



**May 2004**

## **Vietnam: Independent Investigation of Easter Week Atrocities Needed Now**

### **A Human Rights Watch Briefing Paper**

Vietnamese officials and civilians acting on their behalf beat and killed dozens of Montagnards during Easter week demonstrations in the Central Highlands, when thousands of people gathered to protest confiscation of ancestral lands and religious repression, according to new eyewitness testimony obtained by Human Rights Watch.

In response to an international outcry, in late April and early May the Vietnamese government organized highly controlled visits to the highlands by international media, diplomats, and U.N. agencies. Montagnards interviewed by Human Rights Watch reported that Vietnamese officials prevented them from providing an accurate picture of events.

Human Rights Watch called on the government of Vietnam to immediately allow full and unhindered access to independent human rights organizations and U.N. special rapporteurs to investigate the reports of extrajudicial killings, human rights abuses, and other violations of international humanitarian law in the Central Highland provinces of Dak Lak, Dak Nong, Gia Lai and Lam Dong.

#### **The Easter Protests**

Large-scale unrest involving as many as 30,000 indigenous minority Montagnards occurred in the Central Highlands on April 10 and 11. Montagnard activists in Vietnam and abroad say that their movement seeks to peacefully press for religious freedom and return of ancestral lands in the Central Highlands. The Vietnamese government has charged that “anti-government” and “counter-revolutionary” elements are inciting the Montagnards to seek an independent state.

Recent interviews with sources in the Central Highlands confirm earlier eyewitness reports obtained by Human Rights Watch. Hundreds of demonstrators were wounded and many were killed by security forces and men in civilian clothing armed with crude weapons such as clubs and metal bars at key bridges and roadways leading into Buon Ma Thuot, the provincial capital of Dak Lak. According to witnesses, the demonstrators were not armed, although some defended themselves when attacked by throwing stones at the police.

In a 45-minute interview with Human Rights Watch, an ethnic Ede woman from Buon Ma Thuot described what happened as protesters approached Ea Knir bridge, northeast of the provincial capital:

The police used microphones to tell the Vietnamese civilians to come out. They beat the demonstrators, including children. People's arms and legs were broken, their skulls cracked. Children were separated from their parents. Near Ea Knir bridge two people were killed in the coffee plantation. The Vietnamese police quickly went and picked up the bodies. Fire trucks came – they hosed down the blood and picked up the sandals, flip flops and clothes of the demonstrators. They pushed the tractors in the river, even with people still riding on them.

Another Montagnard woman from Buon Ma Thuot stated:

At Phan Chu Trinh road police sprayed tear gas at the protesters; blinding many people. Many people were killed. They handcuffed many of the protesters and threw them in trucks. Many people never came back from the demonstrations. We haven't seen them in jail and we haven't seen them at home.

### **De Facto Martial Law**

Montagnard villagers interviewed by Human Rights Watch report a massive increase in the numbers of soldiers and police in the region since the April protests. Security forces are conducting extensive search operations to comb the villages, farms, and forests to arrest Montagnards who have fled from their villages, preventing them from crossing the border to Cambodia to seek asylum.

- During the first week in May, eight tanks and four truckloads of soldiers were moved to Ia Tiem commune, Cu Se district, Gia Lai province. Tanks have also been sighted in Ayun Pah district, Gia Lai and on the road from Buon Ma Thuot to Buon Don in Dak Lak.
- On May 14, sixteen truckloads of heavily armed soldiers were sent to Go Lar commune, Dak Doa district, Gia Lai.
- Soldiers and artillery have been positioned on top of Cu Grong (in Vietnamese: “Ham Rong”) mountain in Cu Se district of Gia Lai, which lies near a strategic intersection – Highway 19 leading east to Cambodia and Highway 14, which leads south to Buon Ma Thuot and north to Pleiku, the provincial capital of Gia Lai.
- New police checkpoints have been established along all the main roads, where security officials stop travelers and check their documents. Montagnards are not able to freely leave their villages or even their homes but must obtain written permission from local authorities to leave the village or go to their farm fields.

“After the demonstrations many Vietnamese soldiers, some in black uniforms, moved into and around the villages,” said an Ede woman from Dak Lak. “At night they patrol the villages; during the day, too.”

Hundreds of Montagnards were severely wounded during the demonstrations. Many have received inadequate medical care in provincial hospitals, or are reluctant to go to the hospital because they are fearful of arrest.

- In Krong Ana district, Dak Lak, Human Rights Watch has received the names of more than 200 Ede people who were injured during the demonstrations and remain in need of medical care.
- In Plei Chrong 2 village of Mang Yang district of Gia Lai, Human Rights Watch has received the names of seventeen wounded people from the Bahnar ethnic group.
- Eleven ethnic Bahnar from Go Lar commune of Dak Doa district remain in need of medical attention. Two were tortured in detention after the April protests by being tied and hung over a fire, scorching parts of their body. Another man has two broken ribs and a broken leg.

### **Church Leaders Arrested**

While many of the people who were arrested during the demonstrations on April 10 and 11 were subsequently released, new people continue to be arrested, according to sources in the Central Highlands. At the end of April authorities started arresting Montagnards with relatives in the United States, perhaps out of concern that they would convey information about atrocities to their families via telephone.

In mid-May, Human Rights Watch received reports that Montagnard church leaders – many of whom did not participate in the demonstrations – were being arrested. The authorities are continuing to arrest people in hiding who attended the demonstrations or who are suspected of being in contact with Montagnard activists in the United States, as well as villagers suspected of providing food to those in hiding.

Protestant church leaders arrested in mid-May include seven ethnic Jarai church elders from Gia Lai:

- On May 14, police in Ia Grai district of Gia Lai arrested five Christian elders, all but one of whom had not attended the Easter demonstrations.
- On May 16, police arrested another church elder in Ia Grai.
- On May 17, police arrested a church elder and took him to the district jail in Ia Grai.
- Other church leaders in Ia Grai subsequently fled to the forest to avoid arrest. As of this writing none of the families of this group of detained church leaders have been allowed to visit them.

An Ede woman who is an elder in a Protestant village near Buon Ma Thuot said that since April 21 she has been summoned countless times to the police station for

questioning, even though she did not participate in the Easter protests. “They make us sign pledges promising not to participate in demonstrations or study the Bible,” she said. The police sometimes visit her house unannounced late at night to search and ransack her home. “We are afraid if the Vietnamese security forces see us worshipping,” she said. “They tear up the Bibles and break up our gatherings.”

### **Hundreds in Hiding**

The numbers of Montagnards who have fled from the villages and gone into hiding in Vietnam, unable to cross the border to Cambodia to seek asylum, has skyrocketed since the Easter protests. In one area, people have resorted to hiding in graves by day (Montagnard graves can be two meters deep; coffins of different family members are stacked in one grave, leaving room for future generations’ coffins – or in this case – for people to hide). Others are hiding in pits dug in the forest. Many of the villagers who in the past provided food and supplies to those in hiding have either been arrested or are confined to their homes, leaving many people without food or medical care.

“Many people were injured and died since the demonstration,” said an Ede man in a cell phone conversation with Human Rights Watch on May 15. He is one of many in hiding, constantly on the run but trying to make telephone contact with the outside world when possible. “We can’t get a detailed list of the dead and injured. If people try to move from the village they are suspected by the government. Police stop them at checkpoints and take down the number of their motorcycle license plate.”

“People are deeply depressed here,” the man said. “We feel that no one will be able to find out what happened to us, and that no one is going to intervene.”

Crossing the border to Cambodia is not an option. Both Cambodia and Vietnam have intensified the security presence along the border, and Cambodia continues to forcibly return any Montagnard asylum seekers who cross the border. Earlier this month Cambodian Foreign Minister Hor Namhong, backing up earlier statements by Cambodian authorities, stated that the Montagnards were not legitimate asylum seekers, but illegal economic migrants.

### **Who Started the Violence?**

The Vietnamese government claims that the protesters started the violence during the April protests, and backed this up during an April 26-27 visit to the highlands by western media and diplomats by showing carefully edited videos of the demonstrations and showcasing villagers who seemingly confessed that the protesters were the ones who started throwing rocks.

In some areas, protesters reportedly picked up rocks along the roadway to protect themselves. Video footage by the Vietnamese authorities shows civilians – who they claimed were Montagnards – attacking other civilians with crude weapons and sling shots.

Accounts given by eyewitnesses in cell phone interviews with Human Rights Watch tell a different story. One woman from Cu Mgar district, who brought her children along with her to the demonstration in Dak Lak, told Human Rights Watch that she never imagined that the Vietnamese authorities and civilians would attack the demonstrators so violently:

Dozens and dozens of Vietnamese civilians and police were lined up along the side of the road. They had machetes and the police had electric batons. The violence was started by the Vietnamese civilians. We did not do anything, we just kept walking.

In response to a question as to whether the demonstrators hit or attacked the Vietnamese, the woman said: “We just kept going; we were very peaceful, walking. When we stopped our tractors and got out, the Vietnamese started hitting us. People ran – the Vietnamese civilians chased us and hunted us down.”

Another woman, from Buon Ma Thuot, said that many Montagnards were killed during the demonstrations. “We didn’t bring rocks or knives. We didn’t fight the Vietnamese. All we wanted was for people to be released from prison, to be able to study the Bible and worship God, and to get our land back so that we have enough food to eat.”

Montagnards interviewed by Human Rights Watch clarified the demands of the protesters: 1) freedom of religion; 2) return of ancestral lands to the Montagnards for self-management; 3) release of Montagnard political prisoners; 4) an end to all other human rights abuses.

### **Official Cover-up and Orchestrated Visits**

Little concrete information about what happened during and after the April 10-11 protests has surfaced from a series of tightly controlled and thoroughly orchestrated tours to the Central Highlands by western journalists, diplomats, and U.N. agencies.

In interviews conducted by Human Rights Watch, Montagnards reported that prior to visits by any international delegations, local officials carefully select those villagers who will talk to the visitors. The ‘villagers’ – who are often in the employ of local government – are made to rehearse their statements in advance, on threat of violent reprisals against themselves and their families if they say anything negative about the government.

The father of a man who died on April 12 of a gunshot wound to his forehead – an injury that was confirmed by a Montagnard church leader who saw the young man in the hospital the night of April 11 – was detained for a full day during the visit of western journalists to Dak Doa district, Gia Lai, at the end of April. The father did not meet the journalists but was forced to sign a pledge stating that if asked, he would say that his son’s death was caused by a rock thrown by other protesters, not from being shot by police.

Prior to the journalists’ visit to two communes in Dak Doa district, authorities gathered all the villagers for a meeting. “We were told to say ‘There’s no problem here’ and ‘We’re

not hungry like we were before because all of our coffee and rubber plantations have been joined together, so we don't lack anything," one villager told Human Rights Watch. When the journalists came, the police removed the wounded people and most of the single men from sight and guarded the perimeter of the village, he said.

Another man from Dak Lak province told Human Rights Watch by cell phone on May 15:

When the "long noses" came to my village, everyone was very afraid to talk straight with them because we knew we would face danger afterwards. That's why no villager can tell the true story when journalists come to the Central Highlands. Many people died but nobody can talk about this to the outsiders.

An Ede woman, who is a Protestant church elder in her village on the outskirts of Buon Ma Thuot, said: "They are making everyone sign documents promising not to tell what happened, or we will be killed. Many Montagnards are afraid. The authorities say that for sure they will kill us if we tell."

Some Montagnards heard on the radio that foreign delegations were visiting the highlands. "Vietnamese police and soldiers surrounded the Montagnard villages and homes. We could not go outside to meet the journalists. They could not access Montagnard villages," one man said. "If foreigners do come to our village, the authorities make us practice what to say and what not to say."

An ethnic Vietnamese man from Dak Mil district said the international delegations miss many things when they visit. "They cannot find the right place," he said. "We hear about the U.N. passing through – like the wind blowing – but we cannot see them."

### **A History of Religious Repression in the Central Highlands**

Vietnam's persecution of ethnic minority Protestants is not a new phenomenon. The longstanding government repression of religious activity is a key element in the Montagnards' anger and frustration with the government. [Two previously unpublished letters from Protestant churches in the Central Highlands are appended to this briefing paper.]

Other than ten officially registered Christian churches in Dak Lak and Gia Lai (for as many as 220,000 Protestants in the two provinces), the government bans all Montagnard gatherings for Christian worship. Human Rights Watch continues to receive reports of officials forcing Montagnard villagers to renounce Christianity and cease all political or religious activities in public self-criticism sessions or by signing written pledges.

In October 2003, for example, the state run *Lao Dong* (Labor) newspaper reported that since July, fifty-six people in Kontum province had publicly denounced their involvement in the Dega church movement, a form of evangelical Christianity banned by the Vietnamese government, which links it to the Montagnard movement for return

of ancestral lands and religious freedom. Ede villagers from Dak Lak told Human Rights Watch that local authorities continue to convene mandatory public denunciation sessions on Sunday mornings, several times each month, in which villagers are forced to renounce Christianity and pledge loyalty to “Uncle Ho.”

An Ede man who fled from his home in Cu Jut district, Dak Lak, in February 2004 told Human Rights Watch that several times a month, on Sunday mornings from 8-11 a.m., local authorities and district and commune police convene mandatory re-education meetings for the entire village. Villagers who had been sent to the district “to study” would speak (“talk propaganda”) to the assembly, and then authorities would point to various villagers in attendance, requiring them to stand and repeat after the officials: “I abandon the custom of following the religion of Jesus, which is a religion of the French and the Americans. I pledge to follow the road of Uncle Ho, which is the best road.” The man said that such meetings, which started in 2002 and continued up until he left his home in early 2004, happened in every village in his area. The authorities threatened that those who did not publicly state the pledge would be arrested and sent to prison for opposing the government. He said that he himself had been forced to stand and make such a pledge two or three times.

In February 2004, Human Rights Watch received a packet of complaint petitions from Montagnard Christian leaders in Dak Rlap and Dak Nong districts of Dak Lak and Dak Song provinces (for translations of some of the documents, see appendices A and B). These included ten letters accompanied by the fingerprints of hundreds of villagers, pleading for international intervention. Villagers stated that authorities prohibit group meetings for worship, ban pastors from traveling or preaching, and nail shut or tear down existing churches.

Local officials regularly summon Christian pastors and church leaders to meetings in which they are informed that their religion is illegal and they are to cease practicing it. A pastor in Dak Lak described the situation for Christians in Dak Rlap district in a handwritten letter obtained by Human Rights Watch. On December 21, 2003, he and other Mnong church leaders were summoned to meet with members of the district’s “mass mobilizing team” and Fatherland Front (both are Vietnam Communist Party organizations). Citing Vietnam’s Religion Decree No. 26, the church leaders were informed that their religion was not considered legal because its purpose was to oppose the government. Authorities in that commune did not respond to numerous written requests by church leaders for permission to hold Christmas celebrations. Only one request was granted, and that was to hold a one-hour service from 4 to 5 a.m. on December 25.

“We feel as if we are being choked; we can’t breath,” the pastor wrote. “Until now they allow at most two families to get together for worship, and we leaders are not allowed to move freely. If they catch us they will ‘use the law’ to fine or imprison us.”

Three summonses to Mnong church leaders in Dak Nong, dated August, September, and November 2003, provide details about “work sessions” with the public security police in which pastors are summoned to the police station, interrogated about their

religious activities, and told that they are forbidden to perform religious ceremonies, including serving holy communion, and are prohibited from proselytizing about Christianity. In addition, they are instructed to tell their congregations that Christians can no longer meet together for worship but only pray at home.

An Ede church elder from Cu Mgar, Dak Lak, said that after the 2001 demonstrations he and other church leaders were summoned several times by the police. In April 2003 the district police came to his village with a list of religious leaders in the province, district, and village:

They made everyone meet together and destroyed our bibles, guitars, and keyboard. They separated the five elders of the church and sent us in a police jeep with five police officers to the police station. We were detained one night at the commune office. They threatened us with electric shock batons but did not hit us with them. Then we were sent to the district police station. They asked if I'd gone to the [2001] demonstration. I said I'd heard about it but didn't go. They asked why did I join Christianity and oppose the government of Vietnam. I answered that our religion is the religion of God, that it teaches us to respect each other and live in harmony. They said no, it's the religion of the Americans, to oppose the government. They detained me another night, and then interrogated me again the next day. They said that my biography showed that I was former Fulro [an armed resistance movement that died out in 1992], that I'd joined Christianity in order to make an opposition movement, and that my father-in-law had run to the U.S. after fleeing to Cambodia in September 2002.

After forcing him to sign a pledge, they released him. He fled from his village a few days later.

## **Recommendations**

Human Rights Watch urges that the international community insist that the Socialist Republic of Vietnam promptly take the following steps:

1. Immediately allow unhindered access — without government escort — to diplomats, aid workers, independent human rights organizations and journalists to the Central Highlands.
2. Issue invitations to the U.N. Working Group on Arbitrary Detention, the U.N. Special Rapporteur on Religious Intolerance, the Special Rapporteur on Torture, and the Special Rapporteur on Extrajudicial Executions to visit Vietnam, with unrestricted access to the Central Highlands.
3. Publish a central registry of the names and locations of all Montagnards held in pretrial detention, and a list of all those convicted and sentenced for their religious beliefs, participation in demonstrations, or attempting to seek asylum abroad.

4. Release information about the status and location of persons included in Human Rights Watch's list of 124 Montagnards known to be in prison as of March 2004 because of their political or religious beliefs.
5. Guarantee that any persons charged in connection with the protests in the Central Highlands or the Dega church movement receive trials that meet the standards set forth in Article 14 of the International Covenant on Civil and Political Rights (ICCPR) to which Vietnam is a party. The trials should be public, open to both Vietnamese citizens and foreign observers. Those accused should have access to legal counsel of their choosing and the free assistance of an interpreter, as mandated by both the ICCPR and Vietnam's Constitution.

Human Rights Watch makes the following recommendations to the Royal Government of Cambodia:

1. Honor its obligations under the 1951 Geneva Convention Relating to the Status of Refugees not to return refugees to a place where their lives or freedom are under threat, which is a norm of customary law and the cornerstone of refugee protection.
2. Immediately authorize UNHCR to establish a field presence in Mondolkiri and Ratanakiri provinces, re-open the provincial refugee camps, maintain the refugee transit center in Phnom Penh, and provide protection and assistance to refugees from Vietnam.
3. With assistance from UNHCR and the Cambodia Office of the U.N. High Commissioner for Human Rights, provide training to Cambodian border officials and police on refugee protection standards, and the fundamental norm of nonrefoulement, or non-return of persons who have a well-founded fear of persecution or torture in their homeland.

**Appendix A: Translation of Mnong-language letter obtained by  
Human Rights Watch, from Dak Song district, Dak Lak, dated  
December 2003**

A report of religious persecution in Mnong country in the area of the church at “X” village [village name withheld], Dak Song district, Dak Lak province. This letter reports persecution of the church in Mnong country. It tells why our brothers in high authority should be concerned about us and help us because of our religion. The report is as follows:

1. On 17 December 2002 the government persecuted our church once again.
2. On 22 January 2003 I was summoned to Dak Song district, Dak Lak province. There they abused me physically again. They severely interrogate church leaders in every church all the time.
3. On 23 January I was summoned to the commune office again and abused again for my faith.
4. On 22 June 2003 government officials summoned us again because of our faith in the Lord.
5. Ever since 22 January 2003 the government has barred the door of our church shut. We can no longer meet together.
6. Names of our church workers. [6 names with fingerprints follow]
7. At Christmas time 2003 our church people of “X” village church had no Christmas celebration because the government would not allow us to worship the Lord Jesus our Savior.

You brothers in high authority, please be concerned for the church in Mnong country in the highlands that we may have peace.

In faith in our Lord Jesus Christ. Amen.

The church at “X” village  
25 December 2003

## **Appendix B: Translation of Mnong-language letter from Dak Nong province, dated December 25, 2003**

Thursday, 25 December 2003

Letter from Mnong country

The church at “Y” and “Z” villages [names of village withheld], Dak Rlap district

This is about the hardship we suffer because the Vietnamese do not permit our religion or let us meet together or build churches. They are still mistreating believers and the church.

From March 1975 and onwards the officials of the Communist Party have forbidden our religion. Then in 2002 they abolished church committees everywhere. The same for the church at “Y” and “Z” villages. They barred the door of the church shut.

From May to the end of 2003 the Vietnamese have continued to mistreat us as before.

Now the church at “Y” and “Z” villages wants to report to the high authorities at the United Nations so that they will be concerned and help arrange things for our Mnong country.

1. None of the pastors are allowed to travel and preach God’s Word. Even for a funeral we can only do it if we submit a petition first.
2. They have not permitted us to build churches ever since Liberation. And now they have damaged some churches.
3. For every program we have to submit a petition first. Examples: funerals, weddings, housewarmings, singing and reading God’s Word.
4. Day or night, even for me, they do not allow me to visit people, not even Vietnamese people, without a petition. If I travel far and sleep overnight, I have to report it.
5. Other things. They do not allow meetings. We only meet in our houses now.

We appeal to you brothers. It’s true—when you came to Mnong country in [Dak Nong] a while ago, these communists told you that they permitted our religion. But in fact they do not. Right after you left, they got the idea of questioning pastors and interrogating believers. The communists are absolute liars for denying it.

We are writing to you to tell those in high authority to be concerned about us.

The names of believers in the church of “Y” and “Z” villages, people who thirst for the pure and the right and swear by putting their fingerprints on this page.

[Several pages of names and thumbprints follow.]