



MONTAGNARD FOUNDATION, INC.

Dedicated to the preservation of the indigenous people of Central Vietnam

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STATEMENT OF CLARIFICATION

I, Kok Ksor, president of the Montagnard Foundation, want to make it perfectly clear that the Montagnard Foundation (MFI) has no desire to overthrow the Vietnamese government, nor do we seek for Degar lands to become separated from Vietnam.

The Degar people intend to honor the agreements our ancestors made with the French Federal Government of Indochina and the last Vietnamese Emperor, Bao Dai, in the 1950's. With that said, we want to remind the Vietnamese government and people of the promises that their ancestors made with our people. Both of our former leaders desired for us to live together in peace and freedom and prosper as one people and one nation. Let us not forget that.

We, the Degar people, appreciate the fact that the Vietnamese government and people have voted "yes" to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). However, we firmly hope that they will act according to this declaration, and not degrade the UNDRIP to another case of empty promises and mere words without action.

I, Kok Ksor, proudly admit that I have participated in two of the Degar freedom movements. In both cases, we were struggling for our very right to live. MFI continues this struggle, but in an exclusively non-violent political way. The aim and goals are the same – as stated in articles 3 and 4 of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP):

Article 3

- ***Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.***

Article 4

- ***Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.***

Our people only want to live in peace with the Vietnamese people. We want the same rights afforded to ethnic Vietnamese citizens – to be able to control our own lives, internal matters and village affairs. We want to be free from racism and persecution without having to give up our language, styles of clothing and traditions. Our culture is very important to us. We also want the right to use our ancestral lands, territories and resources, which our people have traditionally owned and occupied as stated in article 26 of UNDRIP below:

Article 26

- *Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.*
- *Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.*
- *States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.*

We, the Degar people, do understand that UNDRIP is not a binding law. Still, it would be worth the Vietnamese government and people seriously considering it as an act of good will towards our people. Does Vietnam even desire to live in peace and freedom with the Degar people? It seems as if Vietnam wants to exterminate our race of people completely, and there is nothing that our people can do except pray that our Lord God will strengthen us to endure the agony of death.

Please look at some of the articles transcribed from **chapter five of the Vietnamese Constitution on the fundamental rights and duties of the citizen.**

- **Article 52**
All citizens are equal before the law.
- **Article 58 (paragraph 2)**
The State protects the citizen's right of lawful ownership and right of inheritance.
- **Article 68**
The citizen shall enjoy freedom of movement and of residence within the country; he can freely travel abroad and return home from abroad in accordance with the provisions of the law.
- **Article 69**
The citizen shall enjoy freedom of opinion and speech, freedom of the press, the right to be informed, and the right to assemble, form associations and hold demonstrations in accordance with the provisions of the law.
- **Article 70 (paragraph 1 & 2)**
The citizen shall enjoy freedom of belief and of religion; he can follow any religion or follow none. All religions are equal before the law.
- The places of worship of all faiths and religions are protected by the law.
- **Article 71 (paragraph 1 & 3)**
The citizen shall enjoy inviolability of the person and the protection of the law with regard to his life, health, honor and dignity.
- It is strictly forbidden to use all forms of harassment and coercion, torture, violation of his honor and dignity, against a citizen.
- **Article 72 (paragraph 1)**
No one shall be regarded as guilty and be subjected to punishment before the sentence of the Court has acquired full legal effect.

- **Article 73 (paragraph 3)**

Safety and secrecy are guaranteed to the citizen correspondence, telephone conversations and telegrams.

Which one of the Degar human rights has the Vietnamese government respected? Where is the equality for all citizens before law? Is this a real law or just a sham to fool the international community? Who do these laws apply to?

Regarding the three Degar Movements:

- 1- Movement of BAJARAKA in 1958
- 2- Movement of FULRO in 1964
- 3- Movement of MFI in 1990

1 – BAJARAKA - To make long story short, the name BAJARAKA derives from the names of three major tribes of Degar people in the Central Highlands. BA stands for the Bahnar tribe, JA stands for the Jarai tribe, RA stands for the Rhade tribe and KA stands for the Kaho tribe. (Please read the documents by the French leaders and the last Vietnamese Emperor Bao Dai which we have been posted on our website)

After France lost the war with Viet Minh in 1954, Vietnam was divided in two parts. North Vietnam was under the rule of Ho Chi Minh and the South Vietnam was under the rule of Emperor Bao Dai. But, in 1955, when South Vietnam ran a general election, Ngo Dinh Diem won the election and he became the first president of South Vietnam. Right away, the Ngo Dinh Diem administration began to assimilate Degar people and our homelands into Vietnamese society and Vietnam territories respectively by changing the names of all Degar who were officers in the French Army into Vietnamese names. They also changed the names of our mountains, rivers and cities into Vietnamese names and then burned all of our educational books, legal documents. Then, they dissolved our tribal court system and forbid teaching our children in our native language and obligated all of our people to learn Vietnamese. They even forced our women to dress like them. Not only that, but at random intervals, their security police arrested, tortured and even murdered our people because they believed that our people's hearts and mind still supported the French.

In 1956, Ngo Dinh Diem moved 850,000 Vietnamese refugees from North Vietnam into the Central Highlands. These refugees not only took over our homelands, but they committed many evil acts against our Degar people. They destroyed our crops and took our good farmlands without compensation; they stole our belongings and our domestic animals. Many of our people died while trying to protect their properties. If our people ever reported these injustices to the Vietnamese security police, instead of helping the victims, the Vietnamese sided with their own kind and accused our people of being the remnants of French head and Viet Cong supporters in order to have a reason to imprison torture and even murder our people in prison.

This was the main reason that some of our young Degar men organized the BAJARAKA movement in order to protest against the ill treatment of the South Vietnam officials and government. In September of 1958, we demanded that the government stop its brutal

assimilation policies and treat our people equally with the Vietnamese people. But, instead of hearing us and trying to solve the problems, the Diem government used armed forces and tanks to disperse Degar protesters, many of them were killed and their leaders were arrested and imprisoned, including Mr. Y-Bham Enuol, Y-Thih Eban, Y-Ju Eban, Nay Luet and so on.

Ever since they first occupied the Central Highlands in 1975, the Hanoi government has been treating our people the same way. Instead of accusing us of being French supporters, they accusing us of being remnants of US Forces. They accuse our peoples of being the ears and eyes for US Forces during the war and they even dare to claim that Degar Christians are secret CIA agents even today! We believe that these accusations are really just smoke and mirrors; they don't really believe this nonsense, but they make this up in order to have a reason to send our people to prison, torture us and murder us. Each time there is a war or a change of regime in Vietnam, the Degar people are the ones who suffer. The Degar people did not create any of these wars and most of our people did not even know where the war came from or what it was for.

The first Indochina War was created by the French and Viet Minh and both sides used the Degar people to fight against each other. The second Indochina War was created by North and South Vietnam and also the United States who supported the government of South Vietnam. Both sides also used the Degar people to fight each other. What benefits did our people ever get from these wars except death? The Hanoi government still continues to destroy our people (even though the war had been long gone) because many of our people supported the US Armed Forces during this time.

Now, France and the United States have become good friends with their former enemy, Vietnam. But, they have ignored and forgot about their best allies during the war. We feel betrayed, but what can we do? There is nothing we can do to change their minds except pray that our Almighty God will touch their hearts and minds so that they will have compassion toward the suffering of our Degar people.

2 – FULRO – After Mr. Y-Bham Enuol was released from prison in early 1964, the South Vietnamese government nominated him as an assistant to the province chief of Daklak province. At this time, our people were still being persecuted and Mr. Enuol wanted to continue our people's struggle for the right to live and co-exist with Vietnamese people inside the Central Highlands.

At this time, other groups of persecuted and oppressed people in South Vietnam, including the Cham and Khmer Kampuchea-Krom, also wanted to join our original BAJARAKA movement. The leaders, who had been living in Cambodia, discussed this with Mr. Enuol, who identified with the struggle of these groups and felt that the government of Vietnam would be more receptive to their plight if more people were part of the protest – a case of strength in numbers. Mr. Enuol with other leaders of Cham and Khmer Kampuchea-Krom changed the name of BAJARAKA movement to Front Unifie de Lutte des Races Opprimees (FULRO) and agreed to combine purposes for all indigenous people. They moved their base camp to Cambodia and agreed that even though Mr. Y-Enuol was the “official” head of the FULRO, each and every organization would keep its own agenda. Nevertheless, they all agreed to help each other in their struggle against the Vietnamese.

During this time, FULRO members carried arms. This was common among most men during this time due to the serious fighting between North and South Vietnam at this time, but this did not mean they were forming their own army. The weapons they carried were their own and were for defensive purposes. From September of 1964 until the fall of South Vietnam in 1975, FULRO had never fought a military war with South or North Vietnam. Of course Vietnam certainly accused FULRO of doing so. Therefore, in order to prove FULRO's innocence, Mr. Enuol left the Central Highlands and sent his representative back to Buonmathuot in March of 1965 to negotiate with South Vietnamese government. He ***demanded the rights of self-determination and autonomy or self-government in the matters of internal and local affairs. It is interesting that these are the same demands that are stated in article 4 of the United Nations Declaration on the rights of Indigenous Peoples, which the current Vietnam government agreed to on September 12, 2007.*** In any case, in May of 1965, the headquarters of FULRO's delegation of representatives was established at Buon Ale "A" in Buonmathuot city. So there were no organized armed fighting between South Vietnamese government forces and the members of FULRO who carried arms during that time of war for obvious reasons.

After the fall of Cambodia in 1975, around 150 of FULRO's members (including women and children) went to French Embassy in Phnom Penh with their leader Mr. Y-Bham Enuol to ask for protection, but the Khmer Rouge did something terrible. They took them to a soccer field and executed them all. After that day, the remnants of FULRO who were still in the Central Highlands were on their own and did not know what to do. They knew Vietnam wanted to kill them so when Vietnamese soldiers shot at them, of course they shot back. What would you do? Around 200 members of FULRO were able to cross into Cambodia and Thailand, where they were rescued by the Americans and brought to the United States as refugees. Later, the United Nations Peace Keeping Forces rescued another 400 or so Degars in the Cambodian jungles and they were also brought to the United States as refugees. Ever since, Vietnam had announced that they have wiped out the FULRO's unit from its territory. This was the end of FULRO.

3 - MFI – The Montagnard Foundation, Inc (MFI) is comprised of Degar refugees, but is a US based nonprofit organization that advocates for the indigenous Degar Montagnard people inside Vietnam's Central Highlands. As members of the UN Working Group of Indigenous Populations and as members of the Degar community our-selves, MFI is in constant contact with the Degar Montagnard population inside Vietnam's Central Highlands. In addition to our other duties, we release individual statements of persecution whenever possible to shine light onto the evil acts committed by Vietnam's government. We hope this will discourage some officials from torturing our people. We also hope these specific and detailed reports will prove to the international community the truth and severity of our position. MFI advocates on behalf of Degar people, both collectively and as individuals. The fundamental feature of MFI's goals in its advocacy is based on internationally accepted standards of democracy, human and indigenous rights. MFI's guiding principles are based on non-violence and the spirit of Christianity.

The indigenous Degar Montagnard people seek an end to decades of systematic ethnic and religious persecution enacted by the Vietnamese Government. In response to propaganda by the Vietnamese government, the Montagnard Foundation emphatically reiterates that our organization does not seek to overthrow the Vietnamese Government, nor does it seek systematic independence. The Montagnard Foundation however, recognizes that indigenous lands rights are

paramount to the ethnic and cultural survival of our people and we note that on the 12th of September, 2007, The United Nations General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples and that Vietnam was one of the countries who, as a members of the United Nations General Assembly, voted “yes” for it. The Montagnard Foundation also bases its advocacy on such principals under the banner of indigenous peoples. As such, there should be no disagreement as to what our rights are.

The Montagnard Foundation states clearly that we, the indigenous Degar Montagnards people, do not hate Vietnamese people and what we really desire to co-exist peacefully together. After all, we chose to become part of Vietnam, as recorded by the last Vietnamese Emperor Bao Dai in a official 1950 decree that **“pursuant to the wishes expressed by the representatives of the Montagnard populations on May 26, 1950 in Kontum, on June 5, 1950 in Pleiku, on June 10, 1950 in Darlac, on June 26, 1950 in Haut-Donnai,”** that Montagnards wish to live alongside the Vietnamese people.

We, the Montagnard Foundation, note that a majority of our population are Christian, which further complicates our relationship with the historically intolerant government of Vietnam. Our faith should bring us closer, though. After all, we believe that God created all human beings and loves everyone equally – both Degar and Vietnamese. Nevertheless, in order to have peace and freedom, we must have equality before the law and in practice.

Thus, and in conclusion, we reaffirm that our goals are for the advancement of human rights, democracy and freedom for the Degar People, and that we justify these goals by the international standards of human rights and the rights of indigenous peoples which Vietnam also accepted. We want to co-exist with the Vietnamese people as equal citizens. In this way, we can assist Vietnam to develop and become as prosperous as any other free nation in South East Asia. Once again, we seek the freedom to live as indigenous people and we are more than willing to discuss and negotiate with the Vietnamese government anytime in order to facilitate a peaceful solution to our grievances.

Prepared by,

Kok Ksor, president of the Montagnard Foundation, Inc.