

**U.S. Committee on Foreign Affairs
Subcommittee on Africa, Global Health, and Human Rights
Hearing
January 24, 2012**

"Examining Ongoing Human Rights Abuses in Vietnam"

**Testimony from the Montagnard Human Rights Organization
Rong Nay, Executive Director**

The Honorable Chris Smith
Chairman, Subcommittee on Africa, Global Health and Human Rights

Mr. Chairman,

My name is Rong Nay, and I am the Executive Director of the Montagnard Human Rights Organization based in Raleigh, North Carolina, USA. I represent the Montagnard people living both in the US and in the Central Highlands of Vietnam.

I would like to thank Mr. Chairman for the honor and opportunity to share our feelings and experiences about the ongoing human rights abuses in Vietnam. I had the honor to testify at the first U.S. Congressional Hearing about Montagnards sponsored by former U.S. Senator Jesse Helms in 1998. I am very sad to report that human rights conditions in Vietnam have gotten much worse for the Montagnard people in the past decade.

My testimony focuses on the Montagnard people of the Central Highlands in these areas:

- 1. Religious Persecution**
- 2. The continuing terrible abuse of Montagnard religious and political prisoners in Vietnam's Ha Nam prison and other prisons and secret jails within Vietnam.**
- 3. The need for UNHCR, the United Nations High Commissioner of Refugees and the U.S. government to provide protection for Montagnard asylum seekers within Vietnam and those who have escaped the country.**
- 4. The Hanoi government policies of ethnic cleansing and assimilation of the Montagnard indigenous people of the Central Highlands.**
- 5. The urgent need for education and development assistance for the Montagnard people.**
- 6. The abuse of free emigration and family reunification.**

As you may know, “Montagnard” is a French term that is often used to describe our tribal people who live on their ancestral Central Highlands, land which was claimed by the Vietnam nation for many years. We do not consider ourselves “ethnic minorities” since our Montagnard people are not ethnically or linguistically connected to the majority Kinh or Vietnamese population. Our Montagnard people have endured centuries of oppression and bad treatment. We are a peaceful people and we love our land.

We Montagnard people understand the unique differences and noble histories of both our peoples, the Kinh people, known as the Vietnamese, and the Montagnard, sometimes called “Dega” or “Anak Cu Chiang” peoples of the highlands. We believe Montagnard and Kinh can live in peace and mutual respect, but our Montagnard people feel our hearts are broken because our land is being stolen by the Communist government and our Montagnard culture and way of life is being destroyed.

Religious Persecution

Since 1975, the government of Vietnam has carried out a policy of punishment and discrimination against the Montagnard Christians in the Central Highlands.

After US normalization with Vietnam, the government of Vietnam said there was freedom of religion in Vietnam, but in reality, it is not true. The freedom of religion of the Vietnamese government is to only to allow worship in government sponsored churches, not in house churches. Montagnard pastors continue to be arrested and persecuted. **Human Rights Watch** has published a detailed report in 2011 on the continuing religious persecution of Montagnards in the Central Highlands.

Vietnam’s State media and police documents boast about security operations to “root out” Dega protestants and police campaigns to persecute Montagnard Christians and those who attempt to flee to Cambodia seeking asylum. Those who are arrested often end up in the living hell of Vietnam’s prisons and secret jails. Reports from Montagnard prisoners tell a story of pain, loneliness, torture, forced labor, and isolation.

Prisoner Abuse

Montagnard Christians are often forced to renounce their faith, they are beaten, and many put in prison to suffer long and terrible years in prison without enough food, medicine or even family visits. Many suffer solitary confinement and torture. **The Vietnam government is directly responsible for the cruel and terrible treatment of Montagnard Christians and other political prisoners. They discriminate against the Montagnard prisoners by not allowing them to have clean water, family visits or enough food to eat. The prisons are long distances from the Central Highlands, making it very hard, if not impossible for family members to visit.**

We believe the government of Vietnam must be held responsible for this inhumane treatment. The U.S., the United Nations and the international community have an urgent responsibility to

take action to stop the suffering of these prisoners and urge the government of Vietnam to have these individuals pardoned and released.

The Vietam government continues to arrest, torture and jail Montagnard Christians. There are currently 315 Montagnard Christians in prison for their religious or political beliefs up to 16 years.

Mr. Chairman, we recommend that the release of all Montagnard prisoners is negotiated and their release obtained before any more U.S. government defense and trade treaties with Vietnam go forward. We also call on the U.S. government to reinstate Vietnam's designation as a "Country of Particular Concern" (CPC) for extreme violations of religious freedom.

We ask that this list of prisoners be included in the record. (Rong Nay submits the 2012 list of prisoners)

Montagnard Refugee Protection

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

The UNHCR site in Phnom Penh, Cambodia closed in Feb. 2011. **Montagnard asylum seekers now have no place to find sanctuary.** Asylum seekers have fled to Thailand, been arrested and put into detention. We have reports of Montagnards in hiding in the jungles in Vietnam right now because they have no safe place to hide. We cannot disclose these locations for fear these individuals will be arrested, but they are desperate.

There are hundreds of Montagnards who have attempted to flee persecution in Vietnam and were hunted down by the police, beaten and put in jail. The forced return of asylum seekers is a direct violation of Articles 13 and 14 of the Universal Declaration of Human Rights which gives asylum seekers the right to leave one's country to seek asylum. According to Human Rights Watch, at least 65 of the Montagnards imprisoned since 2001 were arrested trying to seek safety and asylum in Cambodia. They were sentenced to prison on charges of "fleeing abroad" to oppose the government.

We urgently recommend that the U.S. State Department, in cooperation, with UNHCR, create a process and a place at the U.S. Consulate in Ho Chi Minh City or another country, which allows Montagnard asylum seekers to have a fair interview with a UNHCR or U.S. official, taking into account the very real conditions of ethnic discrimination and persecution that many Montagnards face in Vietnam. UNHCR and U.S. criteria should also take into account that Montagnards should not be rejected for refugee status simply because they are not "high profile" dissidents.

We respectfully request that the U.S. State Department re-open its Refugee Program within Vietnam by acknowledging that there continues to be many claims of well-founded persecution within Vietnam.

We also have proposed that a U.S. satellite consular office be established in the Central Highlands of Vietnam. Such an office would be beneficial to facilitate refugee claims and standard immigrant visa processing. Access to the U.S. Consulate in Saigon (Ho Chi Minh City) has been a problem in the past for Montagnard beneficiaries and refugee applicants for over 2 decades. This satellite office could also be utilized for humanitarian and development assistance programs focusing on Montagnards in the Central Highlands. **The U.S. Department of Defense has shown interest in establishing humanitarian aid programs in the Central Highlands.**

Vietnam's Assimilation Policies

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

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

Need for Development Assistance

The United Nations, the European Union, and the U.S. State Department have all acknowledged that the rate of poverty for the Montagnard indigenous peoples is much higher than the majority Kinh or Vietnamese populations in Vietnam. Hanoi government policies have been carefully constructed to prevent educational opportunities abroad for Montagnard students. The policies have restricted NGOs from working in the Central Highlands for years. We ask and recommend that the UN and the U.S. government put more emphasis on development assistance, scholarships, boarding schools and Montagnard education in the Central Highlands.

Montagnards do not have the same opportunities in education and development as Vietnamese people. For example, over 15,000 Vietnamese students have been sent to the US for education, but not a single Montagnard college graduate is allowed to have a scholarship to the U.S. The U.S. Consulate website promotes educational opportunities for Vietnamese students. We believe more can be done and should be done for the indigenous Montagnards who were such loyal allies of the U.S. during the Vietnam War.

Abuse of Free Emigration

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

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

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

Some Montagnard families before they return to US have experienced the police making them sign a paper saying that the American Montagnard visitor would not say anything bad about the Vietnamese government after leaving Vietnam.

Vietnam continues to break its agreement about free emigration and freedom of movement in the country.

Mr. Chairman, it is our privilege to come here today to tell you the truth about the Montagnard human rights abuse that the Montagnard Indigenous Peoples are facing right now in Vietnam's Central Highlands. We Montagnards are treated like enemies in our own homeland. Hundreds of prisoners in Ha Nam prison are suffering terrible abuse and isolation, and other Montagnard men, women and children quietly suffer in their villages under constant fear and police surveillance.

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

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

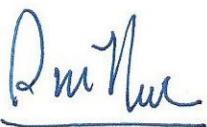
Respectfully,

Rong Nay

**United States House of Representatives
Committee on Foreign Affairs**

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Clause 2(g) of rule XI of the Rules of the House of Representatives and the Rules of the Committee require the disclosure of the following information. A copy of this form should be attached to your written testimony and will be made publicly available in electronic format, per House Rules.

1. Name: Mr. Rong Nay	2. Organization or organizations you are representing: Montagnard Human Rights Organization
3. Date of Committee hearing: Tuesday, January 24, 2012	
4. Have you received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?	5. Have any of the organizations you are representing received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. If you answered yes to either item 4 or 5, please list the source and amount of each grant or contract, and indicate whether the recipient of such grant was you or the organization(s) you are representing. You may list additional grants or contracts on additional sheets.	
7. Signature: 	

Please attach a copy of this form to your written testimony.