MEMBER PROFILE

HMONG

Congress of World Hmong People (CWHP)

Last updated: July 2017
Status: Minority

Population: Estimated 4-15 million in the World (Lemoine, 2005), 595,028 in Laos (2015) and 2-4,000 in the Laotian jungle

Religions: Shonglesim, Shamanism, Buddhism, Christianity

Language: Hmong

UNPO REPRESENTATION: Congress of World Hmong People

The Congress of World Hmong People (CWHP) has been a Member of UNPO since 2007. It represents the ChaoFa Federated State internationally.

OVERVIEW

The Hmong are an indigenous group originally from the mountainous regions of southern China, Viet Nam, Laos, Myanmar and Thailand. They distinguish themselves from the Laotian population because of their ethnicity, written and spoken language, culture and religion. According to government sources, the Hmong constitute the third largest ethnic group in the Lao’s People Democratic Republic (LPDR).

According to the 2009 national census, the majority of the Hmong population in Laos is situated in the mountainous northern area of Laos. As for the Hmong ChaoFa – namely those who are not Buddhist nor Christian but who believe in the Mother of Writing, Shongle, who revealed the written scripts and Shonglesim to the Hmong in 1959 –, the provinces they inhabit include Houaphanh, Xieng Khouang, Sayaboury and the city of Luang Prebang along the Mekong River. Some mountain peaks such as Phou Bia reach above 2,800 metres in the region. Dense forests also cover the Northern and Eastern areas. This Hmong territory borders Viet Nam in the East, China in the North, Myanmar in the Northwest and Thailand in the West.

Hmong are subjected to, inter alia, discrimination, uncompensated land confiscation, arbitrary arrests and violations of their cultural and religious rights in LPDR. Under the 1991 Constitution, the Lao People’s Revolutionary Party was designated as the one and only legal political party in the country. Accordingly, the rule of law is undermined by political interference and endemic corruption. Moreover, widespread restrictions exist with the freedoms of expression and association, causing the imprisonment of political opponents, arbitrary arrests, enforced disappearances, abject poverty, inequalities and a lack of access to health and education for part of the population. These restrictions are further accompanied by severe limits on cultural and religious freedoms, especially for ethnic minorities and indigenous peoples such as the Hmong.

UNPO PERSPECTIVE

Given the aforementioned violations of the rights of the Hmong, UNPO strongly condemns the military violence against the ChaoFa indigenous civilians in the Special Zone of Xaisomboun as well as the intimidation, harassment and persecution of human rights defenders, journalists, and members of minority communities through arbitrary arrests.
and enforced disappearances. Moreover, UNPO believes that developing a legal framework is necessary to protect local inhabitants from land grabbing and forced relocation, as these practices significantly affect the economic activities of Hmong people, depriving them from their own means of subsistence. UNPO also supports the Hmong’s demand for independent international mediation to allow a fair dialogue between the Lao government and the people.

**HISTORICAL BACKGROUND**

During the Vietnam War, the Hmong were recruited by the American Forces to counter the invasion of Northern Laos by Vietnamese troops, a confrontation that is commonly referred to as “the Secret War”. At the end of the war, the Pathet Lao communist political movement took control of Laos and the American government ceased to actively support the Hmong in the country. Due to their war legacies, however, the Hmong continued to be stereotyped as a dangerous anti-government group and have thus been systematically targeted and discriminated by the Laotian government ever since.

Due to this continuing persecution and military violence, thousands of Hmong have gone into hiding in the Laotian jungle, while others have attempted to seek refuge in neighboring countries. Some succeeded to find refuge in the United States and other foreign countries. Those who were left in Laos and had not fled to the jungle were sent to re-education camps, in which many Hmong died.

Today, an estimated 2-4,000 Hmong live in the remote Laotian jungle for fear of government retaliation. This shows a steep population decline, as in the 1970s the Hmong population who fled was estimated to be between 20-30,000, depending on the sources.

**CURRENT ISSUES**

For the Hmong still living in Laos, and more specifically for those who have fled to the Laotian jungle, the consequences of backing the losing side in the Viet Nam War are still apparent, as persecution is a daily reality. In addition, areas of the Hmong territory and villages are facing environmental problems related to gold mining, illegal wood logging and dam building. These activities have reached record numbers, based on a rhetoric of economic independence and rural development to sustain the country’s poverty reduction propaganda. These developments continue to cause environmental hazards and erosion, the reduction of wildlife and fisheries, the disappearance of the historical wilderness and above all, the destruction of nature. Ironically, the Hmong are often accused of causing the country’s deforestation problem and thus forced to relocate.
To this day, access to the Xaysombun Special Zone continues to be denied to international visitors and journalists and the Lao government labels evidence of the human rights violations suffered by the Hmong as “fabrications”.

Seeking refuge in other countries has become dangerous for the Hmong. Viet Nam and Thailand have standing collaboration efforts with the Laotian government to detain and cooperate in the forceful repatriation of Hmong refugees to LPDR. Such collaborations have also extended to military campaigns within Laos’ borders, violently targeting the Hmong communities hiding in the jungle. Because the government of Laos does not recognize the Hmong as an indigenous people and has no specific legislation in this regard, they are not eligible to a series of benefits they would otherwise attain. Explicit indigenous recognition would provide additional mechanisms to address uncompensated land confiscation, natural resource exploitation and abuses of their cultural and religious rights.

To read about the latest issues encountered by the Hmong, take a look at our Hmong Timeline.

Military Violence

Since the establishment of the LPDR, Hmong communities have suffered from violent attacks from the Lao People’s Army (LPA), which continue till this day. In 2013, a surge of political and ethnic violence led to the killing of a number of Hmong civilians at the hands of the Laotian security forces. Since the week of 13 June 2016, the military campaign has again severely intensified. According to the CWHP’s contacts in the jungle, two regiments of soldiers landed in the Hmong’s area on 13 June, and attempted to surround at least one community of roughly a hundred people. They reportedly fired heavy artillery into the areas they suspected the Hmong to be hiding in, despite being aware that there are civilians, including very small children, in these communities. Since September 2016, several civilians died or began to suffer from chemical poisoning. It seems likely that the Lao military is using chemical weapons against the Hmong.

Since 4 February 2017, the Lao military launches heavy weapons in the Phou Bia region, and helicopters have been seen flying back and forth between military bases in the area (CWHP, 4 February 2017, 11:17, 12:26 and 13:26 Lao time).

Hmong Leaders reported in 2009, 2010, 2011, 2012, early 2013, 2016 and 2017 that the Lao government continues using unknown chemical agent spray on their regional territories, thus causing the death of wildlife, children and elderly. Even in neighboring regions, Hmong livestock has been affected as the wind carries chemical poisons into ground as well.

Reports and evidence received from the Hmong indigenous communities indicate that the community in the Phou Bia is constantly being chased and attacked and has to move weekly in order to sustain its peace and security.
The Lao military closely monitors the Hmong indigenous communities. Their daily social life and economic sufficiency are continuously being destroyed, resulting in hunger, diseases, undernutrition and lack of medication. The region is tightly controlled by the military. These are clear violations of the right to life and security of the person.

Moreover, reports indicate that the Vietnamese military is assisting the Laotians in controlling the area of Ha Ghoua, south of Phong Savan. Vietnam and Thailand have collaboration agreements with Laos, involving the forced repatriation of Hmong refugees fleeing to their territories and investment in joint military campaigns within LPDR to target Hmong communities seeking refuge in jungle areas. The persecuted Hmong are forced to defend themselves in any way they can from extermination, yet they are vastly outranked by the superior capacity and resources of the Lao army. Given how the LPDR treats its war enemies, and the ongoing killings they suffer by the Lao army, these Hmong fear they will be executed if they surrender and leave the jungle. Indeed, some Hmong report examples of such cases.

The Hmong’s situation cannot be resolved bilaterally between them and the LPDR, as there is insufficient trust in the Lao regime to establish a dialogue that could lead to a resolution. Only third party mediation from international observers, along with full accountability and transparency regarding the Lao regime’s military operations in the areas inhabited by the Hmong, can offer the security needed by them to work toward a solution. The situation is urgent, as military violence has surged in the past couple of years and months and the Hmong fear the military is building up to a final eradication effort that could see the last remaining Hmong in the jungle wiped out.

Lack of Recognition for Minority Status

The situation for the Hmong people is compounded by the fact that the LPDR refuses to grant them indigenous status, which prevents them from receiving any form of legal protection they are entitled to under international law. Indeed, article 27 of the International Covenant on Civil and Political Rights (ICCPR), to which LDPR is legally bonded since 2009, states: “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language”. Furthermore, Laos also voted in favour of the 2007 Declaration on the Rights of Indigenous Peoples.

Explicit indigenous recognition of the Hmong by Laos would provide additional mechanisms to address uncompensated land confiscation, natural resource exploitation and abuses of their cultural and religious rights.

The Lao Government does not even ensure basic human rights to the Hmong in the jungle, committing war crimes by using chemical weapons. Some even speak of genocide, since all
the human rights violations stated here seem to indicate that the Government of Laos shows a specific intent to make the Hmong people of the jungle disappear. It therefore comes with no surprise that the Hmong in Laos are far from enjoying any kind of minority rights.

**Violation of Cultural and Religious Rights**

In the LPDR, religious activities are severely restricted for all minority groups. As most ethnic minorities and indigenous peoples in Laos also constitute religious minorities, religious restrictions often go hand-in-hand with the violation of minority rights guaranteed by article 27 of the ICCPR. They also violate the principle of non-discrimination stated by article 2 of the International Covenant on Economic, Social and Cultural Rights (ICSCR) to which LPDR has acceded in 2007 and by the ICERD. Religious persecution takes form through various intimidation strategies, including the cutting of running water, poisoning of cattle, the denial of permits for the construction of religious buildings, and threats of eviction.

The US Commission on International Religious Freedom has documented official and ongoing religious persecution against the Laotian and Hmong people by both the Governments of Laos and Vietnam. In April 2011, the US-based Centre for Public Policy Analysis researched and documented cases of Hmong Christians being attacked and summarily executed, including four Lao Hmong who were assassinated on 14 April 2011 (Center for Public Policy Analysis, 15 April 2011).

Lao is the only official language in Laos. Hmong do not have access to education in their own language, and continue to be under-represented in all areas of public life, including political institutions, which tend to be dominated by the ethnic Lao. As part of the resettlement process, Hmong communities are often mixed in or positioned close to ethnic Lao villages and are pressured to “modernize”, usually meaning adopting the language at schools (Minority Rights Group (MRG), 2007).

**Freedom of Expression**

The Lao Government is suppressing freedom of speech, association, and assembly. It strictly controls all television, radio and printed publications in the country. Article 23 of the Lao Constitution states that all “mass media activities” that are contrary to “national interests” or “traditional culture and dignity” are prohibited. In September 2014, the Lao Government adopted a draconian Internet Decree significantly restricting freedom of expression online, using provisions that go well beyond internationally-accepted limits on free speech as outlined in article 19 of the ICCPR (HRW, 2015).

Given this situation, it is almost impossible for the world to be informed about the Hmong’s plight.

**Food Security, Standard of Living and Right to Health**

Hmong communities living in remote rural areas are the most affected by food insecurity and do not have access to basic services such as health care facilities. Hmong in the jungle areas of the Xaisombun Province, often survive on roots they must dig up from several feet underground. Since they face frequent military attacks, they rarely remain in one place for longer than three weeks (MRG, 2007), which is not enough time to grow their own food. Besides, the intensified military campaigns prevent them from leaving their refuge in search of food, putting them at risk of starvation.

They also have very little access to safe drinking water, as they do not have regular access to purification tablets, which are otherwise used throughout the region. This already unsafe drinking water is besides difficultly accessible, as the communities must leave their refuge to collect water, thus running the risk of encountering the Lao military.
As a result, many members of the community, including children, suffer from undernutrition. The Hmong also lack access to basic sanitation facilities due to living in makeshift camps, putting them at risk of death and disease. This situation also constitutes an attack on their dignity.

They also do not have access to basic services, such as health care facilities, which are vital in a context of violent encounters with the Lao military. Besides, there are high rates of maternal mortality because of the lack of reproductive healthcare facilities, and Laos’ already high rates of child mortality severely increase in areas where these Hmong communities live.

These groups also lack access to many non-food goods and supplies, such as clothing, blankets, bedding, stoves and kitchen sets, water containers and hygiene products. These goods are however necessary to maintain their health, privacy and dignity, to meet their personal hygiene needs, to prepare and eat food, and to achieve necessary levels of thermal comfort.

Poverty, food insecurity and lack of healthcare in these areas result in the violation of the local inhabitants’ rights to an adequate standard of living, to food, and to health, and put them at grave risk of disease and death.

**Enforced Disappearances**

As a signatory of the International Covenant on Civil and Political Rights (ICCPR), the Laotian government is committed to respect its citizens’ freedom from arbitrary arrest and detention (art.9, ICCPR). Yet government opponents, human rights activists and ethnic and religious minorities are often detained without valid legal justifications. The national security of the LPDR arrests members of minority communities, and particularly Hmong individuals, who are commonly stereotyped as untrustworthy anti-government forces.

Sombath Somphone, a prominent social and environmental activist was abducted at a police checkpoint in 2012. The enforced disappearance of Sombath Somphone, however, is not an isolated case. For instance, on 25 August 2007, three young Hmong Americans (Yang Neng, Yang Hakit, and Yang Congshineng) were detained and disappeared. In 2009 and 2010, several Hmong refugees in Thailand were forcefully repatriated to Laos and some of them disappeared after their arrival in the country. In September 2016, two men were summoned to meet with a Lao police officer in the village of Lat Houang. They disappeared without a trace after following the subpoena and a few days later their dead bodies were found hanging from the branch of a tree in the water. The injuries, including broken arms and legs, suggest that they were beaten to death and then tossed into the river.

Despite pressure on the Laotian government from family members, international organizations and foreign governments to release information about their whereabouts, the cases of these disappeared Hmong remain unresolved until today.
Refugees and Returnees

Since the end of the Vietnam War, the US received around 130,000 Hmong, living today mainly in California, Minnesota and Wisconsin. Another 100,000 fled across the Mekong River to Thailand, many of them resettling in the US at a later stage.

It is reported that from 1975 to 1992, some of the Lao and Thai sailors hired by the Hmong to facilitate their crossing the Mekong River have also killed and robbed the Hmong. Young girls and women were raped and murdered and many were then dumped into the River to die.

In May 2007, senior military officers from Thailand and Laos signed the Lao-Thai Committee on Border Security Agreement, allowing Thailand to send Lao Hmong asylum seekers back upon arrival (HRW, 2007). Since the end of 2009, almost 4,500 Hmong refugees living in Thailand were forcefully repatriated to Laos as a consequence of this agreement, then often detained by the Lao Government for seeking asylum. While the Lao Government promised to assist returnees to reintegrate into the country, the great majority of them have been living in refugee camps with difficult living conditions and severe restrictions of their freedoms upon their return. One of the biggest camps is the Phonekham village (Borikhamxay province), where returnees endure difficult living conditions and severe restrictions of their freedoms, including their liberty of movement. Refugees living in Phonekham have reported that they are not allowed to move beyond a five kilometer radius from the camp.

Vietnam and Thailand have standing collaboration efforts with the Laotian Government to detain and facilitate the forceful repatriation of Hmong refugees. Such collaborations have also extended to military campaigns within Laos’ borders to violently target Hmong communities hiding in the jungle. Reports suggest that hundreds of Hmong have been lured from the jungle by the prospect of amnesty, but many of them have been met with retaliation instead.

Consequently, the Hmong living in the jungle can hardly trust the promises of the Lao Government and continue fearing for their lives and freedom, thus continuing to hide to escape the Laotian security forces.
Land-grabbing, Displacement and Resource Exploitation

Several areas in the North of Laos, where most Hmong live, have been designated by the government as "special economic zones" or "specific economic zones", i.e. areas selected by the government for the development of industrial projects and the attraction of foreign investment. These zones are established by the government on the basis of a 2009 law on investment promotion, which does not include any provision for the protection of local inhabitants. Among other projects, this law has allowed for several Chinese firms to gain land concessions with a validity of 99 years. These lands include rubber plantations covering 30,000 hectares in the Northern Province of Oudomxay and has led to the immigration of Chinese workers to tap the rubber and, in turn, to further displacement of the local Hmong inhabitants.

It has been argued that the government is more interested in the resettling and assimilating of ethnic groups into Lao culture than in raising their living standards per se. Since the late 1980s, there have been efforts to resettle highland villagers in lowland "focal" areas (World Bank, 2010). Moreover, opium eradication has been used to justify resettlement of indigenous peoples from the remote highlands to lowlands areas (MRGI, 2007). It is to be noted that the Lao Government’s anti-drug campaign was implemented with support from the United Nations Office for Drugs and Crime (UNODC), the US and the European Union. In fact, this cooperative plan was mainly directed towards the highlands, and especially the areas where the Hmong live.

However, resettlement creates severe health problems. Some cases of malaria due to resettlement were detected, because of this disease being uncommon in the highlands (World Bank 2010), and thus the Hmong not being immune to it. A 2005 Human Rights Watch (HRW) report highlights an overall extremely negative picture of the impact of resettlement initiatives; most of those benefiting from international aid are ethnic Lao and not the Hmong or other minorities.
CULTURE

The Hmong have a unique culture, customs and language. They produce hand-made colorful and decorative art works, especially textile. Their embroidery is made of bold geometric designs often realized in bright, contrasting colors.

Men and women can be easily distinguished through their rich and colorful clothing, inherited from their origins. Women’s clothes are colorful, have different textures and designs and can be worn in different ways. The traditional outfit is composed of two black aprons, one in front and one in the back, with an outer blue stripe. Women wear either pants or colorful skirts. The shirt has a small decorative apron in the upper back as well and the ends of its sleeves are blue. The belts at their waist are either blue, red or light green. They wear silver necklaces.

Men’s outfits are made of black pants and a shirt. The shirts are short and end at belly-level. Both sleeves have the traditional blue end. The men also sometimes wear necklaces which are made of only one piece.

The Hmong also have a traditional bamboo instrument called qeej, also known as lusheng. This musical instrument possesses five or six bamboo pipes of different pitches and comes in sizes ranging from very small to several meters in length. Performers often dance or swing the qeej from side to side while playing.