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 Elimination of Racial Discrimination
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**80th Session of the Committee on the Elimination of Racial Discrimination (CERD)
 February 13-March 9, 2012**

**“Racial Discrimination and Ethnic Cleansing Policies perpetrated against the Montagnard
 Indigenous Peoples in the Central Highlands by the Government of Vietnam”**

-Report compiled by the Montagnard Human Rights Organization, USA

His Excellency Mr. Kemal and Members of the Committee:

We, the Montagnard Human Rights Organization, submit this report on behalf of the Montagnard Indigenous Peoples of Vietnam’s Central Highland and the 80th session of the UN Committee on the Elimination of Racial Discrimination. This document will reflect certain recent violations towards the Montagnard “Anak Cu Chiang” peoples, along with a summary of persistent discrimination and policies of ethnic cleansing which have been extant in Vietnam since 1975 and earlier.

***Please note the report will delete specific references to individuals who are at risk, are in prison, or who have suffered human rights violations. A prisoner list with names is available to the Country Rapporteur upon request.**

The report will expand upon on the information documented in the detailed report submitted to CERDS on behalf of the Montagnards, in the 59th Session, July 17-August **2001** compiled by the VIETNAM COMMITTEE ON HUMAN RIGHTS, an affiliate organization of the International Federation of Human Rights League (FIDH) and recent testimony from a U.S. Congressional Hearing Jan. 24, 2012, entitled, “Examining Ongoing Human Rights Violations in Vietnam.”

It is deeply disturbing that most of the violations cited over 10 years ago in this report to the United Nations persist, and the policies of ethnic discrimination and persecution have worsened in the Central and Northern Highlands of Vietnam.

According to a Human Rights Watch WORLD REPORT, 2012 in January and May, United Nations independent experts who had visited Vietnam in 2010, The UN special rapporteur on human rights and extreme poverty urged the government to ratify and implement major human rights treaties, including the Convention against Torture and Other Cruel, Inhumane or degrading treatment. The UN special rapporteur on minority issues issued a more critical report, “acknowledging some progress but raising concerns about the potential denial of religious freedom and “other serious violations of civil rights.” The rapporteur also pointedly noted that obstacles during her visit “impeded her ability to obtain perspectives other than those in consonance with official Government positions.”

Our report will focus on Montagnard ethnic discrimination in the following areas:

a) Religious Persecution

b) Arbitrary Arrest/ Prisoner Abuse

c) Ethnic Cleansing- Vietnam has intentionally created systematic socio-economic policies that have intensified poverty among the indigenous peoples, promoted government land seizure of Montagnard ancestral lands and private farms, blocked education, obstructed development assistance for the Montagnards and encouraged State sponsored migration of Vietnamese into Montagnard ancestral lands resulting in further marginalization and assimilation of the tribes peoples

Religious Persecution

The international rights group, HUMAN RIGHTS WATCH has released a 2011 detailed report on the continuing abuse of Montagnard Christians in the Central Highlands, “Montagnards Christians in Vietnam: A Case Study in Religious Repression”

An excerpt reads:

“2001-2011: Cycles of Repression

“The Vietnamese government has launched a series of crackdowns during the last 10 years to suppress political organizing and independent religious activities among Montagnard Christians. Elite security units have hunted down and arrested Montagnard activists in hiding and sealed off the border with Cambodia to prevent asylum seekers from fleeing the country.

During these crackdowns, authorities have committed clear-cut violations of fundamental rights, including arbitrary arrest, imprisonment, and torture. Officials have employed coercion to pressure Montagnards to renounce their religion and pledge their loyalty to the government and the Communist Party of Vietnam. Police have used excessive force to dispel largely peaceful protests, resulting in the deaths of as many as eight Montagnards

during demonstrations in April 2004, as well as injuries and deaths of others during arrest and in police custody. At various times, restrictions have been placed on travel within the highlands, on public gatherings, and on telephone communication with the outside world.

Public Denunciation Ceremonies and Forced Renunciation of Faith

Vietnamese government authorities persist in forcing Montagnard villagers to publicly recant their religion, despite strict prohibitions on forced renunciations of faith set out in Decree 22. Throughout 2010 and early 2011, hundreds of Montagnards in the Central Highlands were pressured or coerced to abandon Dega Protestantism in public criticism ceremonies by signing pledges or through intimidation in private meetings with police or local authorities.”

ARBITRARY ARREST AND PRISONER ABUSE

Human Rights Watch, in the 2011 report also documents Vietnam’s violations of its own Constitution and Penal Code in its arrest and brutal treatment of prisoners:

“Since 2001, more than 350 Montagnards have been sentenced to long prison sentences on vaguely-defined national security charges for their involvement in public protests and unregistered house churches considered subversive by the government, or for trying to flee to Cambodia to seek asylum. They include Dega church activists as well as Montagnard Christians who do not describe themselves as followers of Dega Protestantism, including pastors, house church leaders, and land rights activists.

Charges brought against them include undermining national solidarity (Penal Code article 87) or disrupting security (article 89). At least 65 of the Montagnards imprisoned since 2001 were arrested trying to seek safety and political asylum in Cambodia. They were sentenced to prison in Vietnam on charges of “fleeing abroad to oppose the People’s Administration” (article 91).

By making peaceful dissent and unsanctioned religious activities criminal acts, the Vietnamese government disregards fundamental rights and Vietnam's own commitments under international human rights treaties it has signed, including the International Covenant on Civil and Political Rights, acceded to by Vietnam in 1982.

The forced return of asylum seekers violates the rights to leave one's country and to seek asylum outside of one's country, which are recognized in articles 13 and 14 of the Universal Declaration of Human Rights.

At least 300 Montagnards currently remain in prison or are awaiting trial. During 2009 and 2010, Vietnamese state media reported that 12 Montagnards were tried and sentenced to prison; it is unknown how many others were tried in proceedings not covered in the state press, or were detained without trial in government “education centers” (co so giao duc or trung tam giao duc thuong xuyen).

The arrests are ongoing, with more than 70 Montagnards arrested or detained during 2010 in Gia Lai Province alone.” - Human Rights Watch

Montagnards who are arrested are often severely beaten or tortured in police custody and pre-trial detention. Since 2001, according to HRW, at least 25 Montagnards have died in prisons, jails, or police lock-ups after beatings or illnesses sustained while in custody, or shortly after being prematurely released by prison authorities to a hospital or home.

This Report to the CERDS COMMITTEE asks the Committee to note the cruel and **discriminatory** punishment that the Vietnamese government imposes upon the indigenous Montagnards, *even in prison*. Testimony has been submitted to the U.S. House Foreign Affairs Committee, Subcommittee on Africa, Global Health and Human Rights U.S. Congressional Hearing Jan. 24, 2012 entitled “*Examining the Ongoing Human Rights Violations in Vietnam*”. (see <http://www.hcfa.house.gov>) including the following account from a Vietnamese prisoner who had been imprisoned in Ha Nam Prison near Hanoi and who observed the harsh and discriminatory conditions Montagnard prisoners experienced, conditions that were much more severe than those of the ethnic majority Vietnamese (Kinh) population in the prison. (* Names withheld)

Testimony has been provided to the U.S. Congress with recommendations on behalf of the Montagnard people. One letter states:

“To: Members of
United States House of Representatives
Hanoi, May 12, 2011

Subject: Intervention for Christian Montagnard Prisoners in Nam Ha Prison, Vietnam

Dear Sirs and Madams,

My name is _____, and I was imprisoned by the Vietnamese authorities for four years for wrongful charge of “*propaganda against the Government of the Socialist Republic of Vietnam*” according to Article 88 of Vietnamese Criminal Code (VCC). While detained in Nam Ha prison from January 4th, 2008 to March 6, 2011, I learned of numerous unjust cases; among those, approximately 80 Christian prisoners, who are indigenous minority from Central Highlands (Montagnards) that need your urgent attention and intervention. These impoverished and under-privileged Christians have been unjustly persecuted and imprisoned for their struggle for religious freedom and other basic freedoms. (See Attachments A & B)

I share their will and belief, and feel it is my duty to publicize their cases and request your assistance in regaining their basic human rights.

Causes of their struggles

The highlands of Central Vietnam, an area of 54,639 km², include five provinces including Dac Lac, Gia Lai, Kon Tum, Dac Nong and Lam Dong with a population of about 5.2 million inhabitants. This population indicates a huge surge from 1,225 million in 1976 (consisting of various indigenous total of 853,820, or 69.7%) and 4,668 million in 2004 (consisting of indigenous total of 1,181,337, or 23.3%), as a result of aggressive mass migration since then. Consequently, the indigenous ethnics became minorities who suffer strict control by the new authorities, especially in regard to their land, natural resources, affected culture, faith, and religion.

Suppression due to religion and ethnicity

The new authorities started to unfairly treat the Highlands Christian ethnics soon after April of 1975 with the demolition of many of their churches; arrest of their pastors, missionaries, and Church officials;

and prohibition of religious masses and activities. The suppression that lasted over 20 years forced the Christian ethnics (mainly Ede, Jarai, Bahnar, and Mnong) to exercise their right of demonstration accorded by Article 69 (entitlement of basic freedoms) of Vietnam's Constitution.

In February of 2001, tens of thousands of ethnics participated in a demonstration for several days. Eventually the protests were suppressed without mercy by both the police and army, resulting in numerous casualties and unaccountable cases, as well as forcing thousands to escape to Cambodia to seek asylum. Among thousands of arrested or summoned victims, approximately 500 were secretly tried and sentenced from 2 to 18 years in prison according to Article 87 VCC (undermining the national unity) and/or to Article 89 VCC (causing public disorder). The rest of the detainees were held without trial from 3 to 9 months. The authorities continued their oppression with slandering campaigns both domestically and abroad against the Christian ethnics, blaming them for their part in the pre-1975 FULRO movement and to advocating for the separatism to found the Degar nation under the pretext of religious activities. In April 2004, a second major demonstration took place to oppose the suppressive measures but was, again, brutally crushed which led to numerous arrests and escapees between 2005 and 2008.

Crimes and trials

Among the detainees, many were tortured and gave forced confessions. They were later tried in camera, without the presence of relatives or legal representation. Though most of the victims claimed their demonstrations were for religious freedom, human rights, and land recovery, they were still wrongly tried according to Article 87 VCC (for people who were accused of organizing and stimulating people attending demonstrations), to Article 89 VCC (for participants of demonstrations) and to Article 91 VCC (for people attempting to leave the country).

The application of Article 91 VCC (fleeing abroad to oppose the people's government) by the Vietnamese courts was unreasonable since the victims had left their local residence to avoid oppression but they were still inside Vietnam. Their sentences were also too harsh. For instance, _____ Gialai was sentenced to 9 years; and _____, _____ (Gia Lai) were sentenced to 4 years imprisonment (from their total sentences of 17 and 14 years respectively). _____ is a special case. He was captured after being repatriated by the UNHCR in Cambodia and later sentenced to 10 years imprisonment.

Detention far away from home

After their trials, all victims were held very far from home, with most transferred to prisons in North Vietnam. In 2008, it was reported that the Nam Ha prison, about 1,200 km away from the Central Highlands, was holding about 200 Christian ethnics, and about 100 in Thanh Hoa prison, over 1,000 km away.

It is very inhumane to hold prisoners far away from their homes, especially for the ethnics who were held in drastically different climates. They were forced to leave their familiar cool Highlands for the North where it is too hot in the summer and too cold in the winter. The communication with the families is very limited because Montagnard prisoners must speak or write in Kinh Vietnamese, which is not their native language. Letters of Montagnards via mail rarely reached their families. While Kinh Vietnamese prisoners can receive one visit with food supply and one package of food (5 Kg) via mail per month, most relatives of Montagnard prisoners were able to afford - due to poverty - only one visit per annum. About 25% of the families could only make visit once every two or three years. About 5% of the Montagnard prisoners have never received visitors. The rare visits

of their family relatives are especially emotionally draining because most prisoners are between 20 and 50 years old and fathers with very young children.

It is worth mentioning that only direct relatives are allowed to visit prisoners. This regulation prevents friends from visiting and sending food to the Montagnard prisoners. Due to irregular food supply, Montagnard prisoners suffer from their malnutrition. Their health is poor, and some die from unknown causes. For instance, Mr. ____ (Gia Lai) suffered a stroke and became bedridden since 2008. His legs are paralyzed, preventing him taking care of himself. He has asked for release for treatment but has not received an answer. In a few cases, Montagnards were released early due to serious illness to die at home.

Even in prison, the ethnic minorities have faced discrimination. The clean water supplied to them is rationed. They have to work 8 hours per day and have to reach the minimum production norm. They are shackled if they denied forced labor. Despite the fact that they have achieved the same performance in labor and re-education, the term of imprisonment reduction for Montagnards is always the half of the reduced term for Kinh Vietnamese political or criminal prisoners. Many Montagnards receive no reduction without an explanation. As already mentioned, all ethnic prisoners are Christian followers; however, they are not allowed to receive bibles, hymnals, and religious books, which again is a violation of prison regulations.

Recommendations:

The Montagnards living in Tay Nguyen were only exercising their rights to religious freedom and to life. The Vietnamese authorities have detained and tried them arbitrarily. Their detention in places far away from their families is inhumane. Therefore, I ask you to urge the Vietnamese Government to:

- 1) Grant amnesty to all ethnic prisoners because they have already served at least one-third of their sentences;
- 2) While awaiting their amnesty, consider their release based on humanitarian reasons. Their imprisonment terms could be considered for reduction because they have served at least more than one-third of their sentences according to article 58 (1) VCC, and they could be released because they have served at least more than one-half of their sentences according to article 58 (3) VCC.

(In the attached lists I recommend three categories of release: 1) immediate release, 2) release, and 3) reduction of prison term and then release in next year)

- 3) While awaiting the amnesty decision and release,
 - a. Have them moved to their local prisons, which are much closer to their home for their family's visiting convenience;
 - b. Stop all types of discrimination against ethnic prisoners while considering the reduction of their sentences;
 - c. Guarantee the minimum standards of healthcare, foods and other living conditions;
 - d. Ensure their religious activities are free in prisons; and

e. Allow diplomatic representatives to visit ethnic prisoners.

4) Release Mr. ____ for his urgent medical treatment at home.

(*End of Witness Statement on Behalf of Montagnard Political Prisoners)

Ethnic Cleansing

As cited in an earlier CERDS Report from the Vietnam Committee on Human Rights, “the 1992 Constitution of the Socialist Republic of Vietnam guarantees ‘equality, solidarity and mutual assistance among all nationalities, and forbids all acts of national discrimination and division’ (Article 5). However, the SRV/GVN Constitution, based on Communist Party principles, has a **number of articles that exploit the indigenous peoples and condone racial discrimination.** The government uses the Constitution to justify government policies of ethnic cleansing and racial discrimination. Such policies and programs have been intensifying in the past 20 years.

The issue of assimilation and ethnicity is closely associated with the use (and abuse) of language. For example, the phrase “ethnic minority” is one that is often rejected by the tribes peoples of the Central Highlands, though government officials, UN entities, and the international community often refer to the “indigenous peoples” in this manner, as “*ethnic minorities.*”

In the mind of the Montagnards, the term “minority” implies an inherent or symbolic connection/relationship with a “majority,” in this case the Vietnamese or “Kinh” population, an ethnic group that is linguistically and ethnically completely distinct and different from the Central Highlands tribal peoples. The indigenous Montagnards do not share a cultural bond with the lowlander Vietnamese or Kinh peoples and the history between the two races has been filled with mistrust and profound discrimination targeting the highlanders for over a century.

The original tribal inhabitants of the Central Highlands, often called “Montagnards” or sometimes referred to as Dega People or the “Anak Cu Chiang,” (which means “Sons and Daughters of the Highlands/Mountains”) have an ancient Malayo-Polynesian and Mon Khmer background, unlike the Vietnamese or Kinh peoples whose ancient ancestry is tied to China.

LAND AND AGRICULTURAL POLICY

The government’s policies of forced resettlement, State-appropriation of land and population displacement have taken away the Montagnards right to own and inherit their ancestral homelands. These policies constitute “ethnic cleansing” as the tribal peoples experience their entire way of life, their cultural “soul” being eradicated by the government and its policies to confiscate ancestral Montagnard lands. Such policies by the government have deepened the level of poverty experienced by the Montagnards in the Central Highlands and have impacted all aspects of the quality of life and health of the highlander peoples. This is evidence of a dramatic and systematic Hanoi government policy since 1975 intended to de-stabilize, damage, and quietly destroy the indigenous populations.

Today the Montagnard indigenous peoples are desperate to have land to farm, to hold on to their family farm or to buy a small piece of land from the government or from a North Vietnamese who

has resettled in the Central Highlands. The government has seized so much land from the indigenous peoples. For these reasons, the Montagnards are often beaten or killed as a consequence of land rights disputes with Vietnamese police or settlers who now reside in the Central Highlands on Montagnard ancestral land. The government of Vietnam ignores the pleas for justice and land rights and they retaliate by arrests and imprisonment of hundreds who simply want the right to farm and to survive.

This practice of ethnic cleansing includes the government making subtle, but very intentional changes to official maps of Vietnam in the last decade. Former Montagnard names of rivers, forests, provinces, towns, and hamlets are now being “Vietnamized” into names that have transformed. It is a very apparent assimilation technique which corrupts the tribal language into a name that is not quite tribal, yet has Vietnamese language characteristics. This report urges the UN Committee to be aware that an entire culture and race of people is being destroyed through policies of ethnic cleansing.

In 2001 and 2004, over 30,000 Montagnards protested at Pleiku and DakLak cities for land rights, religious freedom, human rights violation and rights to self-determination. The government of Vietnam refused the Montagnard Indigenous Peoples rights to own their lands and used force; military, police, tanks and helicopters to crush the protest. As a result, over 100 were killed, wounded and 1000 missing never found. The government of Vietnam also cut off their living by the following measures:

1. All the privately owned property of Montagnards was confiscated forever, (rice fields, automobiles, coffee, rubber, plantations, houses, cattle, etc.) will never be returned to the Montagnards.
2. The government of Vietnam monopoly took possession of Montagnard people’s fertile lands and allocated one-acre for each family no matter how many members were in the family and established agriculture around the villages. The rest of large fertile farmland of the Montagnards has been given to the North Vietnamese with legal papers. The indigenous Montagnards have been treated with crushing contempt, discrimination, stealing, robbing and the destruction of the Montagnard properties.

The local governments and “Peoples committees” almost always support the new Vietnamese settlers in land conflicts or political issues. Meanwhile, the government clears and demolishes all the forests and jungles which have a devastating impact on the tribal peoples, in emotional, cultural and socio-economic ways.

The response to the Montagnards from the government is a consistent message of racial hatred and discrimination:

The message: “You are wrong, you are bad and you are a backward people.” The government belittles and blames the Montagnard people. Such actions by the government become a psychological tool used by to demoralize those who still have the spirit and the enormous courage to raise a voice of opposition to the government.

The economic policy of the government of Vietnam is very strict for Montagnards to borrow money. Over 95 percent of the Montagnards are not allowed to borrow money from the government because the Montagnards do not have the equity to pay a deposit.

EDUCATION POLICIES OF ASSIMILATION AND DISCRIMINATION

The government of Vietnam has obliged the Montagnard people to learn and use only the Vietnamese language, which is a national language. The Montagnard languages are used as unwritten languages or as a language that the government can monitor and more easily assimilate the Montagnard people.

1. After 1975, the Hanoi Government confiscated all books in Montagnard language, burned them all and forced the Montagnard Indigenous Peoples to study Vietnamese and prohibited them from learning or speaking their own dialects. Today in the Central Highlands many Montagnard children and students only speak Vietnamese and gradually forget their own dialects.
2. Most elementary schools in villages and hamlets were completely closed since 1975. The existing provincial secondary schools and colleges are often only reserved for Vietnamese students. Because many Montagnards have been forced to leave their villages for relocation far away from school, far from the city 20 to 30 miles, the Montagnard students are poorest in Vietnam since they do not have transportation to commute to the city to attend school. The Montagnards living in these remote areas are not being given a chance at life or education.
3. The government of Vietnam has passed down laws prohibiting the Montagnard students to go abroad to study or to access scholarships. For the Montagnard students who can attend university in Vietnam, the school fees are very high and there is no boarding schools for the Montagnard students.

Today, the Central Highlands University at Daklak (Dai Hoc Tay Nguyen) Montagnards students comprise only 1% compared with thousands of Vietnamese students. The Government uses the “Central Highlands University” and the name of Montagnard students only for propaganda to ask for help and to support Vietnamese students from the outside world.

4. **In January 2012, there are over 15,000 Vietnamese students allowed to study in the United States and not a single Montagnard student.** This Report emphasizes the extreme ethnic discrimination towards the indigenous Montagnard peoples since 1975. The Vietnam government often blames Montagnard students for not being qualified for education abroad. It is yet another example of systematic policy discrimination towards the indigenous peoples.

After 1975, teachers in the school system taught the Montagnard children to hate the American, French and Chinese people accusing them of murdering their families and accusing them as

being the cause of all suffering and death. Every school in the morning before school starts, students have to sing songs to praise Ho Chi Minh as a greatest leader of Vietnam history who brought hope, peace and happiness for Vietnam.

To prepare for socialization with tourists, foreign visitors or any delegations from the outside to visit Vietnam, the government trains Vietnamese students and teachers to speak Montagnard languages. The Montagnard people are rarely allowed to socialize with foreign visitors. If they allow Montagnards to speak, the Vietnamese police who speak Montagnard language have to be there to listen, monitor and record. The police security throughout the Central Highlands is extremely tight in every Montagnard village.

5. After the crackdown 2001-2004, the Montagnard Indigenous Peoples who graduated from College were forced to join Communist Party of Vietnam if they wanted a job or if they wanted their children to receive higher education. The government of Vietnam did not force South Vietnamese to join the Communist Party but they forced the Montagnards. The government has trained Montagnard Communist Party Members to be against all others Montagnards including the Montagnards overseas.

CULTURAL ASSIMILATION POLICY/ ENVIRONMENTAL IMPACT

After taking over South Vietnam in 1975, the government of Vietnam immediately embarked on programs aimed at the destruction of the surviving Montagnards' way of life by forcing the Montagnard Indigenous Peoples into the Vietnamese cultural sphere. Most Vietnamese from the North who resettled to the Central Highlands were deeply angry and resented, if not hated, the Montagnard people for the Montagnard support to the French and Americans during the French-Indochina and Vietnam War.

Montagnards in the Central Highland recall disturbing comments such as **“We do not want to see a savage’s customs here. Let them preserve it in Western Europe or US Zoos.”** These actions were not only from new settlers, but the Central and local governments who strongly supported the new Vietnamese settlers and they ignored any complaints from the indigenous Montagnard people. For these reason the Montagnards were expected to:

- Live intermixed with Vietnamese where they were forbidden to observe their traditional practices, in particular, religious observances. This program was intended to cut all Montagnard ties from villages, communities and kin groups in their “transition to socialism” which is in actuality Vietnamization by any other name.

- The Montagnard Indigenous Peoples traditions and customs were systematically abolished because the government says they were different and “uncivilized customs”. It was at this time that the Montagnard traditional clothing was replaced.

- The sacred burial plots of the Central Highlands Indigenous Peoples known as ‘msat’ have often been violated by the Government of Vietnam and local provincial cadre or Vietnamese settlers who are guilty of stealing precious cultural artifacts or destroying burial land for private development. There is further exploitation by the government which uses the Montagnard sacred burials and ancient wooden sculptures (that sometimes border the graves in more remotes areas) as a showcase of “ethnic minority culture.”

-Villages in the Central Highlands that once used elephants in the traditional way of farming, logging and transportation, are now used by State-sponsored tourist groups that promote “elephant rides” and “authentic” ethnic minority culture. The indigenous peoples often do not benefit from the profits of such tourist initiatives. Elephants, which were once an integral part of Montagnard village life, spirituality and culture in certain areas, have now almost disappeared due to killing for their tusks or the loss of habitat. This is particularly true in the Ban Don area.

-International environmental groups and other organizations have noted that the extreme logging of hardwood forests in the Central Highlands and the intensified development and extensive mining operations (current and future) will have a long-term, devastating environmental and socio-economic impact on those remaining indigenous populations struggling to survive in the Central Highlands. Such mining will adversely affect the water quality of aquifers, rivers, soils, and ecosystem. Precious species of animals and plants have already been lost or are endangered in the Central Highlands. Vietnam’s policies of ethnic violations include the environmental violations that impact the indigenous populations of the Central Highlands.

Development and Health Care

A statistic has just been released in Vietnam in cooperation with United Nations Agencies, UNICEF and UNFPA.

Ha Noi, 16 December 2011 – A report from Viet Nam’s Multiple Indicator Cluster Survey (MICS) 2010-2011 reveals “persisting disparities in the lives and well-being of children and women in Viet Nam, across regions, by gender, area of residence, wealth, and ethnicity.

The survey was carried out between 2010 and 2011 by the General Statistics Office (GSO) in close collaboration with various line ministries and UN agencies UNICEF and UNFPA. It provides a comprehensive, updated picture of the situation of children and women in Viet Nam.

In the area of immunization, the report shows that just two out of five children between 12 and 23 months are fully immunized in Viet Nam. There is also a considerable gap between rural and urban areas, with one in two urban children fully immunized, compared to only one in three in rural areas.

In the field of water and sanitation, the MICS 2010-2011 findings reveal that more than seven out of ten Vietnamese have access to drinking water and improved sanitation facilities. **However, a person living in a Kinh or Hoa household is more than twice as likely to have access to those facilities as a person living in an ethnic minority household.**

When it comes to nutrition, the report shows that nearly one in every four children under five is stunted, that is, shorter than he or she should be for his or her age. **The stunting rate among ethnic minority children is twice as high as the stunting rate among their Kinh or Hoa peers.**

The survey also provides data on women's reproductive health. For example, most women aged 15-49 who gave birth in the two years preceding the survey received antenatal care at least once by skilled personnel, and two-third had the recommended four antenatal care visits. Nine out of ten

deliveries took place in health facilities. **However, significant disparities emerge by ethnicity: virtually all women in Kinh or Hoa households delivered in a health facility compared to three out of five women from ethnic minority households.**

“The report provides evidence that ethnic minorities are not faring well in most surveyed areas. The data generated by the MICS 2010-2011 will allow policymakers to identify and target their resources to those population groups that are in most need of attention and should be the focus of collective development efforts. This would allow the benefits of Viet Nam’s economic growth to reach women and children in all ethnic, economic and social groups.”

MICS is an international household survey initiative, which UNICEF has used since the mid-1990s to assist countries in collecting and analyzing data in order to monitor the situation of children and women.

In another Report from the United Kingdom: Foreign and Commonwealth Office, *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report - Vietnam*, 31 March 2011, available at: <http://www.unhcr.org/refworld/docid/4d99aa7b50.html> [accessed 4 January 2012] it cites in the section:

“Minorities and other discriminated groups

“The Vietnamese government acknowledges that it needs to do more to close the gap in living standards between ethnic minorities and the Kinh majority. In July, the UN Independent Expert on Minority Rights visited Vietnam. The UN Independent Expert on Human Rights and Extreme Poverty visited in August. Both commended government initiatives to improve the socio-economic wellbeing of minorities in Vietnam, **but highlighted that minority groups remained the poorest in society.** The Independent Expert on Minority Rights underscored the importance of ethnic minorities having the right to participate fully and effectively in decision-making that affected their communities, including economic development projects and land re-settlement issues. The Independent Expert on the question of human rights and extreme poverty urged the government to strengthen and implement effective and accessible mechanisms for complaints.

The lack of adequate health care for the indigenous Montagnards has been documented since 1975. After 1975, all dispensaries in the Montagnard villages and hamlets were completely closed and abandoned. The existing clinics and hospitals are primarily in the provinces and the cities. The Montagnard people have been forced to relocate to remote areas having to walk one or two days to get to the hospital when they were sick. No emergency medical services were accessible. When the Montagnard people were sick there would not be enough care as the majority of nurses are Vietnamese. Many patients do not have enough money to pay doctors.

Those Montagnard nurses and doctors who previously had training from the South government were compelled by the authorities to only clean the hospital. They were not allowed to treat wounded or sick people. Montagnard students have few opportunities for medical school because their parents are poor and the government has ignored them.

Since 1975, the government abandoned most of the Montagnard villages where patients suffer from Hansen’s disease commonly known as leprosy. Leprosy clinics in the Central Highlands where

American Missionaries served during the Vietnam War; such as Buon Ea Ana in Buon Ama Thuot, Plei Domak in Cheo Reo, and Plei Dak Kia in Kontum were neglected for years. Patients could not provide food for themselves and the government did not allow any foreign NGOs or Charities organization to visit these clinics for many years. International humanitarian aid rarely reached these Montagnard villages. The policy of the government has been to restrict development assistance for the tribal peoples resulting in suffering and conditions of misery while the rest of Vietnam and the quality of life has improved throughout Vietnam, especially in the area of health care and education.

SUMMARY

The history of the Montagnard indigenous tribal peoples of the Central Highlands has shown a courageous people who have suffered and endured under foreign domination -- under French colonialism for 106 years, and from 1940 to the present under the repressive and brutal rule of the current Vietnamese government. The Montagnards have endured **over 162 years** of domination and rule by foreigners in their ancestral lands.

We believe the Montagnard “Anak Cu Chiang” indigenous peoples have the right to self-determination in their ancestral home land in the Central Highlands as outlined in the *United Nations Declaration on the Rights of Indigenous Peoples*. The Montagnard people are committed to peace and will continue to seek peaceful means to cooperate with the nation of Vietnam and the international community in the long process to achieve justice, equality, and the right to pursue independence and self-government as a sovereign Montagnard State.

Vietnam’s reluctance to comply with UN human rights agreements is evident in that so few citizens are able to find such documents in the country, let alone in the Central Highlands where it would be unlikely to find the UN “Declaration on the Rights of Indigenous Peoples” translated into tribal languages.

We offer our hope and belief in the United Nations Committee on the Elimination of Racial Discrimination/ CERD, to urge the Government of Vietnam to take appropriate measures to stop the policies of discrimination and ethnic cleansing in Vietnam which have resulted in extreme poverty for our indigenous peoples and untold suffering. We ask that our land rights be restored and rights given to our people for educational opportunities and development.

We urge the government of Vietnam to show compassion and fairness towards the Montagnard prisoners in Vietnam who have experienced torture, brutality and discrimination while in prison. We insist that the practice of torture must be stopped in Vietnam and the government of Vietnam immediately implement policies with the Ministry of the Interior to stop the practice of torture at every level of the security system throughout the country.

We urge the United Nations to negotiate the immediate release of over 400 Montagnard prisoners who have been unjustly imprisoned for their Christian faith and their right to exercise peaceful assembly. (A list of prisoners if available upon request.)

Thank you for your consideration.

Respectfully,

Rong Nay

Executive Director of the Montagnard Human Rights Organization, MHRO

President of the United Montagnard Overseas, UMO