



Vietnam: Persecution of Montagnards Continues
Dega Christians Targeted in Latest Crackdown

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I. Introduction..... 2

II. Religious Persecution Linked to New Regulations..... 5

III. Recent Abuses of Montagnards in the Central Highlands..... 6

 A. Arrests and Detention..... 6

 B. Mistreatment of Families of Men in Hiding 8

 C. Forced Renunciation Ceremonies 9

 Cu Se District, Gia Lai 9

 Ia Grai District, Gia Lai 10

IV. Mistreatment of Returnees from Cambodia..... 10

V. Refugees at Risk 12

VI. Recommendations 13

 To the Socialist Republic of Vietnam..... 13

 To the Royal Cambodian Government 14

 To UNHCR and the International Community 15

I. Introduction

Recent religious reforms announced by the Vietnamese government are not improving religious freedom for many Christian Montagnards, indigenous hill people from Vietnam's Central Highlands.¹

A directive on Protestantism issued by the Prime Minister in February 2005 provides greater legitimacy to some branches of the Protestant Church. This was followed in early March by implementation regulations for a new ordinance on religion that was enacted in last November.

New evidence from the Central Highlands, however, indicates that officials are using the new regulations to force Montagnard Christians to abandon religious organizations that operate independently of the government-authorized Evangelical Church of Vietnam (ECVN), on threat of arrest.

The directive encourages officials to publicly expose "those disguised Protestants whose activities go against the nation and sow division among the people as well as their illegal activities." Targeted in particular are Montagnard house church members and those perceived as following *Tin Lanh Dega*, or Dega Christianity, an unsanctioned form of evangelical Christianity followed by many Montagnards, who distrust government-controlled religious organizations and seek to manage their own affairs.

The Vietnamese government, which bans *Tin Lanh Dega*, charges that it is not a religion but a separatist political movement controlled by "hostile forces" overseas who aim to undermine Vietnam's policy of state unity. The government's desire to eliminate Dega Christianity has impacted Montagnard Christians, whether they are Dega supporters or not.²

Since March 2005, Human Rights Watch has received reports of increasing arrests of Montagnards in Gia Lai province, including Cu Se, Dak Doa, Ia Grai, Ayun Pah, Mang Yang, and Cu Prong districts.³

¹ They include the Jarai, Ede (or Rhade), Bahnar, Koho, Stieng, and Mnong (or Bnong).

² For background on Dega Christianity see *Repression of Montagnards: Conflicts over Land and Religion in Vietnam's Central Highlands*, Human Rights Watch, 2002, pp 56-70.

³ These include areas to which Montagnards from UNHCR sites in Cambodia were repatriated in March.

Government security forces⁴ continue to search for villagers, including Dega Church activists, who have fled their villages and gone into hiding after government crackdowns on protests in 2001 and 2004. Police have been conducting midnight raids on villages, during which they have ransacked the homes of women whose husbands are in hiding. Some of the women, and their children, have been beaten during these raids.

In late March a number of Montagnards in hiding were arrested by police and soldiers, who were conducting search operations with dogs in the coffee fields and forests. Several villagers suspected of assisting those in hiding by providing food to them, as well as some Montagnard house church leaders were also arrested at that time. Credible reports obtained by Human Rights Watch indicate that some of those arrested were beaten or tortured in detention.⁵

Despite provisions in the Prime Minister's directive banning compulsory renunciation ceremonies, Human Rights Watch continues to receive a steady stream of reports about government authorities forcing Montagnards, primarily those thought to be followers of *Tin Lanh Dega*, to recant Christianity under the threat of arrest.

Officials have summoned dozens of Montagnards, including Bible teachers and house church leaders, to district centers for mandatory all-day meetings in which they are interrogated about church activities in their villages and ordered to cease the practice of Christianity. In some cases, Montagnards have been pressured to drink wine during these sessions, which they feel goes against their religion.⁶ In

⁴ These include *cong an* (police), *canh sat co dong* (intervention police; sometimes referred to as paramilitary forces) and *bo doi* (soldiers).

⁵ Information in this briefing paper comes from interviews conducted between March and May 2005 with a variety of Montagnard and non-Montagnard sources in Vietnam, Cambodia, and the United States. Of the Montagnard sources, some describe themselves as non-political, others are affiliated with different political factions, some identify as Dega Christians, and others are closely associated with the Evangelical Church of Vietnam. When possible Human Rights Watch made efforts to cross check the information, and in a number of cases we received multiple testimonies about a single incident. For the protection of sources and their families, we have withheld the names of Montagnard sources in this report, as well as identifying details (such as village name) of victims in Vietnam. Much of Human Rights Watch's information comes from Cu Se and Ia Grai districts of Gia Lai. This should not be taken to indicate, however, these are the primary trouble spots. Instead they are among the few areas from which Human Rights Watch is regularly able to obtain information. Human Rights Watch has not been able to directly confirm these reports, but it considers the sources as generally very credible.

⁶ Montagnard Christians reject ritual drinking of rice wine as a violation of their Christian beliefs because they perceive it as an animist tradition.

many villages, officials have been convening meetings in which they instruct villagers not to hold Christian gatherings.

Information about treatment of Montagnard returnees from refugee camps in Cambodia remains extremely difficult to obtain. In April, Human Rights Watch received reports about the detention and beating during interrogation of at least four Montagnards who voluntarily returned to Vietnam in March. Upon return to their villages they were confined to their homes, at least initially.

At least 180 Montagnards continue to serve prison sentences of up to thirteen years for their participation in demonstrations, involvement in the Dega Church movement or Christian activities in general, or for attempting to seek asylum in Cambodia.

Since January of this year, fourteen Montagnards have been tried and sentenced, according to reports in the Vietnamese state media. On January 12, seven people, including some who had been forcibly returned from Cambodia last June, were tried and sentenced in Ayun Pa district, Gia Lai.⁷ On January 24, three people were sentenced in Dak Doa district, Gia Lai.⁸ On March 28, two people were sentenced to prison in Ia Grai; Vietnamese state media reported that border police had arrested them last July as they were trying to flee to Cambodia.⁹ On March 30, two more Montagnards were sentenced to prison, in Dak Nong province.¹⁰

⁷ "Vietnamese court sentences seven for 'causing social unrest,'" Vietnam News Agency web site, January 14, 2005.

⁸ "Vietnam jails three hill tribe members over protest," Associated Press, January 26, 2005. "Vietnam jails hill tribe protestors," Deutsche Presse-Agentur, January 26, 2005.

⁹ "Vietnam jails two hilltribe members for organizing others to flee country," Associated Press, April 6, 2005.

¹⁰ *Quan Doi Nhan Dan* (People's Army Daily), April 6, 2005. "Vietnam jails two highlanders for Cambodia exodus," Reuters, April 6, 2005. "Two Ethnic Minorities Jailed for Sabotaging National Unity Policy," Vietnam News Brief Service, April 1, 2005. "Vietnam jails two hill tribesmen for stirring unrest," Reuters, March 31, 2005.

II. Religious Persecution Linked to New Regulations

The targeting of Montagnard Christians for persecution, arrest, and mandatory renunciation sessions, while ongoing in the Central Highlands for years, began to intensify in March 2005. In part this may have been linked to government authorities' fears that demonstrations would break out during Easter (which this year fell on March 27), as they had the year before.¹¹

Another factor appears to be the promulgation of an official directive by the Prime Minister in regard to Protestantism. Instruction No. 01/2005, "Guiding Protestant Religious Organizations," was issued in February 2005. It contains some positive elements, such as prohibition of attempts to force Protestants to renounce their religion (although, as mentioned above, authorities in the Central Highlands are continuing forced renunciation ceremonies).¹² In addition, as with the November 2004 Ordinance on Beliefs and Religion, the Instruction advances Vietnam's official stance that religious freedom is a privilege to be requested from and granted by the government, rather than a fundamental human right.¹³

Instruction No. 01/2005 requires religious organizations to obtain government permission in order to operate. Though it has been praised by senior U.S. officials, it states that only churches that have conducted "pure religious activities" since 1975 can register for official authorization. This effectively eliminates Montagnard house churches in the Central Highlands, most of which started in the late 1980s and early 1990s, as well as any religious Protestant organization that seeks to operate independently of the government-authorized ECVN.

¹¹ For information about the April 2004 demonstrations in the Central Highlands, see "Vietnam: Montagnards Beaten, Killed during Easter Week Protests," Human Rights Watch press release, April 14, 2004; "Vietnam: Open Central Highlands to International Observers," Human Rights Watch press release, April 22, 2004; "Vietnam: Montagnards under Lockdown," Human Rights Watch press release, May 28, 2004; and "Vietnam: Independent Investigation of Easter Week Atrocities Needed Now," Human Rights Watch Briefing Paper, May 2004.

¹² These official renunciation efforts sometimes appear to focus on forcing people to abandon "Dega Christianity" and, in some cases, pledge support for the officially-recognized Evangelical Church of Vietnam.

¹³ The 2004 Ordinance on Beliefs and Religions requires that all religious groups be officially authorized and subject to government control, and bans any religious activity deemed to threaten national security, public order or national unity. It gives weight to the government's systematic campaign to ban peaceful independent religious groups who practice their faith outside of state-sanctioned institutions or whose governing boards are not approved and controlled by the government.

In an ominous tone, the directive instructs officials to “fight attempts by hostile forces to abuse Protestantism to incite people to act subversively” and to publicly expose “those disguised Protestants whose activities go against the nation and sow division among the people as well as their illegal activities and the state's punishments and clemency policies.” The Instruction opens the door to authorities to force those perceived as following Dega Christianity to abandon their faith, despite other provisions in the Instruction banning such efforts. It also gives legitimacy to government security forces to interrogate, arrest, and imprison suspected Dega Church activists.

III. Recent Abuses of Montagnards in the Central Highlands

A. Arrests and Detention

Human Rights Watch continues to receive reports of arrests of Montagnard activists and church leaders, and the beating, interrogation, and arrests of the families of Montagnards who are in hiding or have fled to Cambodia.

Recent incidents include the following. Unless otherwise indicated, Human Rights Watch has received no information as to whether any of the people arrested were subsequently released.

- On April 21, security forces arrested a villager in Dak Krong commune, Dak Doa district, Gia Lai province. The villager was suspected of providing food to Montagnards who had gone into hiding in the forest.
- On April 17 at 11 p.m., security forces surrounded a house in Dak Krong commune, Dak Doa district, Gia Lai. They arrested a man who local villagers were sheltering there. He had fled from his home in Mang Yang district in November 2004 during a pre-Christmas crackdown, when security forces conducted dozens of arrests in Gia Lai.¹⁴
- On April 11, security forces arrested three people who had been in hiding in the forest and two villagers suspected of helping them from Ia

¹⁴ In November and December 2004, authorities conducted widespread arrests in the Central Highlands. During a two-week period in December, at least 129 people were arrested in Gia Lai province alone. See “Vietnam: Torture, Arrests of Montagnard Christians,” Human Rights Watch Briefing Paper, January 2005.

Tiem commune in Cu Se district, Gia Lai.¹⁵ Soldiers continued to search for six others from Ia Ko commune, Cu Se, who went into hiding in mid-December 2004.

- On the morning of April 3, a man from Ia Tiem commune, Cu Se was arrested and detained at the district police station. *Cong an co danh* (intervention police), together with district police officers accused him of aiding Dega Church activists in the forest. They beat him and forced him to drink alcohol. They told him to stop believing in Jesus. They tied his feet and had him hold his arms straight out, crucifixion style, while they hit him with their hands and kicked him with their boots. When he lost consciousness they poured wine into his mouth. He was released that evening.
- In Dak Lak at the end of March, police reportedly arrested six relatives (three sons, one son-in-law and two nephews) of a prominent Montagnard pastor who is a member of the government-sanctioned Evangelical Church of Vietnam/South (ECVN). They were accused of being members of FULRO,¹⁶ an armed Montagnard resistance movement that died out in 1992, and opposing the government. Two of the relatives were subsequently released; one after facing public denunciation in which he was accused for having preached the gospel illegally and calling himself a pastor without government approval.
- In late March, a Montagnard pastor who is a member of the ECVN Provincial Committee for Dak Lak, was reportedly arrested in Buon Ma Thuot. The reasons for his arrest are unknown.
- At the end of March, soldiers arrested eight Montagnards who had been in hiding in Cu Se district, Gia Lai, including a forty-year-old Bible teacher from Tao Rong commune.
- In March, security forces arrested a forty-three-year-old church leader from Mang Yang district, Gia Lai. He had fled his village on November 20, 2004, during the pre-Christmas crackdown.

¹⁵ A second report about this arrest from another source said the arrest took place on April 5.

¹⁶ FULRO is an acronym for Front Unifié de Lutte des Race Opprimées, or the United Struggle Front for the Oppressed Races.

- On March 26, soldiers arrested a Montagnard who had been in hiding from Plei Yon Ngol village, Ia Glai commune, Cu Se.
- On March 21, police arrested two Montagnards in Plei Teng Nong village, Ia Hru commune, Cu Se.
- On March 17, district and commune police detained and beat a man from Dak Doa district, Gia Lai. They confiscated his cell phone and accused him of being in contact with Montagnard groups in the US.
- On March 14-15, Vietnamese police reportedly arrested twenty people in Plei Ke village in Cu Se district (no information as to whether they were subsequently released or not).
- On March 10, police arrested three people in Dak Doa district, Gia Lai who had been in hiding since demonstrations in April 2004.
- On March 8, soldiers searched villages and fields in Cu Se district. Gia Lai for people in hiding. They arrested five people. Villagers in Ia Tiem commune subsequently reported being very afraid of being arrested on suspicion of helping to hide and feed persons in hiding.
- On February 27, police in Dak Lak province arrested Y Ruih Eban, 38, an activist from Krong Ana district who had been hiding since 2001.
- Other incidents include the arrest in February in Dak Doa district, Gia Lai of a Jarai man named Y Byun, who had been in hiding since 2001 and the arrest on January 17 of a man from Ea Kao commune, Buon Ma Thuot in Dak Lak, who was suspected of providing food to Montagnards in hiding.

B. Mistreatment of Families of Men in Hiding

Since mid-March 2005, Human Rights Watch has received increased reports of government security officials going to many villages in Cu Se district, Gia Lai to search for people in hiding.

- On March 30, police raided Plei Tao Ro village in Cu Se at 2 a.m. in the morning. They ransacked and destroyed the home of woman married to a Montagnard who has been resettled to the U.S. That same night police awoke and beat another woman and her six children (ranging in age from 1 to 12 years old) in an effort to find out the whereabouts of the woman's husband,

who has been in hiding since the protests of April 2004. He was arrested shortly afterwards.

- On March 28, twenty soldiers were sent to Plei Tai Per village in Cu Se. They searched the surrounding area with dogs. That night they ransacked the homes of two women whose husbands have been in hiding since 2001 and 2004 respectively.
- Around March 15, security forces entered a number of villages in Cu Se district at night, ransacking homes and in some cases beating family members in attempts to get information about the whereabouts of people in hiding. Places where such raids occurred included Plei Du in Tao Rong commune and Plei Yon Ngol in Ia De[r] commune.

C. Forced Renunciation Ceremonies

Human Rights Watch continues to receive reports of officials pressuring Montagnards to renounce Christianity, despite the Prime Minister's Instruction in February 2005 outlawing such practices. Recent incidents include:

Cu Se District, Gia Lai

- On April 17, two policemen summoned six men and one woman from Plei Ke and Plei Sur villages and threatened them with arrest if they follow or proselytize about "Dega Christianity". They were told that if they follow the Vietnamese church (presumably this means the ECVN, the government-authorized body) there would be no problem.
- On April 14, authorities called a village meeting in Plei Dun, Cu Se, and forced people to renounce Christianity and drink wine.
- From March 15-18, police surrounded many villages in Ia Hru, Ia Ko, and Ia Pet communes. Officials called Montagnard representatives from villages in these communes for full day meetings at the district headquarters in Cu Se, where they were lectured by district authorities as well as "police from Hanoi" (most likely officials from the Ministry of Public Security) and warned not to follow "Dega Christianity". In some cases they were forced to sign pledges agreeing to abandon Christianity and politics. Officials also conducted meetings in the villages during this time in which they instructed villagers not to hold religious gatherings.

Ia Grai district, Gia Lai

- On April 26, Ia Grai district police officers delivered a written summons to three villagers, ordering them to report to commune headquarters.

Four police officers interrogated them. They accused them of “heading the separation of the believers” and ordered them to cease their beliefs on the side of those who have “separated themselves from the church.” The villagers reportedly admitted being among those who had separated from the church (presumably meaning the ECVN) and refused to abandon their faith. The officers slammed their fists on the table and threatened them with arrest. All three villagers were beaten by the police officers before being released and allowed to return to their homes. One was slapped across the face and jaw; another was punched in the chest; and the third was boxed in their ears.

- On March 14 at 7 a.m., commune police summoned a villager from B-6 commune, Ia Grai district. He was interrogated and held in a dark, windowless room for one day, where he was asked about the leadership, practice, and membership of his religious group. He was told that he needed written permission from the district and commune in order to worship. He was warned that if he practiced without permission, he would be arrested again.
- On February 25 at 7 a.m., two police officers from Ia To commune, Ia Grai District summoned two men and a woman for interrogation. They were asked whether they followed Dega Christianity or the “Christianity of [Prime Minister] Phan Van Khai”. They were asked who in their village followed “the religion that is political” and where they worshiped, and ordered to cease following Dega Christianity. They did not agree to stop. The police hit one of the men with their fists and beat the second man until he lost consciousness. The three were released from detention the same day. They were warned that they would be arrested if they were caught practicing their religion again.

IV. Mistreatment of Returnees from Cambodia

In April, Human Rights Watch received disturbing information about eight Montagnards who were among thirty-five who voluntarily returned to Vietnam in March from UNHCR shelters in Phnom Penh, Cambodia. Sources in Ia Grai district reported that after receiving the group of returnees at the border on March 11, 2005 Vietnamese officials drove the returnees to Ho Chi Minh City, where they stayed for about a week.¹⁷ The nine villagers were then handed over to Gia Lai provincial authorities in Pleiku provincial town, where they were held for a week.

¹⁷ Deutsche Presse-Agentur reported that they returned to Gia Lai on March 16.

According to these reports, while in police custody in Gia Lai Provincial Police Station, at least four of the eight villagers were beaten during interrogation. Human Rights Watch obtained the following details on their mistreatment while in detention:

1. "A", 25, from "B" village, Ia To commune, Ia Grai district, Gia Lai Province. During his interrogation in Pleiku, a Vietnamese police officer stabbed him with his writing pen, lacerating three of his fingers and causing blood to gush out. The officer punched him in the thigh, leaving bruises.
2. "C", from "B" village, Ia To commune, Ia Grai district, Gia Lai Province. At Pleiku provincial police station, police officers punched him in his back, causing him to lose his breath.
3. "D", 20, from "B" village, Ia To commune, Ia Grai district, Gia Lai Province. During questioning in Pleiku, provincial police officers punched him in his stomach.
4. "E", 20, from "F" village, Ia To commune, Ia Grai district, Gia Lai Province. During interrogation in Pleiku, provincial police officers slapped him across both of his cheeks.

The returnees were then discharged to district police officials and escorted back to their villages by commune police officers.

All eight of the villagers who returned to Ia Grai district in this group were then confined to their homes, under police surveillance. It is not known if these villagers were formally put under house arrest, or informally instructed by local authorities not to leave their homes.¹⁸ As of April 11, the last time Human Rights Watch was able to obtain information about the group, all eight of the villagers remained confined to their homes, under police surveillance.

¹⁸ Administrative Detention Decree 31/CP authorizes village level People's Committee and Public Security officials to place people under house arrest, or "administrative detention," without trial for up to two years if they are deemed to have violated national security laws.

V. Refugees at Risk

Under an agreement signed on January 25, 2005 between the United Nations High Commissioner for Refugees (UNHCR) and the governments of Cambodia and Vietnam, Montagnards who do not qualify as refugees and refuse to repatriate, and those deemed to be refugees but refuse to resettle abroad, are to be returned to Vietnam. The 700 Montagnards under UNHCR protection in Phnom Penh at the time the agreement was signed were told to make their decisions by March 24.

There is nothing in the agreement to ensure that repatriation chosen in such circumstances is truly voluntary. The agreement provides no guarantees of UNHCR access to the Vietnam's Central Highlands to monitor the safety of those who are repatriated. It states only that the Vietnamese Government and UNHCR will "consult and cooperate" on visits to the returnees "at an appropriate time."¹⁹ Any return program implemented under such coercive conditions is counter to UNHCR's own guidelines on voluntary repatriation.²⁰ Forced return of Montagnards to Vietnam under current conditions risks violation of Cambodia's non-refoulement obligations under international refugee and human rights law.²¹

More than 200 of the approximately 650 Montagnards currently under U.N. protection in Phnom Penh, including some who have been recognized as refugees by UNHCR, have refused the option of third-country resettlement. Some are fearful that they will never see their families in Vietnam again if they resettle abroad. Others want to wait in Cambodia until the problems in the Central Highlands are resolved. Most remain deeply afraid of what awaits them if they return home now.

The agreement commits Cambodia to continue to provide temporary protection to Montagnard refugees and asylum seekers. However Human Rights Watch continues to receive reports of Cambodian authorities forcibly returning Montagnard asylum seekers back to Vietnam. Less than a week after the January agreement was signed, Cambodian authorities arrested and deported six Montagnard asylum seekers in Ratanakiri province.

¹⁹ In 2002, despite Vietnam's promises that UNHCR would be able to monitor conditions in the Central Highlands, Vietnamese authorities denied permission for the UNHCR field team to visit potential returnee villages during one of UNHCR's first assessment missions. See Human Rights Watch, *Repression of Montagnards: Conflicts over Land and Religion in Vietnam's Central Highlands*, 2002, pp. 134-138.

²⁰ See UNHCR Handbook on Voluntary Repatriation, 1996.

²¹ That is, Article 3 of the Convention Against Torture and Article 33 of the 1951 Refugee Convention.

The agreement also commits Vietnam not to punish returnees for their departure from Vietnam, which the agreement describes as “illegal.” However, according to first-hand accounts collected by Human Rights Watch, even Montagnards who have voluntarily returned to Vietnam since 2001 have been harassed by Vietnamese authorities. Some are placed under police surveillance and house arrest upon return, or are regularly summoned to the police station for questioning about their activities.²²

More worrying still, the new agreement makes no promises that the Vietnamese government will not punish or prosecute returnees for practicing their religion or expressing their political opinions. Human Rights Watch has documented numerous cases of abuse and torture against activists, religious leaders, and individuals who have been deported or have voluntarily returned from Cambodia.²³

The agreement is premised on assurances from Vietnam that any individuals returned will not be persecuted. The information cited above, which because of the lack of access to the area tells only part of story, makes it clear that these assurances cannot be taken at face value. Without a sufficient international monitoring presence in the Central Highlands, such as by UNHCR, there is no reason to believe the assurances have any meaning.

VI. Recommendations

To the Socialist Republic of Vietnam:

1. Allow Montagnards to organize independent religious organizations to freely conduct religious activities. Churches and denominations that do not choose to join one of the government-authorized religious organizations whose governing boards are subject to government approval should be allowed to independently register with the government.
2. Release or grant amnesty to all Montagnards imprisoned or detained because of their non-violent religious or political beliefs.

²² For additional testimonies about mistreatment of returnees, see “Vietnam: Torture, Arrests of Montagnard Christians,” Human Rights Watch Briefing Paper, January 2005.

²³ See “Vietnam: Torture, Arrests of Montagnard Christians,” Human Rights Watch Briefing Paper, January 2005.

3. Investigate reports of beatings, torture and arbitrary detention of Montagnards. Those responsible for these violations should be brought to justice.
4. Cease the religious repression of Montagnards, including bans on religious gatherings and other meetings, pressure to renounce one's faith, mandatory participation in non-Christian rituals, destruction and closure of churches by local authorities and security officials, and intrusive police surveillance of religious leaders.
5. Ensure that all domestic legislation addressing religious affairs is brought into conformity with international law, such as the International Covenant on Civil and Political Rights to which Vietnam is a party. Amend provisions in domestic law that can be used to criminalize certain religious activities on the basis of imprecisely defined "national security" crimes.
6. Amend the 2004 Ordinance on Beliefs and Religion and Instruction No. 01/2005 to include specific disciplinary measures for officials who continue to force people to renounce their religion.
7. Permit outside experts, including those from the United Nations and independent international human rights organizations, to have unescorted access to Montagnards in Vietnam, including members of denominations not officially recognized by the government.
8. Invite the U.N. Special Rapporteur on Religious Intolerance, the U.N. Working Group on Arbitrary Detention, and the U.N. Special Rapporteur on Torture to visit Vietnam to investigate incidents of religious persecution, torture, arbitrary detention and other rights abuses committed against Montagnards, including members of churches that are not officially sanctioned by the government.

To the Royal Government of Cambodia:

1. Provide asylum to Montagnard refugees for as long as the conditions for their safe and dignified return to the Central Highlands of Vietnam do not exist.
2. Issue such refugees with identity documents to indicate their legal status in Cambodia.

3. Refrain from any forced returns of Montagnards to Vietnam under present conditions, in accordance with the absolute obligation of non-refoulement.

To the UN High Commissioner for Refugees:

1. Re-evaluate the tripartite agreement of January 26, 2005 and insist in upcoming tripartite meetings between UNHCR and Cambodian and Vietnamese officials that strengthened provisions be included to ensure that (a) refugee decisions on durable solutions are fully informed and voluntary and (b) UNHCR has full and unfettered access to returnees inside Vietnam.
2. Provide improved counseling services in Phnom Penh to help Montagnard refugees and asylum seekers freely decide whether to repatriate or resettle abroad, while simultaneously decrying any violation or threatened violation by the Cambodian government of the absolute obligation of non-refoulement.
3. Do not provide services facilitating return (including voluntary repatriation) of Montagnards from Cambodia until adequate international monitoring is in place in the Central Highlands.
4. Ensure that all of the Montagnard shelters in Phnom Penh, including those that house rejected asylum seekers are managed under UN protection. Cooperate with the Cambodia Office of the High Commissioner for Human Rights to ensure that rejected asylum seekers have access to protection against refoulement in accordance with Cambodia's obligations under the Convention Against Torture and the International Covenant on Civil and Political Rights, and together decry any violation of these absolute human rights obligations.

To the international community, including intergovernmental organizations:

1. Advocate for continuation of Vietnam's designation by the United States as a "Country of Particular Concern" for its violations of the right to religious freedom until substantial, concrete progress is made, specifically by releasing all Montagnards imprisoned for peaceful expression of their religious beliefs; allowing minority religious organizations to register with the government and operate independently, should they choose to do so, with leaders they select

themselves; and ceasing the practice of forced renunciation of religious belief.

2. Press for revision of the January 2005 tripartite agreement between UNHCR, Vietnam and Cambodia in order that strengthened provisions be included to ensure that (a) refugee decisions on durable solutions are fully informed and voluntary and (b) UNHCR has full and unfettered access to returnees inside Vietnam.
3. Press the Vietnamese government to streamline the procedures for family reunification of Montagnards in Vietnam for those who have received authorization from resettlement countries to join family members who have resettled abroad.