



ALTERNATIVE REPORT
to the UN Committee on the Elimination of All Forms of Racial Discrimination
in addition to the Government of Vietnam periodic reports



Race-based Discrimination against H'mong in Vietnam

August 2023

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Alternative Report to CERD - BPSOS 2023

Prepared by:

Boat People SOS (BPSOS)
6066 Leesburg Pike, Suite 100
Falls Church, VA 22041, USA
(703) 538-2190
Email: info@bpsos.org
Website: <https://www.bpsos.org/>

In association with:

H'mong for Human Rights
Bangkok, Thailand
Email: hmonghrc@gmail.com
Website: <https://hmonghrc.org>

Key contacts:

Nguyen Dinh Thang, PhD
CEO & President BPSOS
Falls Church, VA, USA
Email: Thang.Nguyen@bpsos.org

Percy Nguyen
Bangkok, Thailand
Email: percy@vncrp.org

Vàng Seo Giả
Bangkok, Thailand
Email: Rataweevang@gmail.com

Compiled by Percy Nguyen with contributions from H'mong for Human Rights

Table of contents

1. Introduction

2. Background

3. Freedom of thought, conscience, and religion

3.1. Forced renunciation of Christianity toward H'mong Protestants in Northern Vietnam

3.1.1. Report of CVM's group

3.1.2. Report of three Protestant sisters from Kỳ Sơn District, Nghệ An Province

3.1.3. Report on Mrs. L in Kỳ Sơn District, Nghệ An Province

3.1.4. Report on V in Kỳ Sơn District, Nghệ An Province

3.1.5. Report on X from Kỳ Sơn District

3.1.6. Report on V in Kỳ Sơn District, Nghệ An Province

3.2. Pastor Lê Văn Cao, punished for refusing to join EVCN-South

3.3. Repression toward Dương Văn Minh Sect

3.4. Confiscating children's birth certificates to force a parent to renounce her faith

3.5. Reprisal against Lý A Chà for reporting violations

3.6. Lai Chau Police attacked Hmong Christians of the Church of the Loving God on Mount Zion

4. Violation of the CERD Convention

4.1. Violation of Article 2 (1)

4.2. Violation of Article 5

4.3. Violation of Article 5 (d) (i)

4.4. Violation of Article 5 (d) (vii)

4.5. Violation of Article 5 (d) (viii)

4.6. Violation of Article 6

5. Recommendations

5.1. Streamlining Religious Registration and Making it Optional

5.2. Upholding the Autonomy of Religious Choices

5.3. Prompt Investigations into Reported Incidents of Forced Renunciation of Faith

1. Introduction

This report is submitted in addition to the Government of Vietnam's 15th through 17th periodic reports, in advance of Vietnam's review by the Committee on the Elimination of Racial Discrimination (CERD) during the 111th session from 29 to 30 November 2023. This report highlights areas where Vietnam could improve its compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter referred to as "this Convention") and in respecting the rights of the H'mong ethnics in Vietnam. Specifically, this report focuses on the following Concluding Observation from the 2012 review:

16. (b) Provisions that appear to be discriminatory on both ethnic and religious grounds, including Articles 8 and 15 of the Ordinance on Belief and Religion (2004), which forbid religious activities deemed to "*violate national security*" and "*negatively affect the unity of the people or the nation's fine cultural traditions*";¹

The perpetuation of restrictive provisions from Articles 8 and 15 of the Ordinance on Belief and Religion (2004) into Article 5 – Prohibited Acts of the Law on Belief and Religion (2017) represents a deeply troubling pattern in the legislative landscape. This perpetuation, accompanied by the inclusion of nebulous and undefined terms such as "*national security*" and "*social morality*," has, regrettably, resulted in an alarming trajectory where governmental actions

¹ The Committee also takes note of other things including: the State party's assurance that the right to freedom of belief and religion of ethnic minorities is well protected under article 70 of the Constitution and other relevant laws and policies (arts. 2, 4 and 5 (a), (b) and (d)). The Committee is nevertheless concerned at:

- (a) Numerous and consistent reports of discrimination and restriction on religious practices faced by some Christian and Buddhist denominations among Khmer Krom, Degar (Montagnard) and Hmong, through legislation, registration requirements, surveillance and imprisonment;
- (c) The household registration system (*hộ khẩu*), which results in discrimination against ethnic minorities belonging to "unrecognized" religious groups in the fields of employment, social security, health services, education and the right to freedom of movement;
- (d) Incidents of violent attacks and threats against religious groups and activities, for example, the alleged attacks against the Bat Nha monastery, referred to by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/HRC/15/53, para. 10).

17. The Committee is concerned at: (a) persistent reports of arrests and arbitrary detention of minority groups for activities that constitute their peaceful practice of religion and freedom of expression, and of their ill-treatment in custody, including cases taken up by several special procedures mandate holders (see, for example, A/HRC/16/52/Add.1, para. 249); (b) the lack of effective investigation into those allegations; and (c) the lack of effective remedies provided for victims. In that regard, the Committee notes with concern some legal documents, inter alia, Ordinance No. 44 on regulating administrative justice, which authorizes suspected "national security" offenders to be placed under administrative detention for up to two years without trial, Decree 38/2005/ND-CP on public order, which prohibits demonstrations outside State agencies and public buildings, and Circular 09/2005/TT-BCA, which prohibits gatherings of more than five people without State permission (arts. 2 and 5 (b), (d)).

encroach upon individual freedoms, especially the enforced relinquishment of Christianity and justified the compelled reversion to traditional H'mong beliefs. This distressing phenomenon contradicts the principles enshrined within the Convention.

Article 5. Prohibited acts

- 1. Discriminating and stigmatizing people for beliefs or religions.*
- 2. Forcing others to follow or not to follow, bribing others into following or not following, or hindering others in following or not following a belief or religion.*
- 3. Profaning a belief or religion.*
- 4. Carrying out belief and religious activities to:*
 - a/ Infringe upon national defense, security and sovereignty, social order and safety and the environment;*
 - b/ Violate social morality; infringe upon the body, health, life, health and property and hurt the honor and dignity of others;*
 - c/ Obstruct the exercise of civic rights and performance of civic obligations;*
 - d/ Divide nationalities; divide religions; divide people who follow a belief or a religion from people who do not, and people who follow different beliefs or religions.*
- 5. Abusing belief and religious activities for self-seeking purposes.*

2. Background

The H'mong population in Vietnam, a historically marginalised indigenous ethnic minority, stands at approximately 1.3 million, making up around 1.3% of the country's total population². The H'mong reside primarily in the highlands of northern Vietnam, particularly in the provinces of Ha Giang, Lao Cai, and Lai Chau and, more recently, in certain areas in the Central Highland of Vietnam.

Even though Vietnam has been a party to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) since 1982, government authorities at different levels

² Tổng cục Thống kê. “Population and Household Census – General Statistics Office of Vietnam.” *Tổng cục Thống kê*, <https://www.gso.gov.vn/en/category/population-and-houses-census/>. Accessed 24 July 2023.

have continuously violated the Convention's key provisions and failed to address many of the Committee's concerns.

This Alternative Report also highlights the Vietnamese government's use of intimidation and reprisal against those who report violations to UN mandate holders, thus making it harder for the CERD Committee to accurately and comprehensively assess the real situation inside Vietnam.

3. Freedom of thought, conscience, and religion

The H'mong, especially H'mong Christians, face “double discrimination”³ stemming from both their ethnic identity and religious practices. This part critically highlights the shortcomings of the Vietnamese government in upholding Article 5 of the Convention and aligning with Concluding Observation No. 16 from the CERD Committee in 2012.

Evidence presented contradicts the rosy picture painted in the periodic report numbered CERD/C/VNM/15-17 submitted by Vietnam in 2021, page 18, where the government asserted that:

“[...]ethnic minority groups are entitled to fully enjoy the right to freedom of belief and religion as stipulated in various legal documents on belief and religion.”

Not only has the State party failed to safeguard the rights of these ethnic minorities, according to CERD, but it has also blatantly violated Article 70 of the 1992 Constitution and Article 24 of the 2013 Constitution. While the Vietnamese government took a commendable step by introducing the “Law on Belief and Religion 2017,” effective from 1 January 2018, this law retains the critical flaws of the Ordinance on Belief and Religion 2004 that the Committee raised concerns over in its 2012 review of Vietnam:

“[16.a] Numerous and consistent reports of discrimination and restriction on religious practices faced by some Christian and Buddhist denominations among Khmer Krom, Degar (Montagnard) and Hmong, through legislation, registration requirements, surveillance and imprisonment...”

³ The term “double discrimination” is explained in General Recommendation No. 32 (2009) “The meaning and scope of special measures in the International Convention on the Elimination of All Forms [of] Racial Discrimination” available at: <https://www.refworld.org/docid/4adc30382.html>

Instead of upholding the freedom of belief, this law and its subsequent 162/2017/NĐ-CP Decree have shifted into the territory of prohibitions and restrictions. This misguided approach has birthed a slew of inconsistencies in how the law is applied across various regions.

Thus, these loopholes have provided room for local authorities to violate the rights of ethnic minorities practically with impunity.

3.1. Forced renunciation of Christianity toward H'mong Protestants in Northern Vietnam

The Vietnamese Government intends to misrepresent “True Religious Freedom”. In its 2021 report to CERD (referenced under paragraph 73, page 13), the Government of Vietnam notably stated:

“ In the Northern mountainous region, there are some 250,000 Protestant believers (95% of them are ethnic people, mainly from Hmong ethnic group), who are joining in religious activities in 14 branches and more than 1.600 groups. In this connection, the local authorities have granted certificates of registration of collective religious activities for more than 900 groups.”

The statistics cited by the government predominantly include the religious organisations that are, in essence, extensions of or submissive to the state apparatus. Such organisations, while numerically significant, are used strategically as instruments to execute or to cover up repression against independent-minded religious communities. In other words, these are not true embodiments of the religious freedom the government purports to support.

The churches operating under government control have enjoyed greater latitude under the “Law on Belief and Religion 2017,” but progress toward religious freedom cannot be measured by the number of religious organisations controlled by the government.

Drawing parallels with practices in China, the Vietnamese government has developed a *modus operandi* of proscribing authentic churches, only to replace them with government-created or government-controlled proxies. The latter are “hybrid” religious organisations – they consist of people who genuinely want to practice their religion and believe that operating within the strictly

controlled government system while making essential compromises with the government is the best or only way to do this.

The Evangelical Church of Vietnam–North (EVCN-North) and its southern counterpart, EVCN-South, stand as notable examples of these "hybrid" organisations. The recent revelations by BPSOS, which submitted a staggering 12 reports highlighting the persecution of H'mongs, cast a long shadow on ECVN-North's commitments to its own members. The reports repeatedly indicate an alarming pattern: ECVN-North turned a blind eye or offered only nominal support to its vulnerable H'mong adherents.

3.1.1. Report of CVM's group

CVM's group of H'mong Christian believers, all members of ECVN-North, was denounced, humiliated, and assaulted by government employees and H'mong villagers. M and his father-in-law were beaten by villagers with support from local authorities until they were hospitalised. Soon afterwards, another member of this group, a 72-year-old H'mong Christian, Ms Đ, was threatened by local villagers who threw rocks at her house late at night (several landed on her bed, any of which could have maimed or killed her). The local authorities also unlawfully tried to fine the group for their Sunday service.

3.1.2. Report of three Protestant sisters from Kỳ Sơn District, Nghệ An Province



Mrs. Lâu Y Tòng in Bangkok Thailand



*Mrs. Lầu Y Lý (aka Mai Linh) and Mrs. Lầu Y Hua with their infants on the way to seek
refugee protection in Thailand*

Mrs. Lầu Y Tòng were banished from their village and had to leave family members and children behind.

In early 2022, Lầu Y Tòng left EVCN-North after being forced to pledge to recant Protestantism but did not receive any intervention from this government-approved church. After she refused to abandon God, her father-in-law immediately wrote a divorce application and asked Tòng’s husband, who was working in Japan at the time, to send home his signature. Her father-in-law then forced Lầu Y Tòng to sign the divorce application that was written in Vietnamese. She was compelled to sign it out of fear without understanding its content because she couldn’t read Vietnamese. It turned out that, by signing it, she agreed to “willingly” leave her village while letting her husband keep her cash, motorbike, their jointly owned land and cattle, and her two children, aged 17 and 13.

In July 2022, Lầu Y Tòng went to Saigon (Ho Chi Minh City) to find a temporary place to live. She still received intimidating calls from her husband in Japan, and the police in her hometown announced that they would arrest her if she returned to Nghệ An Province. On February 2023, after being threatened by her own husband and in-laws that they would track her down to kill her

“for the crime of betraying the family, humiliating the family, affecting the work of the father-in-law [who was a government employee],” Lầu Y Tồng fled to Thailand and sought UNHCR protection.

In early 2023, Tồng’s two younger sisters, Lầu Y Lý (Mai Linh) and Lầu Y Hua, were beaten by their in-laws as they resisted the local government’s order to renounce Christianity. Both converted to Christianity in January 2018 but concealed their religious faith until the authorities found out earlier this year. Threatened by government authorities, beaten by their in-laws and receiving no intervention or support from their Church, ECVN-North, they secretly left their respective homes at night, each with her own infant.

Besides the infant she brought along, Lầu Y Lý left behind her two children, seven and ten years old. In early August 2023, they left for Thailand. Note that the local government had in March 2023 punished Lầu Y Hua by not allowing her newborn daughter to have the same surname as the father, according to the traditional H’mong customs. On August 20, 2023, Ms. Lý shared the stories of her, her sister Hua and her sister Tồng with UN Special Rapporteur on FORB Nazila Ghanea at a virtual conference hosted by BPSOS to mark the International Day Commemorating Victims of Acts of Violence Based on Religion or Belief.

Link to the reports:

- https://drive.google.com/drive/folders/1kqFPpu7mwIR7FMfqYCHd1yLbwKdmDD4c?usp=drive_link

3.1.3. Report on Mrs. L in Kỳ Sơn District, Nghệ An Province

Mrs. L converted to Protestantism in 2012, and since then, she has been summoned several times by the local government about her religion. In 2019, she decided to register with ECVN-North officially. According to the Law on Belief and Religion of 2016, Article 16 – Conditions for registration of group religious practice, “*An organisation with a religious activity registration certificate shall register group religious practice for its members*”. ECVN-North did not comply with this regulation – it gave all the documents to Mrs. L and told her to do it on her own. When Mrs L tried to submit the registration application to the local government, its officials threatened to imprison her for registering as a Protestant. She was threatened by the villagers with rape and

exile from the village if she did not renounce her religion. The officials also tried to force her husband to divorce and beat her, but he disagreed and was warned that he could lose his job as a primary school teacher.

3.1.4. Report on V in Kỳ Sơn District, Nghệ An Province

In July 2022, V converted to Christianity as a member of ECVN-North. In August 2022, as he and his other family members did not agree to renounce Protestantism, a police officer came to his house and choked his neck to scare him. Local government cadres confiscated all the cell phones in his family. V, his wife and his parents were put under house arrest until they agreed to sign a pledge to recant their faith. The government refused to issue the birth certificate of V's newborn daughter. In November 2022, V and his family fled to Thailand, leaving behind all their properties. In the same month, he attended the Southeast Asia Freedom of Religion or Belief Conference (SEAFORB) in Bali, Indonesia, to share his struggle and demand justice for his family.

3.1.5. Report on X from Kỳ Sơn District

X is the representative of a Protestant group with eleven believers in KD Village that in April 2022 was recognised as a subordinate of the ECVN-North. After the group was registered with the local government, a number of officials, police officers, and H'mong residents of KD Village denounced, assaulted, sexually harassed, and confiscated land and properties of these Protestants. For nearly two months, the police, local authorities, and villagers forced them to renounce Protestantism and return to traditional H'mong paganism. The government officials told villagers to vote to punish this group of Protestants by confiscating all the land and properties of an innocent Protestant family to set an example for others. In June 2022, a group of 50 people, including local government officials, police, and villagers, came to X's house and declared that they were about to confiscate his land in the public interest. The group threatened to beat him until death if his family dared to enter their own property again. When all the men of the family were outside talking with the police, some of the perpetrators sexually harassed X's younger sister. Perpetrators also destroyed some of the victims' properties.

3.1.6. Report on V in Kỳ Sơn District, Nghệ An Province

V and family members in P Village, Kỳ Sơn District, Nghệ An Province were converted to Christianity in April 2022. Similar to the above-mentioned cases, they were interrogated by the local authority. He was stripped of his rice field, buffalo and pig after refusing to recant Protestantism. The government put yellow tape around the seized rice field, and villagers harvested all his rice. Some villagers threw rocks at his house, endangering the occupants' lives.

The local government in KD Village and P Village denounced V and his friend X, who also converted at the same time, and their family members for protesting being targeted by government officials and villagers. Some villagers even wrote to the Ministry of Public Security (MPS) requesting punishment of Christians in the village. The victims also wrote to MPS to request intervention. In spite of the Law on Belief and Religion, which prohibits forced conversion, MPS did not take action against these violations.

3.2. Pastor Lê Văn Cao, punished for refusing to join EVCN-South



Picture of Pastor Lê Văn Cao with his parishioners

In 2011, Lê Văn Cao and 37 other Christians in Ea Sup District, Đắk Lắk Province, congregated to create a local parish and embrace the teachings of Protestantism. Their efforts gained recognition from the Vietnam Baptist Convention in 2013; in 2022, Cao was ordained as a pastor. However, the group faced a setback when they attempted to register their parish with the local government. The authorities demanded that they register under ECVN-South (aka the General Confederation of Southern Evangelical Churches), an organisation under government control. He refused.

From 2011 to 2023, the local government frequently summoned Pastor Cao to question his religion and the parish's work. On 21 February 2023, Pastor Cao attempted to appeal to the U.S. Government for assistance in gaining recognition for his Protestant parish. He arranged to meet with a delegation led by Rustum Nyquist, Political Officer at the U.S. Consulate General in HCM City, at the restaurant in Buon Ma Thuot City. However, upon arriving at the restaurant, he was stopped by police and prevented from meeting the delegation. Ultimately he had to go home.

Upon arriving home, Pastor Cao was met by police officers who proceeded to inquire about his plans, including where he had intended to go and with whom he would meet. Seven police officers guarded Pastor Cao's house all day and night to make sure he could not get out of his house during Mr. Nyquist's visit to the Central Highlands.

On 23 March 2023, Pastor Cao and Mr GMM, a resident of Subdivision 179, met with Mr. Nyquist, the political officer from the US Consulate General. Pastor Cao shared the struggles of his Protestant Parish and talked about the plight of Mrs. L, the wife of an American citizen who was facing persecution from the Vietnamese Authority [See 3.4] . Pastor Cao gave her and her four children, evicted from their home in Kỳ Sơn District, Nghệ An Province, temporary refuge at his family's residence.

For the next seven days, Pastor Cao faced harassment in the form of frequent phone calls from government authorities, who demanded that he report to the police in Đắk Lắk Province and provide information about his meeting with Mr Nyquist. Additionally, the police warned Pastor Cao that sharing information with American officials was a violation of Vietnamese law and that he could be arrested and imprisoned.

On 31 March 2023, Pastor Cao received information from a friend who worked in the provincial government that the police were planning to arrest him within 24 hours. Fearing for his safety, he made the decision to go into hiding with his family. For four days Pastor Cao and his family hid in a coffee field located on a nearby hill. On April 04, 2023, Pastor Cao made the difficult decision to flee Vietnam – he was concerned that he might face arrest and imprisonment, which would also endanger his family members. Pastor Cao, along with his family, including his mother, his wife, and three children, fled to Cambodia and then Thailand, where they sought asylum with the United Nations High Commissioner for Refugees (UNHCR).

3.3. Repression toward Dương Văn Minh Sect



Tuyên Quang Province's police, disguising as medical personnel, attacked mourners during the funeral of Mr. Dương Văn Minh. Hmong adherents tried to stop the riot police squad from entering Mr. Minh's house.

The Dương Văn Minh Sect follows a new system of beliefs promoted by its founder Dương Văn Minh, and adopted by some H'mong ethnic groups, mostly in four Northeastern provinces of Vietnam: Cao Bằng, Bắc Kạn, Tuyên Quang and Thái Nguyên. The Dương Văn Minh Sect teaches H'mong to reform their costly and unhygienic funeral practices, and to give up the cult of spirits, yet the government accused this faith of superstition. Mr Dương Văn Minh taught them to put a deceased person in a coffin and leave it in their house for no more than a day before burial. Yet the government forces them to resurrect the Hmong "tradition" of suspending the dead for seven days and seven nights at home and slaughtering farm animals to offer to the deceased and other supernatural beings during the funeral. The impoverished Hmong could not afford this. The founder taught believers to make simple funeral accessories that can be shared among villagers, and build storage sheds to store them⁴.

Since this sect is not recognised as a "legal organisation", the Vietnamese government openly orders its eradication⁵. Its founder, Mr. Dương Văn Minh, died on December 11, 2021. At his

⁴ Read more at: VETO, Vietnam Suppression of religious freedom among ethnic minorities The 25-year persecution of the Hmong's Duong Van Minh religion. Access on 23 August 2023. https://dvov.org/wp-content/uploads/2014/07/140430_vn_suppressionduongvanminhreligion-veto_report_to_srrfen.pdf

⁵ Read more about the Dương Văn Minh Sect at "Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt - Mission to Viet Nam (21 to 31 July 2014)." documents-dds-ny.un.org, 30 January 2015,

funeral, a large group (more than 200 people) of police, militia, riot police, government officials, and self-proclaimed medical personnel came to the house of Mr. Dương Văn Minh to “examine” how the believers complied with Covid 19 prevention guidelines, but later on, the authorities in Tuyên Quang Province, including a large group of police, militia, riot police government officials, and self-proclaimed medical personnel violently attacked citizens with gas and detained at least 56 members of the sect. In May 2022, Authorities in Tuyen Quang province sanctioned 15 H'mong followers of Duong Van Minh Sect with a total of more than 38 years in prison and a fine of VND 285 million (11,854 USD) for the charge of "resisting public officials" and "violating safety in the crowded area".

On Sunday, June 12, 2022, a group of about 60 Duong Van Minh adherents was intercepted by the district police in Nà Pháo Village, Vĩnh Quang Commune, Bảo Lâm District, Cao Bằng Province on the way to attend Sunday service. The police claimed the gathering of the adherents was illegal and ordered them to disperse. When the adherents refused to obey, the police came and destroyed religious effigies in their funeral storage shed in the name of anti-superstitious policy and forced the group to sign papers to recant their belief.

See the full report at:

- https://drive.google.com/file/d/1ft1AFBqr5MgKzvs8bWQyHge9vXfITK6A/view?usp=s_haring

3.4. Confiscating children’s birth certificates to force a parent to renounce her faith

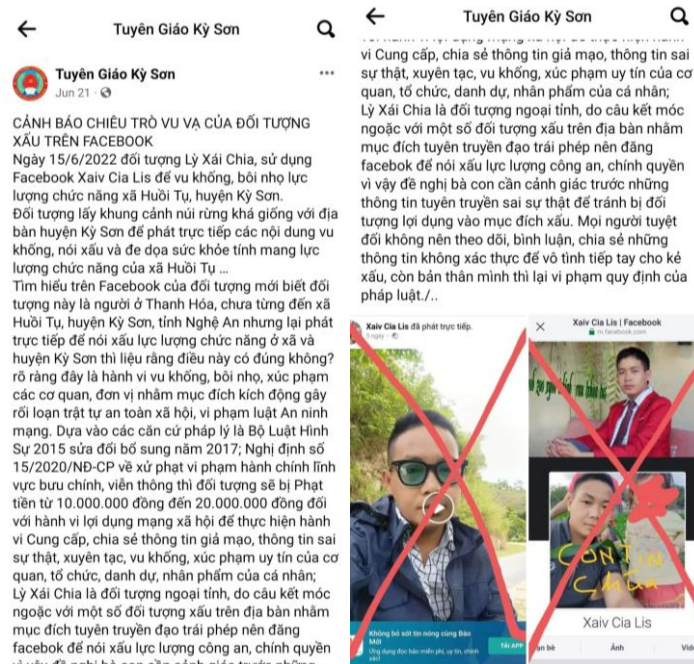
Mrs. L raises her four children alone while waiting for her husband, KV, a U.S. citizen, to complete the immigration sponsorship needed for them to join him in the United States. In September 2022, discovering that she and her husband were Christians, the local police confiscated her children’s birth certificates to derail her emigration process. The local government confiscated all of her and her children’s personal documents and threatened to banish them from the village while blocking their emigration. She appealed for intervention from her church, ECVN-North, with the help of Lý A Chà (see 3.5) but received no support. Mrs. L

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/014/16/PDF/G1501416.pdf?OpenElement>. Accessed 7 August 2023.

took her four children into hiding. Under the present circumstances, it is difficult for her husband in the United States to proceed with applying for immigrant visas for her and their four children.

In early 2023, Mrs L and her children fled to Đắk Lắk Province to stay at the home of Pastor Lê Văn Cao, the leader of an unregistered parish [See 3.2]. When, in April 2023, Pastor Cao fled to Thailand to seek refugee protection, Mrs. L and her children had to find another place of refuge.

3.5. Reprisal against Lý A Chà for reporting violations



The Facebook post of the Propaganda Committee of the Vietnamese Communist Party of Kỳ Sơn District defaming Mr. Lý A Chà

The Vietnamese Government has a long history of intimidation and reprisal against those who report violations to the UN and other international organisations ⁶. Lý A Chà is a case in point.

Lý A Chà, a H'mong Christian who provided information on religious persecution to BPSOS in May and June 2022, which largely contributed to exposing incidents of forced renunciation of faith, was interrogated by the government many times. He was forced to falsely admit that he had fabricated the news to misrepresent government policies. After several instances of interrogation

⁶ See the 2022 UN Secretary General's Annual Report on Intimidation and Reprisals. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/487/13/PDF/G2248713.pdf?OpenElement>

and threats from the local authority, Lý A Chà fled to Thailand in July 2022. In Thailand, he continued to be targeted with threats on social media, and his family in Vietnam was visited many times by local public security officials.

Link to the report:

- https://dvov.org/wp-content/uploads/2022/09/Final-PROTH'mong_En-Ly-A-Cha-Vu-Ba-Mai-Van-Ho-Ky-Son-Events-2022-Jun-Jul.pdf

3.6. Lai Chau Police attacked Hmong Christians of the Church of the Loving God on Mount Zion.



Vàng Thị Máy was hospitalised after the violent act by police officers in Lai Chau on August 27, 2023

The Church of the Loving God on Mount Zion is a house church established in 2017 and whose membership in northern Vietnam and the Central Highlands with a total number adherents close to 800 members from 140 families. Twenty-three worship groups meet weekly nationwide. This church is the affiliation of a Hmong Church in the US.

The August 27 2023 incident, the latest one of several, is the most egregious, where the Lai Châu Province government attacked over 80 adherents of 25 families, including disabled people, the elderly, children and women, and confiscated belongings of the adherents. The police forced them to sign or

fingerprint the renunciation letter. One woman, Vàng Thị Máy, was hospitalised after being beaten and handcuffed.

Link to the report:

- https://drive.google.com/drive/folders/15THmJPfG7rLx07G7rb_3C3bk3xFBplu?usp=drive_link

4. Violation of the CERD Convention

4.1. Violation of Article 2 (1)

This section mandates that states condemn racial discrimination and pursue policies to eliminate it in all its forms. The direct actions and orders of the Vietnamese government towards the eradication of certain faith and religious congregations, such as the Dương Văn Minh Sect, contravene this provision.

4.2. Violation of Article 5

This article ensures the right of everyone, without distinction as to race, color, or national or ethnic origin, to equality before the law. This includes the right to security of a person and protection by the state against violence or bodily harm. The various instances of forced conversion/renunciation of faith, persecution, harassment, threats and physical assault against H'mong Christians, particularly the followers of the Dương Văn Minh Sect and others, directly contravene this provision.

4.3. Violation of Article 5 (d) (i)

This section guarantees the right to freedom of movement and residence within the border of the state. The confiscation of personal documents to block emigration, as seen in the case of Ms L, and threats to banish individuals from their villages contravene this right.

4.4. Violation of Article 5 (d) (vii)

This section guarantees the right to freedom of thought, conscience, and religion. The government's forced conversion/renunciation of faith, persecution, intimidation, and threats towards various Christian sects and their followers, as well as the forced expulsion of those who refuse to abandon their faith, breach this provision.

4.5. Violation of Article 5 (d) (viii)

This section guarantees the right to freedom of opinion and expression. The forced confessions, such as Lý A Chà being coerced into falsely admitting to fabricating news and the confiscation of phones to prevent communication with UN mandate holders and foreign entities, directly contravene this provision.

4.6. Violation of Article 6

This article ensures that states must provide effective protection and remedies through the competent national tribunals and other state institutions against any acts of racial discrimination. The actions of local authorities, police, and militia in harassing and persecuting H'mong Christians in Nghe An Province or Đương Văn Minh Sect members in general as well as the lack of response by higher authorities or the Ministry of Public Security to prevent or stop such practice, violate this article.

5. Recommendations

5.1. Streamlining Religious Registration and Making it Optional

It is imperative for the Vietnamese Government to immediately promulgate clear and transparent guidelines facilitating the registration of independent religious groups, especially “*Article 16. Conditions for registration of collective religious activities*”. While this article does not specifically require groups of followers to register their activities or seek government's approval for as long as they do operate as a religious organisation, in practice, they are not allowed to

conduct religious activities unless such activities are registered with and approved by the government. Pastor Lê Van Cao's parish is a case in point.

5.2. Upholding the Autonomy of Religious Choices

We strongly urge the Vietnamese Government to unconditionally recognize and respect the inalienable rights of its citizens to freely affiliate with religious organizations of their choosing, regardless of whether such organizations are recognized by the government or not.

5.3. Prompt Investigations into Reported Incidents of Forced Renunciation of Faith

Reports of public security forces and government officials forcing Christian converts to renounce their faith, particularly within the Protestant community in Kỳ Sơn, Nghệ An Province, are deeply alarming. We request the Vietnamese government to conduct an immediate, comprehensive, and transparent investigation into these alleged incidents. Those found culpable should face stringent legal repercussions for violating not only international conventions and covenants that Vietnam is a state-party of but also Vietnam's 2013 Vietnam Constitution and 2017 Law on Religious and Belief.

5.4. Appeal to ECVN-South and ECVN-North to Provide Protection to Members, Report Violations, and Denounce Forced Conversion

In its policy to eradicate independent congregations of believers, the authorities either forced them to renounce their faith or to join a government-backed religious organization such as ECVN-South or ECVN-North. These two government-approved organizations have refrained from providing support and intervention to members who face intimidation and reprisals because of their faith, let alone reporting such incidents to higher-level government authorities or UN mandate holders. In many instances, these organizations even support the government's forced conversion policy by admitting individuals who were ordered to leave their house churches and join ECVN-South or ECVN-North. As a first step, these two organizations should issue a policy statement denouncing forced renunciation of faith as a matter of principle and refusing to admit anyone who only joins them as a result of duress or coercion.