



UNPO UN Representative Office

c/o Ecumenical Centre
150 Route de Ferney – Case / P.O. Box 2100
CH 1211 Geneva 2 – Switzerland

Office of the United Nations High Commissioner for Human Rights (OHCHR)

Palais des Nations
CH-1211 Geneva 10, Switzerland

23 May 2023

To the attention of: United Nations Special Rapporteurs Office of the High Commissioner on Human Rights

Mr. José Francisco Cali Tzay
Ms. Elżbieta Karska

Special Rapporteur on the rights of indigenous peoples
Working Group on the issue of human rights and
transnational corporations and other business enterprises.

Mr. Balakrishnan Rajagopal
Dr. Fernand de Varennes

Special Rapporteur on the right to adequate housing
Special Rapporteur on minority issues

Subject: Land Confiscation and Injustice against K'Ho Indigenous People in K'Ren Hamlet, Lam Dong Province, Vietnam

Dear UN Special Rapporteurs,

The Montagnard community of Vietnam and Unrepresented Nations and Peoples Organization (UNPO) hereby bring to your attention a submission concerning the negative impacts and rights violations suffered by the K'Ho Indigenous People in relation to the confiscation of land in the Lam Dong Province, Vietnam.

The Lam Dong Authority's confiscation of their lands, which appear to be for the construction of a golf course and holiday resort, raises serious questions about the protection of indigenous rights and equitable land distribution in Vietnam.

This submission is comprised of this letter and the attached report, compiled by representatives of the Montagnard community of Vietnam – focusing on the events leading up to the authorities confiscation of lands in the K'Ren Hamlet, the corporate interests and incentives behind the projects, and impacts on the K'Ho indigenous people, particularly as it relates to the absence of proper resettlement and fair financial compensation. This submission aims to provide relevant and up-to-date information,



compiled by community representatives impacted by the land confiscation, while also highlighting Vietnam's failure to protect and uphold the rights of indigenous peoples, and the need to ensure justice for the affected community.

The K'Ho People, Land Confiscation and Hidden Agendas

The K'Ho indigenous people have inhabited the Central Highlands of Vietnam for centuries, with a deep-rooted connection to their ancestral lands. Their livelihoods primarily depend on agriculture, which sustains their communities and cultural practices. The importance of preserving indigenous land rights, as enshrined in international legal frameworks, cannot be overstated.

The Lam Dong Authority, in collaboration with the C47 bidder, orchestrated the confiscation of lands in K'Ren Hamlet on the 20th February 2023 under the pretext of the Ta Hoet water catchment project. However, evidence has surfaced indicating an ulterior motive: the subsequent sale of the seized lands to the Han Viet Company for the construction of a golf course and holiday resort. This raises concerns about corruption, lack of transparency, and the blatant disregard for the rights of the indigenous people.

Violation of Indigenous Rights: Inadequate Compensation and Suppression of Protests

The land confiscation not only infringes upon the K'Ho people's rights to their ancestral lands but also undermines their cultural heritage, traditional practices, and economic sustenance. The indigenous community's plea to halt the corporate invasion and return the taken lands reflects their struggle for survival and preservation of their way of life.

The K'Ho indigenous people, predominantly Evangelists and Catholics, faced significant challenges during the land clearing process. Religious leaders were coerced by the Authority to convince their followers to surrender their lands. Despite opposition from some local religious guilds, the authority persistently pressured the residents through Sunday services. Approximately 110 households were directly affected, with 76 households expected to be impacted later.

Importantly, the K'Ho people, forcibly evicted from their homes and farmlands, have received minimal resettlement assistance and financial compensation. The compensation offered by the authority was lower than initially claimed, with residents only receiving VND 170 million (approx. 7000USD) per 1000 m² for residential land and VND 20 million (approx. 800USD) per 1000 m² for agricultural land. Only 30% of the impacted households have received their compensation so far, and those without proper land documents were only compensated for their agricultural lands. The lack of proper resettlement plans and fair compensation further exacerbates their vulnerabilities, leaving them marginalized and disenfranchised.

Residents who opposed the land confiscation were moreover faced with violence and suppression from the authority. Mobile police officers forcefully dispersed peaceful protests, resulting in casualties among defenseless protesters, including the elderly and children. The violent suppression by the authorities resulted in a number of recorded casualties. For example, Miss K'Bo and Miss K'Vuon, both members of the K'Ho ethnic group, suffered injuries and trauma after being pushed and trampled by plain clothed officers. Injured victims from the protests also report being denied access to inpatient care and medical records, highlighting further racial discrimination against the K'Ho community.

Plea of the K'Ren Hamlet's Residents

The residents of K'Ren hamlet plead the Vietnamese government to halt the confiscation of their land by corporate entities and authorities, and to restore the land to its rightful owners, enabling them to



sustain their livelihoods. The indigenous people of Tay Nguyen Central Highland depend solely on agriculture for their survival, lacking any alternative sources of income.

The international community's intervention is crucial to ensure that the Lam Dong Authority respects the land rights of the K'Ho indigenous people and upholds the principles of justice, equality, and human rights.

Conclusion & Recommendations

Therefore, based on the information provided in this submission, we respectfully urge the UN Special Rapporteurs on the Rights of Indigenous Peoples and the Right to Adequate Housing to collaboratively draft a Joint Allegation Letter directed towards the government of the Socialist Republic of Vietnam, highlighting the detrimental effects of land confiscation in Lam Dong Province on the residents of K'Ren hamlet and the K'Ho indigenous people. By doing so, we aim to raise greater awareness about the issue of land confiscation in the name of development projects in Lam Dong Province and encourage Vietnam to take appropriate measures to mitigate the negative impacts on its indigenous population.

Furthermore, it is imperative that the UN Special Rapporteurs conduct a thorough investigation into the specific case of land confiscation in K'Ren Hamlet. This should involve active engagement with the affected community, a comprehensive assessment of human rights violations, and the establishment of accountability mechanisms to hold the Lam Dong Authority responsible for their actions.

Additionally, we emphasize the importance of the international community closely monitoring the situation in K'Ren Hamlet and utilizing diplomatic channels to express concerns to the government of Vietnam. This engagement is essential to exerting necessary pressure on Vietnam to uphold the rights of indigenous peoples, ensure equitable land distribution, and provide just compensation to the affected communities.

In light of these circumstances, we call upon the government of Vietnam to promptly cease the land confiscation in K'Ren Hamlet and initiate a comprehensive review of the Ta Hoet water catchment project. The government must prioritize meaningful consultations with the K'Ho indigenous people, address their concerns in a substantive manner, and ensure the protection of their rights throughout the decision-making process.

The combined efforts of the UN Special Rapporteurs, active engagement from the international community, and the unwavering commitment of the government of Vietnam are crucial elements in attaining a fair and equitable resolution that upholds the rights and welfare of the K'Ho indigenous people.

We would like to thank you for the attention you bring to the case and we remain at your disposal for any further information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mercè Monje Cano', with a horizontal line extending to the right.

Mercè Monje Cano

Secretary General, UNPO