Have you ever heard of the Hmong people living in Laos?

Did you know that during the Vietnam War, the United States (US) army led a “Secret War” with their help?

Did you know that today, it is estimated that a couple of thousands of them live in the hostile Laotian jungle, fleeing persecution by the government?

The Unrepresented Nations and Peoples Organization (UNPO) has decided to launch a series of newsletters focusing on the Hmong. Because the world can no longer turn a blind eye to the gross human rights violations committed against them, this campaign aims at raising awareness about the plight of the Hmong living in the Laotian jungle and beyond.

Follow the campaign on social media with the hashtag #HmongInIsolation
Plight of the Hmong Raised to International Bodies

In April 2017, the Lao People’s Democratic Republic (LPDR or Laos) reported to the United Nations Human Rights Committee (HRC) on how it is implementing the International Covenant on Civil and Political Rights (ICCPR). The submission of this mandatory report was over six years late.

On 23 November 2018, the United Nations Human Rights Committee (HRC) released its concluding observations on the LPDR’s report. Highlighting numerous matters of concern related to the violation of the civil and political rights of Laotians, the HRC also directly addressed the persecution of the Hmong. Expressing its serious concern about the persecution of the Hmong, the HRC urged the LPDR to ‘cease the persecution of members of the Hmong ethnic minority, including their arbitrary arrest, detention and enforced disappearance, and effectively investigate such acts, bring perpetrators to justice, and provide full reparation to victims or their families; and take robust measures to ensure effective access for members of the Hmong community to adequate food and health care, without discrimination’.

The observations of the HRC reflect the position that many Hmong find themselves in. As they are facing extreme violence from the Laotian military and suffer from extreme poverty and widespread discrimination, their human rights situation is desperate. Over the past months, this has been raised to international human rights bodies on various occasions.

Visit of the Special Rapporteur to Laos

From 18 to 28 March, the United Nations Special Rapporteur on extreme poverty and human rights visited Laos, where he held consultations with people in poverty as well as representatives from civil society and humanitarian agencies. The report of the Special Rapporteur’s visit, which was presented to the HRC in June 2019, echoed many of the same concerns that the HRC expressed before. Although the Special Rapporteur commended economic growth in Laos, he also stated that a large proportion of Laotians – especially ethnic minority groups – has seen very little from its benefits.

Most notably, the Special Rapporteur found ‘persistent structural barriers [that] prevent the full realization of human rights by people in poverty, in particular those in rural areas, women and those belonging to ethnic minority groups’. Recognising the real disparities that ethnic minorities – such as the Hmong – are facing in Laos, the Special Rapporteur argued that the Lao government should acknowledge its negative role in this, as its policies are badly neglecting ethnic minorities. For the Hmong, such policies include severe restrictions on cultural and religious freedoms. For instance, the Lao government recently implemented its Decree 315, which mandates an extremely restrictive approval process through which nearly all religious activities are regulated.

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1 United Nations Human Rights Committee (HRC), CCPR/C/LAO/1 (27 April 2017).
2 HRC, CCPR/C/LAO/CO/1 (23 November 2018).
Moreover, the Lao government does not recognise indigenous status and prefers the term “ethnic groups” over “ethnic minority groups”, thereby disregarding the systemically marginalised position that many groups such as the Hmong find themselves in. As the Special Rapporteur noted, the recognition of indigenous status would confer additional rights under international law⁴, which would be of significant importance to address the marginalised position of the Hmong.

UNPO and CWHP Submit UPR Report

In July 2019, the UNPO and its member the Congress of World Hmong People (CWHP) jointly submitted a report on the occasion of the 35th session of the Universal Periodic Review (UPR), during which the LPDR is under consideration.⁵ Drawing attention to the human rights violations of ethnic minority groups in Laos, the report drew specific attention to the situation of the Hmong.

First of all, the report addressed the extreme violence at the hands of the Laotian government and military. Since April 2016, the Lao People’s Army (LPA) has led a sustained military incursion into jungle areas around the Phou Bia region in Northern Laos.⁶ This military campaign specifically seeks to eliminate thousands of Hmong – referred to as the ChaoFa Hmong – who have been forced into hiding in these areas. This has led to the deprivation of the most basic living conditions for the ChaoFa Hmong because their access to food sources is blocked and they lack medicine and health care facilities. Most troubling are frequent reports (shared by the CWHP) that the LPA is making use of heavy artillery and (allegedly) also of chemical weapons, firing indiscriminately into territories where Hmong are believed to hide or looking for food.

The UPR report also highlighted the widespread oppression and targeted discrimination that many Hmong experience on a daily basis. With regards to the religious freedom, many Hmong who adhere to Christianity or Shonglueism (those who follow the Hmong spiritual leader Shonglue, who they refer to as the Mother of Writing) are facing severe persecution. The Congress of World Hmong People (CWHP) reported that in December 2017, in the Nonghai township of the Vientiane province, six Hmong men were arrested by government authorities, after which they were detained for one month. They were ordered to renounce their faith or face ‘consequences’. Such ‘consequences’ generally include the destruction of local church buildings, the forced eviction from their villages, the confiscation of their land titles or even lengthy jail sentences. The religious persecution of Hmong people is not only a top-down policy by the Lao government, it occurs frequently at the community level as well.

These examples and the UPR report in general highlight the extensive scale of the violations of even the most basic human rights of the Hmong in Laos. Accordingly, the report provided a total number of 11 recommendations that will hopefully be discussed during the 35th UPR session, scheduled to take place between 20 and 31 January 2020.

⁴ Ibid.
The Hmong at the Captive Nations Summit

On 15 July 2019, the Captive Nations Summit was held in Washington D.C. to recognize peoples suffering under the oppression of communist and other totalitarian regimes. It provided US policy makers and human rights advocates with the opportunity to hear about the first-hand experiences of victims of such regimes. On the occasion of this year’s Captive Nations Summit, Gymbay Moua, representative of UNPO member the Congress of World Hmong People (CWHP) participated to address the desperate human rights situation of the Hmong people under the communist regime in Laos.

Mr Moua raised the fact that the Hmong people have been targets of government oppression, discrimination and extreme violence ever since the end of the Vietnam war in 1973. Violating the Paris Peace Accord, the war against the Hmong continues well into the 21st century, he said. Next to addressing the extremely marginalized position of Hmong people in Laos, Mr Moua shared multiple cases of direct violence against the Hmong.

All these cases were testimonies of the extreme violence that the Hmong are suffering from, often perpetrated by the Laotian military. Mr Moua stated that thousands of Hmong have been the victim of abuses such as arbitrary detentions, killings and torture. The situation of Hmong women continues to be alarming as well, as many cases that Mr Moua shared often included rape and sexual slavery. Moreover, since 2018 the Laotian military has initiated an extensive military incursion in the Phou Bia region, which he said was part of a governmental campaign that seeks to “systematically exterminate the Hmong by 2020”.

Finally, Mr Moua called upon the US - a party to the Paris Peace Accords of 1973 - to raise its voice to condemn the oppression and extreme violence the Hmong people are suffering from at the hands of the communist regime in Laos. “This regime will continue to torture our people spiritually, culturally, and economically”, he said. “It is time to put an end to this cruel regime”.

	
#HmongInIsolation – Newsletter #10 – September 2019

Remembering the Forced Repatriation of Hmong Refugees in Thailand

Ten years ago, in late 2009, the government of Thailand announced that it would commence the forced repatriation of all Lao Hmong refugees back to Laos. These repatriations were pursuant to standing collaboration efforts between Thailand and Laos under the joint Lao-Thai Committee on Border Security. In line with this agreement, the Thai government already repatriated approximately 3,000 Hmong refugees from the Huai Nam Khao camp in 2008. In December 2009, armed police officers began to forcibly remove the remaining 4,000 Hmong from the camp to deport them to Laos. Despite complaints from the United States (US), United Nations (UN) and various human rights and aid organisations, Thailand moved ahead with the repatriation, arguing they took place on a voluntary basis.

In reality, the repatriations were all but voluntary; the Hmong refugees themselves opposed their forced return to Laos as well. Although conditions in the Thai refugee camps had been reported to be dismal, the Hmong refugees expressed their fear of retribution by the Laotian government, who had branded the Hmong as a dangerous anti-government group because they allied with the US during the Vietnam War. Accordingly, the deportation of Hmong refugees to Laos placed them in serious danger of persecution by the Lao authorities. As such, refugees in the Huai Nam Khao camp resorted to arson, hunger strikes and even suicide to prevent their repatriation. Despite these serious concerns, Thailand went ahead with the deportations in December 2009. Upon their return in Laos, it was widely reported that the forcibly repatriated Hmong became subject to disappearance, imprisonment, forced re-education and physical and sexual abuse. The repatriations proved to be disastrous, destroying the lives of many Hmong.

Now, ten years later, many Hmong who managed to find asylum in the United States are still living in fear of being deported back to Laos due to aggressive sanctions the Trump administration has placed on the country. In line with an unprecedented attack on the US refugee resettlement program, which has cut resettlement numbers with at least 74 percent, the Trump administration has started to pressure the Lao government to take back Hmong who hold a deportation order for committing a crime in the US. As a result, even those Hmong who committed a minor crime in the 1990s and have served their time in the US would face repatriation. These are mainly people who came to the US decades ago and have never even lived in Laos as they were born in refugee camps. Forcibly deporting these Hmong to Laos, where the persecution of the Hmong has only increased in recent years, would put their lives and freedom at serious risk.

Whereas the Lao government previously refused to accept back deportees from the US, the Trump administration is now using visa sanctions to pressure Laos into agreeing to a repatriation agreement, after which Lao Hmong slated for deportation from the US could be repatriated. Just like the forced repatriation of Lao Hmong from Thailand in 2009, this current US policy arguably violates the international humanitarian legal principle of non-refoulment, which protects people from being forcibly returned to a country where their lives or freedom would be threatened. If the US still stands behind its critique on the forced repatriations of Hmong from Thailand in 2009, it is imperative it refrains from pursuing a similar policy in its own country.
Neng Thao, a Harvard-educated Hmong American refugee, has attracted thousands of followers on Facebook after sharing his hopes and dreams on the social media platform. Highlighting the identity struggles experienced by immigrants who navigate between cultures, Thao observes the lack of time and opportunity Hmong immigrants in the United States of America have to establish ties within their families. A celebrity and a defender of the importance of culture, Thao believes that intergenerational connections among the Hmong communities can allow the third generation of refugees to thrive culturally and professionally. In the end, a large part revolves about asking questions. Asking for help within the Hmong community, or asking yourself “where do I belong” is essential, Thao observed.

In Vietnam, Hmong Christians continue to endure persecution by the Vietnamese authorities because of their religious beliefs. The communist government in Vietnam has implemented significant restrictions on religious freedom, being suspicious of all religion, particularly Christianity among Hmong. The arbitrary arrests and detentions of Hmong Christians are framed as defending national unity and security. This adds to the marginalisation of the Hmong community in Vietnam and the wider region. Many Hmong who live in Vietnam are refugees who have fled the extreme persecution they faced in Laos. Now that their new country of residence is also oppressing and discriminating against them, these Hmong continue to face the same repressed they faced in the first place. This often includes threats, coercion, torture, prison sentences and even death when in police custody.