

United Montagnards Organization
Alternative Report
Regarding Vietnam's Compliance with the International
Covenant on Civil and Political Rights (ICCPR)
Regarding Fundamental Freedoms
for Indigenous Montagnards



Submitted May 2025
to the UN Human Rights Committee
in its Review of Vietnam's Fourth Periodic Report
(CCPR/C/VNM/4)

Contact: Pastor Nglol Rahlan, United Montagnards Organization
Email: Info@unitedmontagnards.org

Contents

I. Introduction	2
II. Overview	3
III. Vietnam's Violations of ICCPR Commitments.....	4
A. Denial of Self-Determination and Indigenous Identity (Article 1).....	4
B. Suppression of Freedom of Religion (Article 18), Freedom of Assembly (Article 21), and Freedom of Association (Article 22)	5
Case Example of Religious Repression: Dao Blung Hlao Church	7
Recent Testimonies from Dao Blung Hlao House Churches in Gia Lai	8
C. Arbitrary Detention and Imprisonment (Article 9)	9
Montagnard Religious Prisoners of Conscience	11
D. Protections of the Right to Life (Article 6) and Prohibiting Torture (Article 7)	12
Y Ngun Knul: Deadly Toll of Long-Term Imprisonment	12
E. Prohibitions against Discrimination (Article 2)	13
IV. Recommendations to the UN Human Rights Committee	14
V. Suggested Questions for the Committee to Ask Vietnam.....	15
Annex 1: Montagnard Deaths as a Result of Torture in Custody	16
Some of Those Who Died	16

I. Introduction

The United Montagnards Organization is a community-based organization representing the Montagnard Indigenous Peoples of Vietnam's Central Highlands. We advocate for the peaceful protection of Montagnard cultural identity, freedom of religion, Indigenous rights, and other fundamental freedoms enshrined in the International Covenant on Civil and Political Rights (ICCPR).

This report outlines key concerns regarding Vietnam's compliance with the ICCPR, which it ratified on September 24, 1982. We focus on Vietnam's violations of the following articles of the ICCPR:

- Article 1: Right to Self-Determination
- Article 2: Non-Discrimination in Human Rights Practices
- Article 6: Right to Life
- Article 7: Prohibition on Torture and Cruel, Inhuman or Degrading Punishment
- Article 9: Freedom from Arbitrary Arrest and Detention
- Article 18: Freedom of Thought, Conscience, and Religion
- Article 21: Freedom of Assembly
- Article 22: Freedom of Association

II. Overview

The Indigenous peoples of the Central Highlands of Vietnam consist of different tribes often collectively referred to as Montagnards.¹ They maintain distinct cultural, religious, and linguistic practices that set them apart from Vietnam's ethnic majority. The largest tribes are the Jarai, Rhade (Ede), Bahnar, Koho, and Bunong (Mnong).

Montagnards have long experienced severe restrictions on religious freedom and other fundamental human rights, contrary to Vietnam's obligations under the ICCPR.

Vietnam's persecution of Montagnards is linked in part to their association with US and South Vietnamese forces during the Vietnam War as well as the aspirations of some Montagnards for return of ancestral lands and even self-rule.

Vietnam asserts that religious freedom is enshrined into its Constitution and laws, yet our research and reports by the United Nations and international human rights groups document the targeting of Montagnard Protestant and Catholic communities for systematic harassment, surveillance, arbitrary arrests, forced confessions and renunciations of faith, enforced disappearances, imprisonment, torture, and lethal beatings by police.

Vietnam, a one-party Communist state, seeks to control or eliminate independent Montagnard house churches in the Central Highlands, which it perceives as threats to its

¹ In this report we refer to the indigenous inhabitants of Vietnam's Central Highlands as Montagnards (mountain dwellers in French), a term that is used by many of those communities now living in the United States. In Vietnamese, they are known as "Dân tộc thiểu số Tây Nguyên" or Central Highlands minorities, and "người Thượng" (highlanders), a term that is used by the Vietnam government as well as by the advocacy group Người Thượng Vì Công Lý (Montagnards Stand for Justice). The terms "Dega" or "Degar" can have more politicized meanings. The government of Vietnam uses the term "Tin lành Đê-ga" (Dega Protestantism) to refer to independent or unregistered evangelical churches in the Central Highlands that the government has banned, alleging that it is separatist movement disguised as a religion. Some Montagnards refer to themselves as "Dega" or "Degar" to reflect cultural pride and the movement to protect ancestral lands and gain self-rule.

monopoly on political power. Authorities ban religious activities and organizations that they arbitrarily deem to be contrary to the ‘national interest,’ ‘national unity,’ or ‘public order,’ and harass, punish or imprison alleged offenders under national security laws. These official policies and their implementation, which are in violation of the ICCPR, have been clearly documented by UN Special Rapporteurs and international human rights groups, as well as by Vietnam’s official state media.

In June 2024, thirteen UN Special Rapporteurs and Independent Experts sent a detailed report to the government of Vietnam that raised concerns about an “intensifying pattern of discriminatory and repressive surveillance, security controls, harassment and intimidation against the Montagnard Indigenous minority peoples in the Central Highlands”.²

Montagnards are disproportionately represented among Vietnam’s prisoners of conscience, despite constituting only about 2 percent of the national population.³ The majority have been sentenced under vaguely defined “national security” laws that criminalize peaceful religious and political activities. The routine torture and mistreatment of detained and imprisoned Montagnards, which has been documented by Amnesty International and the Campaign to Abolish Torture in Vietnam, is in violation of Vietnam’s obligations under the ICCPR.

III. Vietnam’s Violations of ICCPR Commitments

A. Denial of Self-Determination and Indigenous Identity (Article 1)

The Vietnamese government does not recognize the Montagnards as Indigenous Peoples, referring to them only as ethnic minorities. This denial prevents the Montagnard communities from exercising their right to self-determination under Article 1 of the ICCPR, as well as in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), which Vietnam voted in favor of in September 2007.⁴ This structural denial of Montagnards’ collective rights and autonomy leads to marginalization, discrimination,

² The UN Experts stated that lethal attacks on two commune police stations in June 2023 appear to have served as a pretext for the latest crackdown on Montagnards, particularly members of unregistered Christian house churches and Montagnards defending human rights and religious freedom. Joint Report by 13 UN Special Rapporteurs and Independent Experts to the Government of Vietnam regarding III-Treatment of Indigenous Montagnards, United Nations Special Procedures, *AL VNM 4/2024*, June 14, 2024, <https://tinyurl.com/5n8hduhr>

³ See Section II.C, below.

⁴ Article 35 of UNDRIP recognizes the right of Indigenous people to determine their own identity and membership and to self-identify as Indigenous peoples.

and limited self-determination, excluding them from key decisions about their ancestral lands, cultural traditions, religious affairs, and political representation.

In their 2024 report, 13 UN Special Rapporteurs and Independent Experts expressed concerns that Vietnam's treatment of Montagnards may violate numerous indigenous rights "in relation to self-determination; participation in decision making; land and resources; free, prior and informed consent; political, economic, social, health, cultural, linguistic and religious matters; freedom from violence and forced assimilation or destruction of culture, including dispossession from lands and discriminatory propaganda."⁵

B. Suppression of Freedom of Religion (Article 18), Freedom of Assembly (Article 21), and Freedom of Association (Article 22)

Montagnard Christians in the Central Highlands, estimated to number as many as 400,000, make up the largest concentration of evangelical Christians in Vietnam. In addition, there are at least 100,000 Montagnards in the Central Highlands who follow Roman Catholicism.⁶

Montagnard Christians face systematic persecution for practicing their faith outside of state-approved institutions. Vietnam requires all religious groups to register with the government and operate under officially-approved religious organizations. The government alleges that independent Montagnard churches are false religions shielding anti-government activities orchestrated by Montagnard refugees in Thailand and the US.⁷ Government restrictions and persecution of independent or unregistered congregations have led many Montagnards to worship more discreetly in homes of believers, also known as house churches.

Authorities actively suppress independent Montagnard house churches, such as Dao Blung Hlao (First Christian Church) and the Evangelical Church of Christ of the Central

⁵ Joint Report by 13 UN Special Rapporteurs and Independent Experts to the Government of Vietnam regarding Ill-Treatment of Indigenous Montagnards, United Nations Special Procedures, *AL VNM 4/2024*, June 14, 2024, available at: <https://tinyurl.com/5n8hduhr>

⁶ Reg Reimer, *Vietnam's Christians: A Century of Growth in Adversity*, William Carey Library, 2011. James F. Lewis, "Christianity and Human Rights in Vietnam: The Case of the Ethnic Minorities, 1975-2007," in *Christianity and Human Rights: Christians and the Struggle for Global Justice*, edited by Frederick M. Shepherd, Lexington Books, 2009. Montagnard Human Rights Organization and Campaign to Abolish Torture in Vietnam, "Vietnam's Relentless Repression of Montagnards," May 2018.

⁷ See: *Cong An Nhan Dan* (People's Police newspaper), "40 năm giữ bình yên Tây Nguyên" (40 Years to Keep the Central Highlands Quiet), April 28, 2015, <https://tinyurl.com/mtrshaw8> ; "Persecuting 'Evil Way' Religion: Abuses against Montagnards in Vietnam," Human Rights Watch, June 26, 2015, *Repression of Montagnards: Conflicts over Land and Religion in Vietnam's Central Highlands*, Human Rights Watch, 2002.

Highlands (ECCCH). Police regularly disperse their religious gatherings and harass, detain, interrogate and imprison their members. The 2024 UN Experts Report on Vietnam stressed that “the right to freedom of religion or belief ... cannot be made dependent on administrative registration or other form of official state recognition; and any registration practices should not limit the right of persons to manifest their religion or belief.”⁸

Authorities routinely pressure followers of independent house churches to renounce their religion and join government-authorized churches under the control of the state, such as the Evangelical Church of Vietnam-South (ECVN-S).⁹ Those who resist and insist on their right to independent worship face harassment, beatings, arrest, and imprisonment.¹⁰ Such practices violate the internationally protected right to freedom of religion enshrined in the ICCPR, as well as Vietnam’s 2018 Law on Belief and Religion, which prohibits forced renunciation of faith.¹¹

The most serious violations of the right to freedom of religion or belief in Vietnam tend to be against individuals who are both ethnic and religious minorities, particularly those in remote areas such as the Central Highlands. Religious and ethnic minorities belonging to unregistered religious groups are particularly at risk of state-perpetrated human rights violations, including police torture and mistreatment.¹²

Montagnard Christians are often denied the right to assemble for worship and penalized for their association or membership in unsanctioned religious groups. Security forces regularly disrupt prayer meetings, detain participants, and confiscate religious texts.

⁸ Joint Report by 13 UN Special Rapporteurs and Independent Experts to the Government of Vietnam regarding Ill-Treatment of Indigenous Montagnards, United Nations Special Procedures, *AL VNM 4/2024*, June 14, 2024, available at: <https://tinyurl.com/5n8hduhr>

⁹ According to Human Rights Watch, Montagnard churches lacking legal status to operate include those whose applications have been rejected or ignored by authorities, as well as groups that prefer to operate independent of the officially-recognized Evangelical Church of Vietnam-South (ECVN-S). Human Rights Watch, “Montagnard Christians in Vietnam: A Case Study in Religious Repression,” March 2011, <https://www.hrw.org/report/2011/03/30/montagnard-christians-vietnam/case-study-religious-repression>

¹⁰ “DFAT Country Information Report Vietnam,” Australian Government Department of Foreign Affairs and Trade, February 19, 2025, <https://tinyurl.com/yc7vmwj9>

¹¹ Article 5 of Vietnam’s 2018 Law on Belief and Religion prohibits forcing others to follow or to renounce a belief or a religion. Vietnam’s prohibition of forced renunciation of religion was one of the reforms sought by the US before it lifted its designation of Vietnam as a “Country of Particular Concern” for religious freedom violations in 2006.

¹² “Submission to the Universal Periodic Review, 32nd session,” Christian Solidarity Worldwide, July 2018, <https://tinyurl.com/ynuvhymk>; “Interfaith Council Raises Cases of Concern,” Christian Solidarity Worldwide, March 24, 2017, <https://tinyurl.com/yb94wsd7>

Vietnam's strict controls on religious organizations violate the ICCPR's protection of peaceful assembly and association in Articles 21 and 22.

Case Example of Religious Repression: Dao Blung Hlao Church

Dao Blung Hlao (DBH) is an independent Montagnard church in Vietnam affiliated with the First Christian Church (Disciples of Christ) in North Carolina. It has several hundred followers in Vietnam, Thailand and the United States. The church was started in 2018 by Pastor Nglol Rahlan, a Montagnard from Vietnam who is an officially-licensed pastor in the United States, where he has lived since 2002.

On December 21, 2020, more than 20 provincial police officers raided Pa Pet village, Gia Lai at 3 am, to prevent DBH followers from conducting Christmas services on December 24 and 25. Police barricaded the entire village and broke down doors to search houses, where they seized Bibles, a piano and church funds. As a warning to the congregation, the police detained eight of the villagers for three days for interrogation and threatened them with long prison sentences unless they signed prepared pledges to permanently leave their house church. Three other villagers, Rah Lan Rah, Siu Chon, and Ro Mah Them were arrested and sent to Gia Trung Prison in Gia Lai Province.¹³

On February 1, 2021, the Security Investigation Agency of the Gia Lai Provincial Police Department issued a warrant for the arrest of Pastor Nglol Rahlan on charges of undermining national unity.¹⁴ This type of harassment fits a pattern of transnational repression by the government of Vietnam to silence and intimidate human rights and religious freedom advocates living outside Vietnam, and violates core rights provided by the ICCPR, including freedom of expression, association and religion.

In March 2021, government officials levied fines against the heads of 11 households for their affiliation with Dao Blung Hlao and four others who had spoken out against the authorities' actions. They also threatened villagers with prison sentences if the incident was reported to the news media, the UN Human Rights Office, the US State Department, or Pastor Nglol Rahlan.

In August 2021, the Gia Lai Provincial People's Court convicted Rah Lan Rah, Siu Chon, and Ro Mah Them on charges of "undermining the national unity policy". Rah Lan Rah

¹³ "Vietnam: Government Authorities and Police in Chu Se District, Gia Lai Province Persecuted the First Christian Church," Report to the U.N. Special Rapporteur for Freedom of Religion and Belief, July 2021.

¹⁴ "Truy nã đối tượng phá hoại chính sách đoàn kết" (Arrest warrant for those who Sabotage the Unity Policy), *Gia Lai Police* online newspaper, February 8, 2021
<https://congan.gialai.gov.vn/BaiVietChiTiet/40195/truy-na-doi-tuong-pha-hoai-chinh-sach-doan-ket>

and Siu Chon were sentenced to six years' imprisonment and Ro Mah Them to five years' imprisonment, followed by three years' probationary house arrest upon release.

The repression of Dao Blung Hlao house churches continues. In December 2024, police warned DBH house churches in Gia Lai Province not to gather for Christmas celebrations and pressured them to abandon DBH and join the official ECVN-S. On December 21, 2024, district and commune police raided eight villages with DBH house churches in Gia Lai. They beat and interrogated 46 people at Chu Se district jail before releasing all but 18 who refused to sign pledges to abandon DBH and join the ECVN-S. The villagers were held for several weeks at the district jail, where some were beaten unconscious, then drenched with water and given medication to revive them for additional torture.

Recent Testimonies from Dao Blung Hlao House Churches in Gia Lai

In January and April 2025, we collected testimonies from Dao Blung Hlao members in Vietnam, in which they described the ongoing repression they face. Excerpts follow below.

Woman, 62: "I go to Dao Blung Hlao church. I am a Christian from way before 2001. The Vietnamese police want me to follow their faith. They beat me and threaten me and always interrogate me and want me to tell them everything I do. I don't want to go. I only stay home. I want to have our own house church. I want your help."

Man, 32: "They call everyone who is worshipping. They do not let us worship. They say we are threatening them with our religion. They want us to follow *tin lành Việt Nam miền nam* (ECVN-S, Evangelical Church of Vietnam- South). I don't want to follow them, so they are threatening us. They want me to work for them [spy on others] and I say no. They say they will interrogate me and beat me if I don't follow them. So many people are in prison currently because they do not follow them. Before we worship, they want us to call them and let them know what we are doing. They come to my house at least 2-3 times in one month. They call me to meet them at their office and force me to sign the paper and follow them. I want the UN to help us have freedom of religion. I want us to have our own church."

Man, 47: "When I got out of prison, they wanted us to follow them and worship with *tin lành Việt Nam miền nam* (ECVN-S). I say no, I don't want to. I follow Dao Blung Hlao. We haven't had freedom since I got out of jail in 2012 until today. I live in fear every day because we don't have freedom."

Man, 62: "We cannot worship at home. We cannot pray before we eat. They interrogate us. If we don't answer them truthfully, they beat us. They beat me, slapped my face. They have called me three or four times already. They call me to the district and tell us to stop worshipping God. They say that we worship America. A lot of people in prison die because they torture us. Every time we try to respond to them, they keep beating

us. In 2005-2006, they sent us to different camps and made us work for them. They only gave us unhealthy food to eat there, which gave us stomach problems and made us become sick.”

Man, 75: “After eight years in prison, I was released. Then, they saw our picture in Thailand and put me in jail for seven days in 2025. They force us to follow them. They want us to follow *tin lành miền nam* (ECVN-S). They told us they give us freedom but that's all lies. We don't want to follow them. They don't let us worship at home. We ask for help. We want to have our own church and have freedom of religion.”

Man, 40: “I was in prison because I followed Dao Blung Hlao. They put me in jail for eight years. They arrested me in 2016 and I got released in 2022. The Vietnamese police harm us. I want to ask for your help. We want religious freedom.”

Man, 56: From 2001-2005 they tortured me. They took my phone and interrogated me. In 2009, they beat me and kept me for three days, and they took my phones. They shocked me by using electricity. They beat us and do not let us worship. They want us to sign papers to follow *tin lành miền nam* (ECVN-S). We don't want to. We want our own church and religious freedom.”

C. Arbitrary Detention and Imprisonment (Article 9)

Since 2001, more than 350 Montagnards have been arbitrarily detained and imprisoned for exercising their rights to religious freedom and peaceful dissent under Vietnam's laws that fail to meet international standards set by the ICCPR.¹⁵ At least 70 Montagnards are currently serving prison sentences, with many more under post-release probationary restrictions (see below).¹⁶ Most have been convicted on national security charges that criminalize peaceful religious and political activities, such as Criminal Code Article 116 (formerly 87), “undermining the unity policy”, or Article 331, “abusing democratic freedoms”.

After serving their sentences, Montagnard prisoners of conscience are subjected to additional punishment and placed under conditional release (*quản chế*) for up to five years under Article 122 of Vietnam's 2015 Criminal Code. During this time, they are placed under mandatory supervision and “education” by local authorities, subjected to intrusive surveillance and frequent police interrogation, and forbidden from freely leaving their homes. They risk being re-imprisoned if authorities determine they have

¹⁵ “Montagnard Christians in Vietnam: A Case Study in Religious Repression,” Human Rights Watch, March 30, 2011.

¹⁶ “Defend the Defenders’ Latest Statistics” Vietnam Holds 258 Prisoners of Conscience,” January 10, 2024, <https://tinyurl.com/mryyvs7s> ; “Montagnard Prisoners of Conscience,” Campaign to Abolish Torture in Vietnam, February 2022, <https://tinyurl.com/ycxfnztg>

violated the conditions of their probation, which includes practicing their religion in independent or unregistered house churches.

UN Special Rapporteurs and the UN Working Group on Arbitrary Detention have sent numerous urgent appeals to the government of Vietnam raising serious concerns about the arbitrary detention and sentencing of Montagnards. The response from Vietnam has been to deny all allegations of wrongdoing, maintaining that its actions are justified under national law.¹⁷

Montagnards have long been overrepresented among Vietnam's prisoners of conscience. While they make up less than 2 percent of Vietnam's overall population, they have constituted 20 to 30 percent – or more – of the country's prisoners of conscience.¹⁸ Montagnards make up close to half of Vietnam's 57 religious prisoners of conscience currently listed on the website of the US Commission on International Religious Freedom (USCIRF).¹⁹ (Montagnards imprisoned for exercising other ICCPR-protected rights, such as peaceful assembly, expression, and association, are less likely to be included in USCIRF's victim lists, which focus on prisoners primarily detained for their faith and beliefs.)

¹⁷ For a listing of UN Special Procedures Communications with the Government of Vietnam, see: <https://dvov.org/special-procedures/>

¹⁸ Defend the Defenders' 2024 list of prisoners of conscience from Vietnam includes 66 Montagnards, or 25.6 percent of 258 prisoners of conscience. Of 57 religious prisoners of conscience from Vietnam currently listed on USCIRF's victims list, 27, or 47 percent are Montagnards. Amnesty International's 2019 list of prisoners of conscience in Vietnam includes 75 Montagnards, or 20 percent of a total of 128 prisoners. The NOW! Campaign's 2018 list of prisoners of conscience in Vietnam included 75 Montagnards, or 31 percent, of a total of 246 prisoners. Human Rights Watch's 2017 list of political prisoners in Vietnam includes 59 Montagnards, or 56 percent, of a total of 105 prisoners. See: "Defend the Defenders' Latest Statistics" Vietnam Holds 258 Prisoners of Conscience," January 10, 2024, <https://tinyurl.com/mryyvs7s>; "Frank R. Wolf Freedom of Religion or Belief Victims List," USCIRF, <https://www.uscifr.gov/victims-list/>; "Prisoners of Conscience in Viet Nam," Amnesty International, May 2019, <https://tinyurl.com/f6f3ey9p>; "Vietnam Holds 246 Prisoners of Conscience: Now! Campaign," October 2018, <https://tinyurl.com/mr24zum8>; "Vietnam: Release All Political Prisoners – Over 100 Behind Bars," Human Rights Watch, November 3, 2017, <https://tinyurl.com/ya6vxxtt>

¹⁹ "Frank R. Wolf Freedom of Religion or Belief Victims List," USCIRF, <https://www.uscifr.gov/victims-list/>

Montagnard Religious Prisoners of Conscience

Montagnards currently serving prison sentences for peacefully practicing their religion include people such as:



Ro Mah (Ro Man) Khó

Ro Mah Kho, born in 1988, is a recognized church leader from Sur B Village, Chu Puh, Gia Lai. In May 2023, he was arrested and sentenced to five years in prison for following Dao Blung Hlao, an independent Christian church. He is currently imprisoned in A2 Prison in Khanh Hoa province.



Siu Chon

Siu Chon, born in 1975, was arrested in December 2020 and sentenced to six years' imprisonment after a police crackdown on Dao Blung Hlao, an independent house church in Gia Lai. Authorities accused him of being in contact with a US-based pastor, whom they allege uses religion to support separatist activities in Vietnam.²⁰



Rah Lan Rah

Rah Lan Rah, born in 1977, was arrested in December 2020 and sentenced to six years' imprisonment after a police crackdown on Dao Blung Hlao, an independent house church in Gia Lai province. He was accused of being in touch via facebook with a US-based pastor who Vietnamese government officials allege is using religion as a cover for separatist activities.²¹ He is currently imprisoned in Xuan Phuoc Prison in Phu Yen province.



Y Pum Bya

Y Pum Bya was arrested in Dak Lak province in 2018 and sentenced to 14 years' imprisonment after requesting to register independent house churches for religious activities. During police interrogation, he was flogged with a leather belt and kicked in the face, causing a serious head injury, and forced to sign a pledge to abandon his faith. He was previously arrested and imprisoned for eight years at Ha Nam Prison.²²

²⁰ "Siu Chon: Religious Prisoners of Conscience," US Commission for International Religious Freedom, <https://www.uscifr.gov/religious-prisoners-conscience/forb-victims-database/siu-chon>

²¹ "Rah Lan Rah: Religious Prisoners of Conscience," US Commission for International Religious Freedom, <https://www.uscifr.gov/religious-prisoners-conscience/forb-victims-database/rah-lan-rah>

²² "Global Campaign to Free Y Pum Bya," Campaign to Abolish Torture in Vietnam, <http://www.stoptorture-vn.org/global-campaign-to-free-y-pum-bya-889285-987764-886635-135722-102600.html>

D. Protections of the Right to Life (Article 6) and Prohibiting Torture (Article 7)

Of hundreds of Montagnard former detainees and prisoners of conscience interviewed by Human Rights Watch since 2001, the vast majority have been subjected to torture and ill-treatment by police.²³ Montagnards interviewed by Amnesty International experienced beatings, daily torture sessions, incommunicado detention, enforced disappearances, and solitary confinement following their arrest.²⁴

Between 2001 and 2011, at least 25 Montagnards died in prisons, jails, or police lock-ups due to harsh treatment, beatings, or torture sustained while in custody or after release by prison authorities to a hospital or home.²⁵ (See Annex 1 for a partial listing of deaths of Montagnards in custody.) Unexplained, unlawful, and unpunished deaths in custody clearly violate the protection of the right to life provided in ICCPR Article 6, which prohibits arbitrary deprivation of life and emphasizes state responsibility in preventing unlawful killings and ensuring justice.

Y Ngun Knul: Deadly Toll of Long-Term Imprisonment

One of many Montagnards who died because of torture and mistreatment in prison is Y Ngun Knul. He was arrested in April 2004 for organizing peaceful protests for religious freedom and land rights in the Central Highlands. During interrogation and pre-trial detention, police severely beat him and shocked him with electricity. In January 2005, the Dak Lak People's Court sentenced him to 18 years' imprisonment for "undermining national unity", one of the longest sentences meted out to Montagnards since 2001.

During his imprisonment, he was transferred to prisons more than 700 miles from his home. This



Y Ngun Knul in August 2022, four months before his death.

²³ "Repression of Montagnards: Conflicts Over Land and Religion in Vietnam's Central Highlands," Human Rights Watch, 2002; "Vietnam: New Evidence of Torture, Mass Arrests of Montagnards," Human Rights Watch, January 10, 2005; "Montagnard Christians in Vietnam: A Case Study in Religious Repression," Human Rights Watch, March 30, 2011; "Persecuting 'Evil Way' Religion: Abuses against Montagnards in Vietnam," Human Rights Watch, 2015.

²⁴ Amnesty International, "Prisons within prisons: Torture and ill-treatment of prisoners of conscience in Viet Nam," July 12, 2017.

²⁵ "Montagnard Christians in Vietnam: A Case Study in Religious Repression," Human Rights Watch, March 30, 2011.

made it difficult for his family to visit and provide food, medicine and other supplies critically needed by prisoners in Vietnam. At Prison No. 6 in Nghe An province, Knul was beaten, shackled and placed in isolation for 15 days in a “discipline room” at least once, according to fellow prisoner Nguyen Van Hai. In 2021, UN Special Rapporteurs on human rights and the Working Group on Arbitrary Detention raised serious concerns about Ngun Knul’s long term detention and deteriorating health.²⁶

On February 28, 2020, Knul was released from prison in failing health and placed under an additional four years of house arrest. In an interview one week after his release, Knul described how his health had deteriorated during his years in prison: “I have kidney failure and high blood pressure and had a gastrointestinal hemorrhage. Now I can eat only a bowl of rice per day because I have stomach problems that make it hard to breathe. My feet are swelling too, making it hard for me to move. I would like to go to a hospital for treatment, but I have no money now.” In October 2022, Y Ngun Knul died at home the age of 54.²⁷

E. Prohibitions against Discrimination (Article 2)

Although the ICCPR and Vietnam’s Constitution formally prohibit all forms of discrimination on ethnic grounds, longstanding societal discrimination against Montagnards continues to be manifested from the national to the provincial level, according to UN and international rights experts and the U.S. State Department.²⁸

Indigenous peoples and ethnic and religious minorities – particularly those who have converted to Christianity – face discrimination in access to education and jobs and have fewer economic opportunities.²⁹ As mentioned in Section B, above, Montagnard Christians are doubly discriminated against owing to both ethnicity and religion, according to the Unrepresented Nations and Peoples Organization (UNPO):

“Under the auspices of protecting national security, unity, and solidarity, the Vietnamese government has persistently employed policies of discrimination and repression against indigenous and minority groups. These communities face discrimination both due to their religion and ethnicity. The Vietnamese government discriminates against these groups by denying their right to religion, education, and language, and violently suppresses peaceful protests and gatherings. Minority and

²⁶ “Viet Nam: “Utmost Concern” at Widespread Long-Term Detention of Human Rights Defenders,” IN Special Rapporteur on Human Rights Defenders, February 2022.

²⁷ “Vietnamese Montagnard Ends Prison Term, Goes Home in Failing Health,” RFA, March 7, 2020.

²⁸ U.S. Department of State, “Vietnam 2017 Human Rights Report,” <https://www.state.gov/documents/organization/277375.pdf>

²⁹ Christian Solidarity Worldwide (CSW), written submission to Asylum Research Center, “Vietnam Query Response: The treatment of ethnic minority groups in Vietnam: Hmongs and Montagnards,” July 19, 2017, <https://www.refworld.org/reference/countryrep/arcon/2017/en/117687>

indigenous activists are often censored, arbitrarily arrested and subjected to unfair trials.”³⁰

Montagnard Christians are targeted for harassment and discrimination by the Vietnamese government “because of their faith, ethnicity, advocacy for democracy, human rights, or religious freedom, historic ties to the West, or desire to remain independent of Communist government control,” according to the US Commission on International Religious Freedom.³¹

IV. Recommendations to the UN Human Rights Committee

1. Urge Vietnam to recognize the Montagnards as Indigenous peoples, consistent with Article 1 of the ICCPR and the UN Declaration on the Rights of Indigenous peoples.
2. Call on Vietnam to respect the right of Montagnards to self-determination, ensuring their participation in decisions about land, education, and cultural preservation.
3. Insist that Vietnam end the practice of arbitrary arrests, detention and imprisonment of peaceful dissidents and independent religious believers under laws that fail to conform to the ICCPR and other international standards.
4. Call on Vietnam to repeal articles in its 2015 Criminal Code and other domestic legislation that criminalize the exercise of civil and political rights on the grounds that they violate or threaten national security, public order, and/or national unity. Vietnam should ensure that all domestic legislation addressing religious affairs and freedom of assembly, expression and association are brought into conformity with the ICCPR.
5. Insist that Vietnam ensure that all detained suspects and prisoners are treated in accordance with the ICCPR and are not subjected to torture and other forms of cruel, inhuman, and degrading treatment. Vietnam should investigate and punish those responsible for all instances of violence, torture and extrajudicial killings of Montagnard religious believers and peaceful dissidents by law enforcement and security officials, and civilians acting in concert with government officials. Vietnam should allow international monitoring to prevent torture and mistreatment of prisoners.

³⁰ Unrepresented Nations and Peoples Organization (UNPO), “Alternative Report submitted to the UN Committee on the Economic, Social and Cultural Rights for the consideration of the Combined Second to Fourth Reports of the Socialist Republic of Viet Nam during the 53rd Pre-Sessional Working Group,” March 2014, http://www.ecoi.net/file_upload/1930_1396516552_int-cescr-ngo-vnm-16883-e.docx

³¹ USCIRF, “Vietnam Chapter – 2018 Annual Report,” http://www.uscifr.gov/sites/default/files/Tier1_VIETNAM.pdf

6. Demand that Vietnam immediately and unconditionally release all Montagnards detained, imprisoned, or placed under house arrest for peaceful assembly, association, religious beliefs or practice, political views, or asserting their rights to ancestral lands.

7. Insist that Vietnam allow all independent religious organizations to freely conduct religious activities and govern themselves, without government reprisals and interference. Churches, denominations and religious groups that do not choose to join one of the officially authorized religious organizations with government-approved governing boards should be allowed to operate independently. Vietnam should abolish registration requirements that restrict independent religious practice and gatherings of religious groups not registered with the government.

8. Require Vietnam to bring an end to the practice of forced recantations of faith. Enforce provisions in domestic legislation that prohibit forced renunciation of faith and coercion to join government-controlled churches and establish specific penalties for those who carry out such practices.

9. Insist that Vietnam stop engaging in transnational repression targeting Montagnard human rights and religious freedom activists living outside Vietnam to suppress, silence and intimidate them, in violation of core rights provided by the ICCPR.

10. Encourage Vietnam to invite UN Human Rights Council Special Procedures to visit the country and ensure access to Montagnard communities, including the Special Rapporteur on Freedom of Religion or Belief, the Special Rapporteur on the rights of Indigenous peoples, the Working Group on Arbitrary Detention, and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

V. Suggested Questions for the Committee to Ask Vietnam

- Why does Vietnam continue to deny the Montagnards' status as Indigenous peoples despite their long-standing presence and distinct culture?
- What steps has Vietnam taken to uphold the right to self-determination for Indigenous communities under Article 1 of the ICCPR?
- Why are unregistered Montagnard churches denied legal recognition and subject to harassment?
- Will Vietnam commit to ending the practice of forcing members of independent Montagnard churches to sign pledges agreeing to renounce their churches and join state-controlled religious organizations?
- What justifies the arbitrary detention and imprisonment of Montagnards for peacefully practicing their religion, gathering in independent house churches, or celebrating religious holidays?

- How does Vietnam plan to ensure that the right to life is upheld for peaceful Montagnard activists and religious freedom defenders, particularly those arbitrarily arrested, imprisoned, and tortured to the point that some die while in prison, or after their release, due to physical and psychological mistreatment and torture in detention?

Annex 1: Montagnard Deaths as a Result of Torture in Custody

These are the names of some of the Montagnards whose arrest and imprisonment for peaceful religious activities led to their untimely deaths. Some were pastors or leaders in their churches, while others were lay followers. Some died while in prison, others after their release—due to poisoning, torture, denial of proper medical care, forced labor, internal injuries caused by beatings, or other long-term abuse at the hands of authorities. We believe that some of the deaths were caused by police and prison staff administering poisoned food or unknown medications to detainees.

Some of Those Who Died

Kpa Jung

Born 1956, Pa Pet village, Bo Ngoong commune, Chu Se district, Gia Lai.

Arrested: May 2012

Died: October 9, 2013 in prison at age 57 from serious injuries during torture by police while in detention, including a cracked skull.

Kpa Nguyen

Born 1983, Pheo village, Bo Ngoong commune, Chu Se district, Gia Lai.

Arrested: November 2006

Sentence: 3.5 years

Died: November 2008 in prison at age 25 from beatings and torture. Prison authorities refused to release his body to his family.

Kpuih Bo

Born 1942, Ploi Tai Per village, Ia Hla commune, Chu Puh district, Gia Lai.

Arrested: April 24, 2010

Sentence: 9 or 10 years

Died: July 1, 2018 at age 76 on the day of his early release from Ha Nam Prison for health reasons after being severely beaten and tortured by police.

Rahlan Gol

Born 1960, Ho bua village, Chu Pong commune, Chu Se district, Gia Lai.

Arrested: December 2, 2005

Died: December 7, 2010 at age 50 in Thanh Hoa Prison from police beatings that left him with broken ribs and a fractured skull. When his family retrieved his remains, they discovered a gash in his skull and missing teeth.

Rmah Plun

Born 1975, Ploi Sur village, Ia Hla commune, Chu Puh district, Gia Lai.

Arrested: May 2005

Released: June 2005

Died: September 2006 at age 30 as a result of beatings by police during detention at the Gia Lai Provincial Prison.

Siu Blok

Born May 15, 1953, Breng village, Ia Der commune, Ia Grai district, Gia Lai.

Arrested: June 2006

Sentence: 5 years

Died: January 10, 2007 in prison at age 54, possibly by being poisoned.

Siu Bop

Born 1961, Ploi Sur village, Ia Ko commune, Chu Se district, Gia Lai.

Arrested: September 14, 2004

Sentence: 7 years

Released: August 13, 2011

Died: August 2013 at age 52 after release from Ha Nam Prison due to broken ribs, crushed chest and other injuries sustained during police interrogation and detention.

Y Ngun Knul

Born 1968, Buon Cuoi Krang, Krong Ana, Dak Lak.

Arrested: April 29, 2004

Sentence: 18 years

Released: February 28, 2020

Died: October 2022 at age 54 after release from Prison No. 6 in Nghe An province from the impact of 16 years of beatings, torture, forced labor and lack of medical care during his imprisonment.