and children from ethnic minorities in particular, the Prime Minister issued the Scheme on education development for very small ethnic minorities for the period 2016–2025<sup>10</sup>” [State Report, Para. 145].

“The children of such minorities are enabled to study at school and are trained in good educational environments supported by policies on special care and nurturing. The Government preferences enrollment and study support for small ethnic minority pre-school children and school students generally<sup>11</sup>” [State Report, Para. 146].

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<sup>7</sup> Decision No. 2123/QD-TTg of the Prime Minister dated 22 November 2010 approving the Scheme on Educational Development for Very Few People in the Period 2010-2015. Decision No. 85/2010/QD-TTg on supporting policies for semi-boarding pupils and boarding schools for ethnic minorities, Decision No. 12/2013/QD-TTg on policies to support high school students in regions with extremely difficult socio-economic conditions and Decision No. 36/2013/QD-TTg on rice support policy for pupils in schools in areas with particularly difficult socio-economic conditions towel.

<sup>8</sup> Decree No. 57/2017/ND-CP of the Government dated 9 May 2017 stipulates the preferential policies and supports for children in kindergartens, students and students of ethnic minorities with few people.

<sup>9</sup> 141 Decision No. 488/QD-TTg dated 14 April 2017 of Prime Minister.

<sup>10</sup> Decision number 2086/QD-TTg dated 31 October 2016 of Prime Minister.

<sup>11</sup> Decree 57/2017 dated May 19, 2017 by Government stipulates policies of preference enrolling and study support to small ethnic minority preschool children, pupils, students.

In contrast to the State's claim on Articles 28 and 30 of the CRC, the children in Subdivision 181 were not allowed to attend boarding schools and were forced to live in makeshift housing just to attend classes. Such an environment is neither conducive for children's education nor their development. Moreover, the head of the Education Department of Dam Rong district refused to answer this issue of boarding school in a written letter, but only provided a verbal promise that boarding schools for Subdivision 181 might be open in the next 2 or 3 years [see Section 3].

The fact that the head of the Education department manipulated leaders of subdivision 181 to sign an "Explanation Letter" which disclaimed their request for children education [see Section 3] demonstrates that the local government purposefully ignored the demands of the local community and deceitfully tried to cover up their incompetence when reporting to the higher offices.

Moreover, in contrast to the State's report, the people in Subdivision 181 did not receive any assistance from either the local authorities or the Educational Department regarding the payments to rent as the State report claimed. The children's families provided the funds to subsidize student's lodgings and have had to build makeshift shelters independently of any government support.

As dictated in the 2020 CRC List of Issues<sup>12</sup>, the Vietnamese Government is expected to report on the following issues:

*5. a) Eliminate discrimination against girls and children in vulnerable situations, including:*

*i) Children who are not registered or whose households are not registered;...*

*iii) Ethnic minority children;*

*iv) Migrant children;...*

*b) Adopt a national strategy to prevent ethnic discrimination;*

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<sup>12</sup> United Nations Committee on the Rights of the Child, "List of issues in relation to the combined 5th and 6th reports of Viet Nam : Committee on the Rights of the Child," 2020  
<<https://digitallibrary.un.org/record/3902363?ln=en>>

c) *Address ethnic, geographic and gender disparities in access to household registration, health care and education.*

10. a) *Ensure that ethnic minority children have equal access to quality bilingual education;*

The situation of the children in Subdivision 181 demonstrates that these issues continue to be key areas of concern regarding Vietnam's compliance to the CRC

### **Compliance by the Socialist Republic of Vietnam to Domestic Laws**

The conditions faced by the children in Subdivision 181 demonstrate violation by local authorities against Vietnam's own domestic laws. Article 37 of the Constitution of the Socialist Republic of Vietnam dictates that all children should enjoy "protection, care and education by the State, family and society" and that "infringement, persecution, maltreatment, abuse and exploitation of labor and other forms of violating children's rights are strictly prohibited."<sup>13</sup> Further, Article 14 of Vietnam's Education Law No. 43/2019/QH14 names the State as "responsible for implementing compulsory education throughout the country; deciding on plans and ensuring conditions for universal education," including universal preschool and lower secondary education.<sup>14</sup> According to Law No. 102/2016/QH13 on Children passed by Vietnam's National Assembly, education is to be guaranteed to every child in Vietnam, and all children are to be treated as "equal in learning and education opportunities" and provided "the right to develop their talent, aptitude, creativity and innovation."<sup>15</sup>

Despite these codified guarantees for all children in Vietnam to receive universal and compulsory education, the children in Subdivision 181 are not afforded such benefits. These children face substantial barriers to consistent and accessible education. The children of Subdivision 181 face conditions which forced them to trek at least 14km to reach available schools, were denied the opportunity to board in schools, and, consequently, must rely on makeshift shelters to even attend classes. Efforts by the parents in Subdivision 181 on behalf of their children's education were further hindered by local officials. The local authorities prioritize land disputes before the rights to education of children. Instead of ensuring that the children of Subdivision 181 are afforded universal education, as mandated by Vietnam's

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<sup>13</sup> International Institute for Democracy and Electoral Assistance, "The Constitution of the Socialist Republic of Vietnam (2013),"

<[https://constitutionnet.org/sites/default/files/tranlation\\_of\\_vietnams\\_new\\_constitution\\_enuk\\_2.pdf](https://constitutionnet.org/sites/default/files/tranlation_of_vietnams_new_constitution_enuk_2.pdf)>

<sup>14</sup> The Socialist Republic of Vietnam, "Education Law, No. 43/2019/QH14," June 28, 2019.

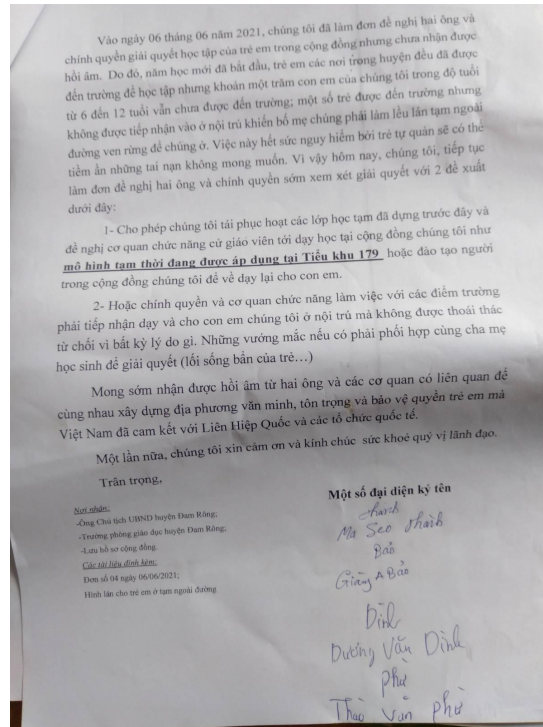
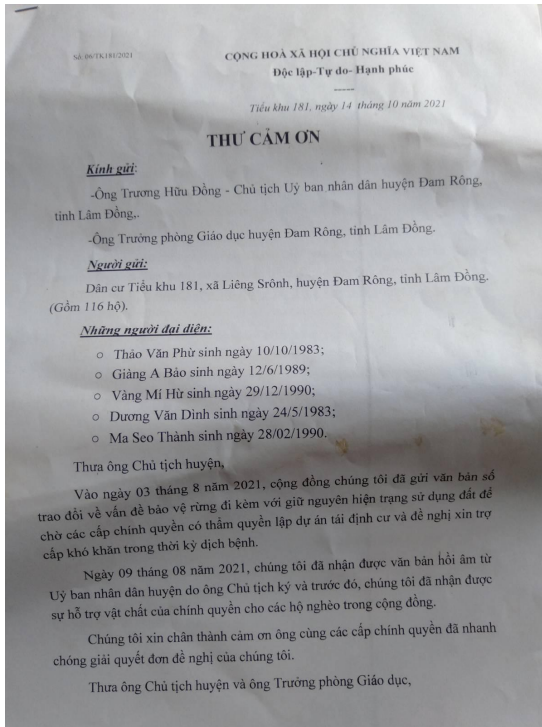
<sup>15</sup> The National Assembly on Children, "Law No. 102/2016/QH13," April 5, 2016.

Education Law and its Constitution, local authorities only offered vague promises and went as far as manipulating the representatives of Subdivision 181 to sign a “Explanation Letter” that declaimed Subdivision 181’s original request to address the inability of their children to board in schools [see Section 3].

Further, as dictated by Law No. 102/2016/QH13 on Children, every child is guaranteed the same and equal opportunity with regard to compulsory education. However, the situation faced by the children in Subdivision 181 exemplifies the chronic unequal access to education (as well as other social benefits) experienced by the Hmong population in Vietnam. The condition of Hmong “statelessness” (perpetuated by the State) has historically prevented this group from acquiring the very fundamentals of social benefits. This purposeful denial of a minority group’s opportunity for better livelihood continue to stand largely unredressed. By denying education to the children of Subdivision 181, the consequences of the State’s “punitive” measures against “stateless” peoples will continue to be borne out in the next generation.

Even where some action has been taken to address accessibility of education for the Hmong population, these actions have been unevenly applied. Indicatively, the children of Subdivision 181 were denied comparable educational assistance from the State to that of their counterparts in Subdivision 179 [see Section 3].

## Appendix 2: Appreciation Letter from the People of Subdivision 181 and Their Request for Children's Education.



No: 06/TK181/2021

**SOCIALIST REPUBLIC OF VIETNAM**  
**Independence-Freedom-Happiness**

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*Subdivision 181, October 14, 2021*

### APPRECIATION LETTER

**To:**

-Mr. Trương Hữu Đồng - Chairman of the People's Committee of Dam Rong district, Lam Dong province.

- Head of Education Department of Dam Rong district, Lam Dong

**Sender:**

Residential Area 181, Lieng Sronh Commune, Dam Rong District, Lam Dong Province.  
(Including 116 households).

**Representatives:**

- Thảo Văn Phù;
- Giàng A Bảo;
- Vàng Mi Hừ;
- Dương Văn Dinh;
- Ma Seo Thành.

Dear Mr. District Chairman,

On August 3, 2021, our community sent a document to discuss the issue of forest protection along with maintaining the status quo of land use to wait for the competent authorities to formulate a resettlement project, and requesting assistance for difficulties during the epidemic period.

On August 9, 2021, we received a written reply from the District People's Committee signed by the Chairman, and we already received support from the local government for poor households in the community.

We would like to express our sincere thanks to you and the authorities for your prompt processing of our application.


Dear Mr. Chairman of the District and Head of Education Department,

On June 6, 2021, we made an application to the two of you and the authorities to address children's education in the 181 community but have not received a response. Therefore, the new school year has begun, children in all parts of the district have been able to go to school to study, but about one hundred of our children between the ages of 6 and 12 have not yet been able to go to school; Some children were allowed to go to school but were not admitted to boarding houses, so their parents had to build temporary sheds on the forest road for them to live in. This is very dangerous because self-directed children can potentially have unwanted accidents.

Therefore, today, we continue to make an application to the two of you to quickly consider and resolve the following two proposals:

1- Allow us to reopen the temporary classrooms that were previously built and request the authorities to send teachers to teach in our community as the model is being applied in Subdivision 179 or train create people in our community to teach their children.

2- Or the authorities need to work with schools, to accept our children and let them stay in boarding schools without being able to refuse for any reason. If there is any problem, the school must be coordinated with the student's parents to solve (child's dirty lifestyle, etc)



Looking forward to hearing from you and relevant authorities soon. We hope to build a civilized locality, respect and protect children's rights that Vietnam has committed to the United Nations and international organizations.

Once again, we would like to thank you and wish you good health.

Best regards.





**Appendix 3: Additional Pictures of Children of Subdivision 181 Living in Sheds**







#### Appendix 4: List of Affected Children

No.	Name	DOB	Parent	Note
1	Giàng xuân thiện	03/02/2015	Giàng seo Thê	
2	Thào Thị Say	24/9/2015	Thào A Sèng	
3	Thào Thị Tu	24/9/2015	Thào A Sèng	
4	Hoàng Thị Hoa	20/4/2016	Sùng A Tu	
5	Ma Thị Chi	2016	Ma seo Mùa	
6	Sùng Thị Sua	6/6/2015	Vừ A Dú	
7	Hầu Thị Vinh	6/5/2015	Hầu đình Trư	
8	Hầu Thị Vương	6/5/2015	Hầu Đình Trư	
9	Giàng Thị Mai	16/3/2015	Giàng Seo Đố	
10	Cháng Thị Duyên	19/11/2015	Lý Seo Lo	
11	Lý Kim Ngân	08/05/2016	Lý Văn Thành	
12	Hạng Thị Hoa	2015	Hạng A Sênh	
13	Hạng A cường	2016	Hạng A Hồ	
14	Hạng Thị Ny	9/10/2015	Hạng A Tỷ	
15	Thào Thị Nàng	2016	Thào A Chu	
16	Giàng Thị Phương	11/12/2015	Sùng văn sinh	
17	Vàng Thị Dung	12/7/2015	Vàng Seo Hòa	
18	Giàng Seo Thái	20/02/2016	Giàng Seo Chính	
19	Ma Thị Nga	16/5/2016	Giàng Seo Dì	
20	Giàng Triệu Hồng	27/01/2015	Giàng Văn Phương	
21	Vàng A Mạnh	11/7/2016	Vàng A Mù	
22	Giàng Ngọc Trọng	18/01/2015	Giàng A Bảo	

23	Giàng Thị Phương	07/12/2014	Giàng Seo Si (b)	
24	Giàng A Nhanh	10/7/2015	Giàng Seo Chùa	
25	Vàng Quốc Cường	01/10/2015	Vàng Văn Tấu	
26	Ma Thị Phương Nhi	20/9/2015	Lý Văn Khèo	
27	Giàng A Chinh	14/01/2015	Vàng A Pênh	
28	Hoàng Thị Cu	19/9/2016	Hoang Văn Sùng	
29	Ma A Banh	20/10/2014	Ma Seo Thành	
30	Ma Văn Cảnh	13/3/2014	Ma seo Cháng	
31	Vàng Bích Quý	25/02/2013	Vàng Mí Hừ	
32	Sùng Thị Kía	22/10/2013	Dương Văn Vur	
33	Ma Thị Chi	24/5/2014	Giàng Seo Dì	
34	Vàng Khái sò	26/4/2014	Vàng Seo Sự	
35	Vàng Thị Doan Na	14/4/2014	Vàng Seo Mênh	
36	Vàng Thị Vi	12/7/2014	Vàng Seo Hòa	
37	Vàng Thị Nhi	13/4/2014	Vàng A Chinh	
38	Hạng A Tín	2014	Hạng A Sênh	
39	Hạng A Phong	2013	Hạng A Hồ	
40	Hạng Thị Gầu	2013	Hạng A Dìn	
41	Hầu Văn Phong	16/4/2014	Hầu Seo Thào	
42	Giàng A Nguyên	06/01/2011	Giàng Seo Tăng	
43	Ma Thị Linh	20/6/2014	Ma Seo Vàng	
44	Sùng Thị Bầu	29/6/2014	Sùng Văn Sinh	
45	Sùng Văn Quán	21/02/2012	Sùng Văn Sinh	
46	Sùng A Tháng	29/01/2011	Sùng Văn Sinh	

47	Hạng Thị Chợ	28/11/2014	Hạng A Áo	
48	Hoàng Văn Thành	19/10/2012	Sùng A Tu	
49	Hoàng Thị Y	02/03/2014	Sùng A Tu	
50	Ma Thị Chi	2016	Mua Seo Mùa	
51	Cháng Thị Hoa	26/8/2013	Lý Seo Lao	
52	Sùng A Cường	05/12/2014	Sùng A Chu	
53	Vàng Thị Ha	09/01/2014	Vàng Văn Tấu	
54	Giàng Thị Huệ	28/12/2015	Giàng Seo Sĩ a	
55	Giàng Seo Trường	14/10/2014	Giàng Seo Dê	
56	Giàng Văn Nguyễn	2012	Giàng Văn Sinh	
57	Hạng Thị Hoa	01/10/2009	Hạng A Áo	
58	Thào A Hậu	2011	Thào A Sèng	
59	Sùng Thị Bích	03/09/2013	Vừ A Dú	
60	Hạng A Quảng	2012	Hạng A Sênh	
61	Giàng thị Linh	20/01/2013	Giàng Seo Đố	
62	Dương Đức Quân	12/9/2012	Dương Đức Thanh	
63	Giàng A Chiến	06/01/2011	Giàng Seo Tăng	
64	Giàng Triệu Thành	29/12/2013	Giàng Văn Phương	
65	Giàng Thị Mái	05/07/2010	Giàng Seo Sính	
66	Giàng Thị Hoa	7/11/2010	Giàng seo chinh	
67	Vàng A Trường	22/10/2010	Vàng A Chính	
68	Vàng Thị Soa	13/5/2012	Vàng A Chính	
69	Thào Thị Lợi	13/8/2013	Thào Seo Đình	
70	Ma Thị Say	29/5/2011	Ma Seo Páo	

71	Thào Thị Phương	20/8/2012	Ma Seo Páo	
72	Ma Thanh Đế	20/3/2010	Ma Seo Páo	
73	Sùng Thị Dưa	01/01/2015	Sùng Seo Chu	
74	Hạng Thị Dĩ	2011	Hạng A Hồ	
75	Hạng Văn Thành	2011	Hạng A Dìn	
76	Hạng Thị Về	15/3/2012	Hạng A Tỷ	
77	Hạng A Cú	05/02/2011	Hạng A Pùa	
78	Giàng Xuân Hoàng	26/12/2012	Giàng Seo Thề	
79	Hạng A Bảo	07/08/2012	Hạng A Áo	
80	Hầu Thị Lan	21/12/2012	Hầu Seo Thảo	
81	Ma Thị Nhung	04/02/2011	Ma Seo Vàng	
82	Sùng Thị Sính	05/08/2011	Dương Văn Vư	
83	Giàng Thị Nú	18/8/2012	Giàng Seo Dì	
84	Vàng Thị Xanh	21/12/2012	Vàng Seo Mềnh	
85	Ma Thị Ngọc Chanh	02/09/2012	Ma Seo Thành	
86	Vàng Thị Di	10/03/2009	Vàng A Chinh	
87	Thào Xuân Thanh	14/7/2011	Thào Seo Sính	
88	Vàng Bích Dương	04/02/2011	Vàng Mí Hừ	
89	Giàng Seo Phiếu	05/11/2010	Giàng Seo Sỉ b	
90	Giàng A Sí	01/01/2011	Giàng Seo Chùa	
91	Lý Thị Hạnh	27/11/2012	Lý Văn Khèo	
92	Sùng A Bậy	12/03/2009	Sùng Văn Sinh	
93	Sùng Thị Linh	25/01/2008	Sùng Văn Sinh	
94	Hạng Thị Súa	2010	Hạng A Sênh	

95	Dương Văn Hoàng	03/08/2008	Dương Văn Dìn	
96	Vàng Thị Gầu	01/01/2011	Vàng Seo Sự	
97	Thào Thị Phương	20/10/2010	Thào Seo Sính	
98	Thào Thanh Hồng	15/12/2010	Thào Văn Phừ	
99	Ma Thị Trị	23/01/2011	Lý Văn Khèo	
100	Ma Thị Ngọc Linh	06/02/2010	Ma Seo Thành	
101	Giàng Thị Dĩn	2010	Giàng A Phình	



## Appendix 5: Report for UN Special Rapporteur on Freedom of Religion or Belief

### **Vietnam: Police interrogated Hmong Christians (former victims of statelessness)**

**from Subdivision 179 and 181 in Lam Dong Province in November 2021.**

**Threatened imprisonment and forced victims to sign pledges to stop all contacts with “foreign entities” including Western diplomats.**

to: UN Special Rapporteur on Freedom of Religion or Belief

c/o UN High Commissioner for Human Rights – Geneva Office

8-14 Avenue de la Paix

CH-1211 Geneva 10, Switzerland

#### **(1) General Information**

Summary: The police in Lam Dong Province invited five Hmong Christians to a meeting on "Adjustment of citizen identification information". However, police interrogators focused only on the victims' contacts with Boat People SOS and UK and US diplomats. The police threatened to put them in prison unless they stopped all contacts because they “colluded with foreign entities”. They were released at the end of the day only after signing pledges to stop seeking help from human rights organizations and foreign entities, including BPSOS.

- *Does the incident involve an individual or a group?* A group of 5 victims.

- *Location of incident:* Lieng Sronh Commune, Dam Rong District, Lam Dong Province

- *Nationality (ies), ethnic group of the victim(s):* Ethnic Group: H'mong; Nationality: Vietnamese

- *Does domestic law require registration of religious associations and if yes, what is the current status of the group in question?* Yes. Both subdivisions remain unregistered to date.

#### **(2) Identity of the Persons Concerned**

All are Vietnamese citizens and have authorized Boat People SOS to represent them. Please see Addendum 1.

### **(3) Information Regarding the Alleged Violation**

- *Date and time (approximate, if exact date is not known).*

- **November 9 & 10, 2021:** Lieng Sronh Commune Police Department

Five individuals received requests from Lieng Sronh Commune police inviting them to discuss "Adjustment of citizen identification information".

The victims are representatives of their communities, Subdivision 179 and 181, and work with BPSOS on the issue of statelessness and registration for religious practice as Protestants.

However, when they arrived at the appointment time, instead of the communal police as mentioned in the invitation letters, a group of interrogators from the Police Department of Lam Dong Province separated them and interrogated each victim in a different room about:

A/ how did they connect with UK and US diplomats, and BPSOS.

B/ collusion with foreign entities - a crime - because Boat People SOS and certain associated individuals are reactionary aiming to undermine the Vietnamese government.

During the interrogation, the police confiscated their phones without their consent (these phones were returned when they were released). The police also asked Ma A Dinh to log into his Facebook account using the police's laptop. (Later, after Dinh returned to his home, he found out that his Facebook password had been changed and someone had accessed all of his contacts.)

These interrogations lasted until each person agreed to sign a "pledge" to:

A/ stop providing information to "foreign entities" and seeking help from human rights organizations, including BPSOS, foreign embassies;

B/ cooperate with the government to crack down on anyone staying in touch with BPSOS.

In the case of Ma Seo Chang, the police showed him a Facebook page "BPSOS - Vietnam Advocacy Project" and persuaded him that BPSOS is a reactionary entity aiming to undermine the state.

Hau Dinh De fainted during the interrogation and was forced to sign a pledge to work as a police informant.

As to Giàng Seo Thề, he was invited to meet on the following day, November 10, and was similarly interrogated and forced to sign a similar pledge.



**Interrogation times for each victim:**

Mã Sèo Cháng: 9:30 am to 3pm, November 9, 2021;

Cháng A Sà: 10:15 am to 3:50 pm, November 9, 2021;

Ma A Dinh: 10:00 am to 7:00 pm, November 9, 2021;

Hậu Đình Đế: 9:00 am to 5:00 pm, November 9, 2021;

Giàng Seo Thề: 9:00 am to after 11:30 am. November 10, 2021;

**Perpetrator list:**

All are from the Police Department of the province.

1. Nguyễn An Ninh (interrogated Cháng A Sà);
2. Nguyễn Văn Hùng & Lơ Mu Haki (interrogated Ma A Dinh);
3. Mr. Cường (interrogated Ma Seo Cháng);
4. Those who questioned Hậu Đình Đế and Giàng Seo Thề did not provide their names to these victims.

The perpetrators are clearly State agents.

*- Are the perpetrator(s) known to the victim? Yes.*

*- Are state agents or non-state-actors believed to be responsible for the alleged violation? State agents.*

*- If the perpetrators are believed to be State agents, please specify (police, military, agents of security services, unit to which they belong, rank and functions, etc.), and indicate why they are believed to be responsible; be as precise as possible: Please see the perpetrator list.*

**(4) Steps taken by the victim, his/her family or anyone else on his/her behalf?**

*- Please indicate if complaints have been filed, when, by whom, and before which State authorities or competent bodies (i.e. police, Religious Affairs Committee, procuracy, people's court, etc.):* After the interrogation, three victims in Subdivision 179 sent a Request for Explanations to the Police Department of Lam Dong Province (see Addendum 2. Evidence).

*- Were any other steps taken?* No .

*- Indicate whether or not, to your knowledge, there have been investigations by the state authorities; if so, what kind of investigations? Please indicate progress and status of these investigations as well as which other measures have been taken?* No.

*- In case of complaints by the victim or its family, how have those authorities or other competent bodies dealt with them? What has been the outcome of those proceedings?:* None.

**(5) Identity of the person or institution submitting this report:**

- Boat People SOS;

- Contact Information: - Name of the person or organization authorized to represent (if any):

- Type of entity submitting (individual, group, NGO, religious organization, etc.): NGO

- If this report is not submitted by the victims themselves, please state if they are aware of or permit you to submit this report: yes

- Please let us know whether the personal information of the submitter must be kept confidential: No for BPSOS

Date of Submission: November 30, 2021

**Addendum 1. Identity of the Persons Concerned**

2 victims from Subdivision 181, Hamlet 5, Lieng Sronh Commune, Dam Rong District, Lam Dong Province

1/ Family name: Dế      Given name: Hậu Đình      DoB: 1997      Gender: Male

2/ Family name: Thề      Given name: Giàng Seo      DoB: 1994      Gender: Male

3 victims from Subdivision 179, Hamlet 5, Lieng Sronh Commune, Dam Rong District, Lam Dong Province

3/ Family name: Cháng Given name: Ma Seo DoB: 1974 Gender: Male

4/ Family name: Đình Given name: Ma A DoB: 1992 Gender: Male

5/ Family name: Sà Given name: Cháng A DoB: 1984 Gender: Male

## Addendum 2. Evidence

1) Interrogation requests from the chief of Commune police to discuss "Adjustment of citizen identification information"

BAN CÔNG AN  
XÃ LIÊNG SRỒNH

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc Lập – Tự Do – Hạnh Phúc


Liêng Srờnh, ngày 5 tháng 11 năm 2021.

**GIẤY MỜI**

Mời ông (bà): Trần Văn A  
Địa chỉ: Tiểu khu... thôn... xã Liêng Srờnh, huyện Đam Rông, tỉnh Lâm Đồng.

Vào lúc: 8 giờ 30 phút, ngày 09 tháng 11 năm 2021  
Đến tại: Công an xã Liêng Srờnh  
Nội dung: Điều chỉnh dữ liệu thông tin căn cước công dân.  
Yêu cầu ông (bà) chấp hành theo đúng thời gian quy định.

TRƯỞNG CÔNG AN XÃ

  
Đại úy Trần Văn Linh

BAN CÔNG AN  
XÃ LIÊNG SRỒNH

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc Lập – Tự Do – Hạnh Phúc


Liêng Srờnh, ngày 5 tháng 11 năm 2021.

**GIẤY MỜI**

Mời ông (bà): Ma A Đình  
Địa chỉ: Tiểu khu... thôn... xã Liêng Srờnh, huyện Đam Rông, tỉnh Lâm Đồng.

Vào lúc: 9 giờ 00 phút, ngày 09 tháng 11 năm 2021  
Đến tại: Công an xã Liêng Srờnh  
Nội dung: Điều chỉnh dữ liệu thông tin căn cước công dân.  
Yêu cầu ông (bà) chấp hành theo đúng thời gian quy định.

TRƯỞNG CÔNG AN XÃ

  
Thượng úy Trần Văn Linh

BAN CÔNG AN  
XÃ LIÊNG SRỒNH

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM  
Độc Lập – Tự Do – Hạnh Phúc


Liêng Srờnh, ngày 5 tháng 11 năm 2021.

**GIẤY MỜI**

Mời ông (bà): Ma Seo Cháng  
Địa chỉ: Tiểu khu... thôn... xã Liêng Srờnh, huyện Đam Rông, tỉnh Lâm Đồng.

Vào lúc: 8 giờ 00 phút, ngày 09 tháng 11 năm 2021  
Đến tại: Công an xã Liêng Srờnh  
Nội dung: Điều chỉnh dữ liệu thông tin căn cước công dân.  
Yêu cầu ông (bà) chấp hành theo đúng thời gian quy định.

TRƯỞNG CÔNG AN XÃ

  
Đại úy Trần Văn Linh

**EMS** DỊCH VỤ CHUYỂN PHÁT NHANH

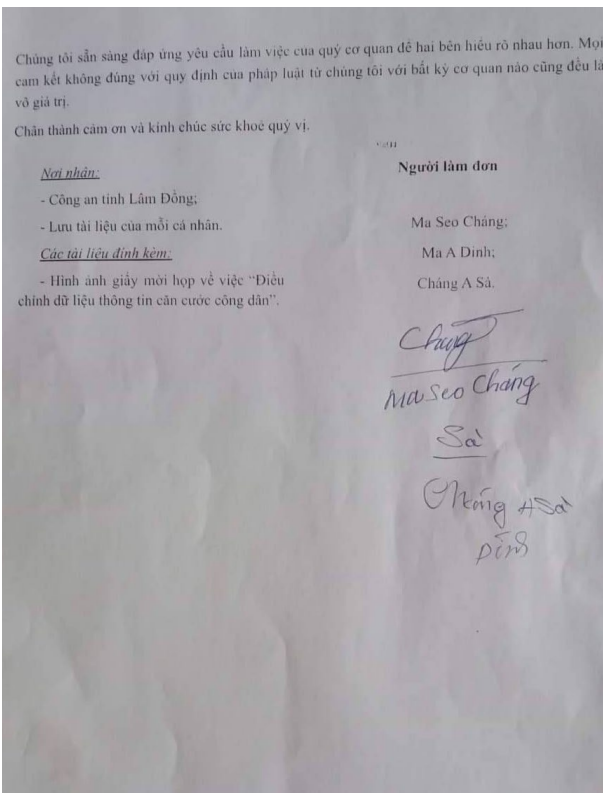
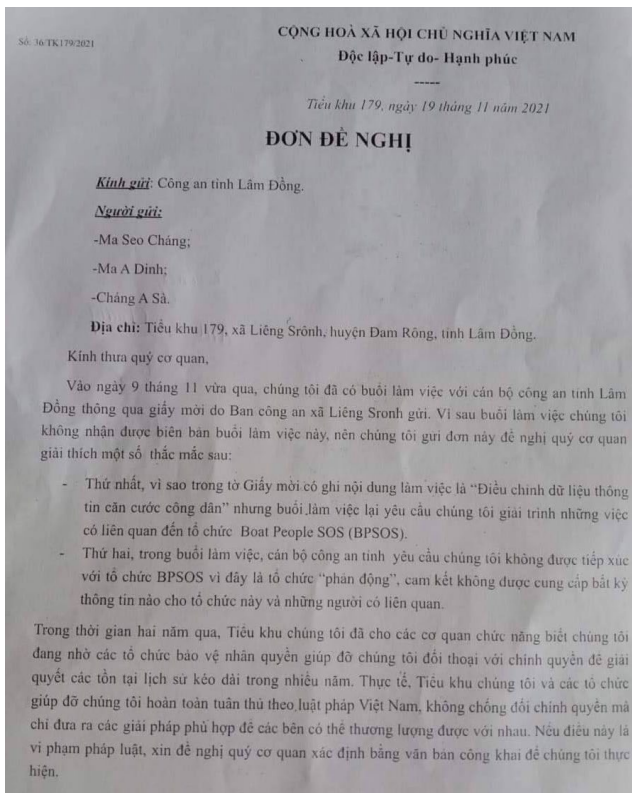
E11T

EE645462551VN

1. Họ tên địa chỉ người gửi: MA SEO CHÁNG LIÊNG SRỒNH ĐAM RÔNG LÂM ĐỒNG - X. Liêng Srờnh - H. Đam Rông - Tỉnh Lâm Đồng		2. Họ tên địa chỉ người nhận: CÔNG AN TỈNH LÂM ĐỒNG 47 Trần Bình Trọng, Phường 5, Thành phố Đà Lạt, Lâm Đồng	
Điện thoại: Mã khách hàng: Mã bưu chính: 66259	Mã ĐH: Điện thoại: Mã bưu chính: 66113	10. Khối lượng (kg): Khối lượng thực tế: 30 Khối lượng quy đổi: 0	
3. Loại hàng gửi: <input checked="" type="checkbox"/> Tài liệu <input type="checkbox"/> Hàng hóa		12. Chủ dẫn nghiệp vụ:	
4. Nội dung trị giá bưu gửi:		11. Thu của người nhận: COD: 0 Thu khác: 0 Tổng thu: 0	
5. Dịch vụ đặc biệt/Cộng thêm:		13. Bưu cục chấp nhận Chữ ký GDV nhận	
6. Chỉ dẫn của người gửi khi không phát được bưu gửi: <input type="checkbox"/> Chuyển hoàn ngày <input type="checkbox"/> Gửi điện cho người gửi/BCC gửi <input type="checkbox"/> Hủy <input type="checkbox"/> Chuyển hoàn trước ngày <input type="checkbox"/> Chuyển hoàn khi hết thời gian lưu trữ		14. Ngày giờ nhận Người nhận: Người được ủy quyền nhận (Ký, ghi rõ họ tên)	
7. Cam kết của người gửi: Tôi chấp nhận các điều khoản tại mặt sau phiếu gửi và cam đoan bưu gửi này không chứa những mặt hàng nguy hiểm, cấm gửi. Trường hợp không phát được hãy thực hiện chỉ dẫn tại mục 6, tôi sẽ trả cước chuyển hoàn.		GDV: Nguyễn Bá Thịnh 22-11-2021 642725	
8. Ngày giờ gửi: 13h53/22/11/2021		Chữ ký người gửi	

Hotline: 1900 5454 33 - Website: www.ems.com.vn - Email: cskh@ems.com.vn

2) “Request for Explanations” from the three persons concerned from Subdivision 179 and a postal receipt.



Translation of “Request for Explanations”

Number: 36/TK179/2021


**SOCIALIST REPUBLIC OF VIETNAM**

**Independence-Freedom-Happiness**

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Subdivision 179, November 19, 2021

**REQUEST FOR EXPLANATIONS**

  
To: Police Department of Lam Dong Province.

From:

- Ma Seo Cháng;
- Ma A Dinh;
- Cháng A Sà.

Address:

Subdivision 179, Hamlet 5, Lieng Sronh Commune, Dam Rong District, Lam Dong Province

Dear Police Department,

On November 9, we had a meeting with police officers of Lam Dong Province as a result of the interrogation request sent by Lieng Sronh Commune Police. Because the officers did not give us a copy of the minutes of the meeting, this letter from us is a request for answers to the following questions:


First, the Invitation request shows the purpose of the meeting as "Adjustment of citizen identification information" but at the meeting, the police asked us questions related to the Boat People SOS organization (BPSOS).

Second, during the meeting, the provincial police officers asked us to stop contacting BPSOS because it is a "reactionary" organization. The officers also ordered us to commit to stop providing any information to this organization and certain individuals.

During the past two years, our subdivision has been informing the authorities that we had asked human rights organizations to help us in our dialogue with the government to resolve the long-standing historical problems we must face at our location. In fact, our subdivision and the organizations that help us fully comply with Vietnamese law and do not oppose the government, but only offer suitable solutions so that both parties can negotiate with each other. If this is against the law, please ask your agency to document your position in writing to formally inform us.

We are looking forward to cooperating with your agency so that we can better understand each other. Any commitments made by us to any agency that does not comply with the law are null and void.

Thank you very much and best wishes for your good health.



*Recipients:*

- *Police Department of Lam Dong Province;*

- *individual filing*

**Enclosures:**

- Image of the invitation request for

"Adjustment of citizen identification information".

**Requesters:**

**Ma Seo Cháng;**

**Ma A Dinh;**

**Cháng A Sà.**