

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. CON. RES. 178

Concerning persecution of Montagnard peoples in Vietnam.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2001

Mr. BALLENGER (for himself and Mr. BURR of North Carolina) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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## CONCURRENT RESOLUTION

Concerning persecution of Montagnard peoples in Vietnam.

Whereas the Montagnards are indigenous peoples of the Central Highlands of Vietnam who have long suffered discrimination and mistreatment at the hands of successive Vietnamese governments;

Whereas during the 1960's and 1970's Montagnard freedom fighters were the first line in the defense of South Vietnam against invasion from the North, fighting courageously beside members of the Special Forces of the United States Army, suffering disproportionately heavy casualties, and saving the lives of many of their American and Vietnamese comrades in arms;

Whereas since 1975 the Montagnard peoples have been singled out for particularly harsh treatment by the communist government of the Socialist Republic of Vietnam,

in part because of their past association with the United States and in part because their strong commitment to their traditional way of life and to their Christian religion is regarded as inconsistent with the absolute loyalty and control demanded by the communist system;

Whereas many Montagnards belong to independent evangelical Protestant churches which the Vietnamese Government regards as illegal and which the Government has persecuted by measures including closing and destruction of church buildings, harassment and discrimination against believers, and in some cases imprisonment and physical abuse;

Whereas the Vietnamese Government has long pursued a systematic policy of encouraging migration by ethnic Vietnamese to the Central Highlands, resulting in encroachments on and confiscation of Montagnard communal lands;

Whereas in recent years more and more Montagnard lands have been confiscated as a result of Government programs aimed at the cultivation of coffee and other products for export;

Whereas the Montagnards have far higher rates of poverty and disease than other residents of Vietnam, including one of the highest rates of Hansen's disease (leprosy) in the world, in part due to Government policies and practices that prevent nongovernmental organizations from working directly with Montagnards and divert in-kind humanitarian assistance provided by international and nongovernmental organizations;

Whereas many thousands of Montagnards were eligible for the Orderly Departure Program and other United States

in-country refugee programs on account of their wartime associations with the United States, postwar persecution on account of these associations, and other persecution on account of race, religion, and political opinion;

Whereas only a handful of eligible Montagnards have ever been able to gain access to these United States refugee programs, in part because few Montagnards could afford to pay bribes demanded by communist officials in exchange for permitting such access, and in part because of unreasonably restrictive policies imposed at times by United States officials charged with administering these refugee programs;

Whereas in February 2001 several thousand Montagnards participated in a series of peaceful demonstrations throughout the Central Highlands, demanding religious freedom and restoration of their confiscated lands;

Whereas the Government responded to these peaceful demonstrations by closing off the Central Highlands and sending in military forces, tanks, and helicopter gunships;

Whereas for the last 4 months the Government has refused to allow any meaningful access to the Central Highlands by diplomats, journalists, or other observers, so that it is impossible to be certain of the extent of the current repression;

Whereas credible reports by refugees who have escaped from the Central Highlands indicate that the Government has executed some participants in the demonstrations and has subjected others to imprisonment, torture, and other forms of physical abuse;

Whereas since February several hundred Montagnard refugees, and perhaps more, have succeeded in escaping from Vietnam into Cambodia;

Whereas approximately 250 of these refugees are under the care and protection of the United Nations High Commissioner for Refugees (UNHCR) at sites in the northeastern Cambodian provinces of Mondulhiri and Ratanakiri, and another 38 have been resettled in the United States;

Whereas the Royal Government of Cambodia has announced that Montagnards found in Cambodia who express a fear of return to Vietnam will be placed under the protection of UNHCR rather than forcibly repatriated to Vietnam;

Whereas despite this announcement by the central government, local and provincial police and military officials in Mondulhiri province, and perhaps some officials of the central government, appear to be pursuing a policy of systematic forcible repatriation of Montagnard asylum seekers to Vietnam;

Whereas, according to international observers Cambodian military and police officials have yet to deliver a single Montagnard into the care of UNHCR and have forcibly repatriated at least 100 to 200 Montagnards to Vietnam;

Whereas there are credible reports that Vietnamese security forces are operating openly in Mondulhiri and Ratanakiri provinces, harassing and intimidating local residents who have been helpful to Montagnard asylum seekers and offering bounties for the surrender of asylum seekers, including one instance in which Vietnamese security forces paid \$3,200 in gold to local Cambodian officials in ex-

change for 33 asylum seekers who were then repatriated to Vietnam;

Whereas there are credible reports that the Governments of Cambodia and Vietnam have taken extraordinary measures to secure the border against further escapes into Cambodia by Montagnard asylum seekers; and

Whereas although the information blackout imposed by the Vietnamese Government makes it impossible to predict with certainty the fate of Montagnards who are refused entry into Cambodia or forcibly repatriated to Vietnam, there is reason to believe that those who participated in the February demonstrations or who actively profess Christianity may be subjected to severe persecution: Now, therefore, be it

1        *Resolved by the House of Representatives (the Senate*  
2 *concurring), That the Congress—*

3            (1) urges the Government of Vietnam to allow  
4 freedom of religious belief and practice to all  
5 Montagnards including those who are evangelical  
6 Christians belonging to denominations not recog-  
7 nized by the Government; to return all traditional  
8 Montagnard lands that have been confiscated or en-  
9 croached upon; to allow nongovernmental and inter-  
10 national humanitarian organizations to deliver hu-  
11 manitarian assistance directly to Montagnards in  
12 their villages, without interference or involvement by  
13 Government officials; to open up all parts of the  
14 Central Highlands to foreign and domestic journal-

1       ists, human rights organizations, diplomats, and  
2       other observers; and to withdraw its security forces  
3       from Cambodia and stop hunting down refugees;

4               (2) commends the Royal Cambodian Govern-  
5       ment for its official policy of guaranteeing tem-  
6       porary asylum for Montagnards fleeing Vietnam;

7               (3) urges the Royal Cambodian Government to  
8       take all necessary measures to ensure that all offi-  
9       cials and employees of the local, provincial, and cen-  
10      tral governments fully obey the policy of providing  
11      temporary asylum; to make clear that such protec-  
12      tion will be extended not only to Montagnards found  
13      within Cambodia but also to those apprehended at  
14      the border; to insist that the Government of Viet-  
15      nam withdraw its officials and employees from Cam-  
16      bodian territory and discontinue its efforts to secure  
17      forcible repatriation of Montagnards; and to provide  
18      security at sites where refugees are sheltered;

19              (4) commends the officials and employees in  
20      Cambodia of the United Nations High Commissioner  
21      for Refugees (UNHCR) and the United Nations  
22      Human Rights Center for their assistance to and ad-  
23      vocacy on behalf of Montagnard asylum seekers and  
24      refugees, and urges them to continue and intensify  
25      these efforts;

1           (5) commends the Department of State for the  
2 assistance to and advocacy of Montagnard asylum  
3 seekers that have been provided by officials and em-  
4 ployees of the United States Embassy in Phnom  
5 Penh and urges that such efforts be continued and  
6 intensified; and

7           (6) urges the Department of State to make  
8 clear to the Government of Vietnam that continued  
9 mistreatment of Montagnards and efforts to seek  
10 forcible repatriation of refugees and asylum seekers  
11 from Cambodia represent a grave threat to the proc-  
12 ess of normalization of relations between the Gov-  
13 ernments of the United States and Vietnam and, in  
14 particular, a serious obstacle to any prospects for  
15 the future provision of United States assistance to  
16 the Government of Vietnam and to United States  
17 support of such assistance by international financial  
18 institutions.

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