



**PERMANENT MISSION OF THE  
SOCIALIST REPUBLIC OF VIET NAM**  
TO THE UNITED NATIONS OFFICE,  
WORLD TRADE ORGANIZATION AND  
OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA

No. 180/VNM.24

*Geneva, 8 November 2024*

The Permanent Mission of the Socialist Republic of Viet Nam to the United Nations Office, the World Trade Organization and Other International Organizations in Geneva presents its compliments to the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights and has the honor to hereby transmit the reply of Viet Nam to the latter's Joint Communication AL VNM 4/2024 (dated 14 June 2024) concerning the terrorist attacks in Dak Lak province on 11 June 2023.

The Permanent Mission of the Socialist Republic of Viet Nam to the United Nations Office, the World Trade Organization and Other International Organizations in Geneva avails itself of this opportunity to renew to the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration./.



**Special Procedures Branch**  
**Office of the United Nations High Commissioner for Human Rights**  
**GENEVA**

Chemin des Corbillettes 30, 1218 Le Grand-Saconnex, Geneva, Switzerland  
Tel: (+41 22) 799 14 00 Fax: (+41 22) 798 07 24  
E-mail: [geneva@mofa.gov.vn](mailto:geneva@mofa.gov.vn); [vnmission.geneva@gmail.com](mailto:vnmission.geneva@gmail.com)  
Website: <https://vnmission-geneva.mofa.gov.vn>

**Reply of Viet Nam to the Joint Communication concerning  
the terrorist attacks in Dak Lak province on 11 June 2023 (Viet Nam)**

*Ref. AL VNM 4/2024 (dated 14 June 2024)*

**I. General comment:**

The substance of the Joint Communication AL VNM 4/2024 is not accurate, and the allegations mentioned are untrue. First and foremost, Viet Nam firmly opposes the use of the term “*Montagnard*” to refer to any ethnic groups in Viet Nam. This term, often used by colonialists along with other derogatory and racist language, was employed to label all ethnic minorities in the Central Highlands without regard for the diversity of the dozens of ethnic groups living there, each with their own identities, cultures, customs, and practices deserving respect. Viet Nam firmly rejects the use of this term in any official United Nations documents and requests that Special Procedures respect the dignity and diversity of ethnic minority communities and the national identity of Viet Nam.

Viet Nam is a multi-ethnic country with 54 ethnic groups living harmoniously, standing together in the struggle for national liberation, contributing to the nation’s development. This unity has created a Vietnamese cultural identity, a source of pride for each group and for all Vietnamese people. The contributions and sacrifices of ethnic minority communities, including those in the Central Highlands, have been recognized, with many individuals and groups officially honored as heroes in the struggle for national liberation and nation-building.

Viet Nam’s consistent policy is to ensure equality, solidarity, and mutual support for development among all 54 ethnic groups, with no discrimination based on origin, history, population size, or level of development. All ethnic groups are equal in rights and responsibilities across all areas of social life, as guaranteed by the Constitution and law. Ethnic minorities enjoy full human and citizen rights, along with additional privileges in preserving and promoting traditional cultural values, languages, scripts, and customs. Many ethnic minority individuals are elected to high-ranking positions across the political system; the proportion of ethnic minority representatives in the National Assembly is higher than their proportion in the national population structure, with the 15th Assembly having the highest representation to date at 17.8%, or 89 out of 499 delegates, representing 32 ethnic groups. So far, 51 out of 53 ethnic minorities have had representatives in the National Assembly across various sessions.

Despite budget constraints, Viet Nam has prioritized the National Target Program for socio-economic development in ethnic minority and mountainous areas for 2021-2030, with more than 137 trillion VND (about 5.6 billion USD) allocated.

Ethnic minorities are also prioritized in two other National Target Programs focused on new rural development and sustainable poverty reduction for 2021-2025. In 2023, the poverty rate among ethnic minorities decreased by 3.2% to 17.82%, meeting the targets set by the National Assembly and the Government. Ethnic minorities, especially in economically disadvantaged areas, receive social security assistance, including health insurance, tuition waivers, support for study costs, and legal aid. The Central Highlands economy has grown rapidly, with an average annual growth rate (GRDP) of nearly 8% between 2002 and 2020. The per capita GRDP for 2023 increased by 15.7% compared to 2022.

### **Preservation and Promotion of Traditional Cultural Values of Ethnic Minorities**

Viet Nam places significant importance on preserving and promoting the traditional cultural values of ethnic minorities. Hundreds of intangible cultural heritage items belonging to ethnic minorities have been listed as national intangible cultural heritage or UNESCO-recognized heritage. Among these, some iconic cultural heritage items of ethnic minorities have been inscribed by UNESCO in the lists of Representative Intangible Cultural Heritage of Humanity or in urgent need of safeguarding. For example, the “Cultural Space of Gong in the Central Highlands,” belonging to the ethnic minorities of the Central Highlands, was the first intangible cultural heritage of Viet Nam to be recognized as a Representative Intangible Cultural Heritage of Humanity.

The claim that Viet Nam discriminates against “Montagnard people” and “violates the rights of ethnic minorities” due to “past relationships with the French and U.S. military” is a blatant misrepresentation of the history of ethnic minorities in the Central Highlands. Ethnic minorities live in harmony and contribute to the common struggle for national independence and nation-building. Such statements incite hate speech, disrupt solidarity, and destabilize for political purposes aimed at secession through violence and armed conflict, directly threatening Viet Nam’s sovereignty and territorial integrity. The incident on 11 June 2023, is a clear manifestation of this intent by terrorist elements. Viet Nam demands that UN human rights mechanisms and Special Procedures respect Viet Nam’s sovereignty and territorial integrity and refrain from condoning violent extremism and terrorism, as well as from supporting those who distort the history of ethnic minorities and the Vietnamese nation to incite hatred and violence.

## **II. Regarding the terrorist attack in Dak Lak province on 11 June 2023**

### **1. On the allegations related to the arrest and detention of suspects**

The 11 June 2023 terrorist attack in Cur Kuin District, Dak Lak Province, was a particularly serious crime orchestrated by instigators who recruited local individuals to commit the crime. Early on June 11, more than 70 individuals split into groups and used weapons to attack the offices of Ea Tiêu and Ea Ktur communes, destroying property, setting fires, killing nine people, and injuring two others (including police officers, government officials, and civilians) with damages exceeding 2.5 billion VND. Immediately after the incident, with support from local residents, functional units of the Ministry of Public Security carried out a manhunt for suspects hiding in the community and forests. During the arrests, the police followed legal regulations, refraining from harming life, and there was no beating, torture, or inhumane treatment as alleged. A total of 94 individuals were detained and prosecuted.

During detention, authorities ensured that suspects' rights were respected per the 2015 Law on Temporary Detention and Custody, including appropriate detention area space, common area facilities, sanitary facilities, kitchen services, and visitation rights. Detainees were provided with sufficient living supplies, medical care, and were guaranteed safety and respect for their dignity. The detention center facilitated 151 family visits for 92 out of 94 detainees, with two detainees not having any family members visiting.

Throughout the criminal proceedings of the case (investigation, prosecution, and trial), Vietnamese authorities fully ensured the rights of suspects and defendants according to the law; there was absolutely no torture, inhumane treatment, or racial discrimination. Arrest and detention decisions were approved by the People's Procuracy—a body with authority to supervise judicial activities and evaluate the legality of criminal proceedings conducted by the investigating agency. Ethnic minority defendants were fully informed of their rights, including the right to self-defense, legal representation, legal aid, and the right to file complaints or appeals. All 94 defendants present at the trial had legal representation. Throughout the trial and investigation, neither the defendants nor their lawyers lodged any complaints about the investigative actions or any torture, coercion, or abuse by the police. All evidence was collected according to legal standards, ensuring its legality and probative value. At the end of the trial, 100% of the defendants did not appeal the first-instance judgment.

## **2. Regarding allegations related to the trial and the right to a fair trial**

From January 16 to 20, 2024, in Buôn Ma Thuột City, Dak Lak Province, the People’s Court conducted a public, mobile trial for 100 individuals involved in the 11 June 2023 terrorist incident (including 94 detained defendants and six tried in absentia) on charges of “terrorism against the people’s administration” under Article 113, “terrorism” under Article 299, “organizing illegal exit and entry” under Article 348, and “concealing crimes” under Article 389 of the Penal Code. The trial was conducted publicly and transparently, following criminal procedural regulations, and the outcome was widely reported on mass media and social networks.

Viet Nam rejects all baseless accusations that the trial lacked independence, fairness, or violated the principle of the presumption of innocence, as well as claims that it was influenced by media and negative commentary. The People’s Court of Dak Lak Province, its judges, and the jury fully adhered to the provisions of the Vietnamese Constitution and law, ensuring independence and rule of law. Vietnamese law strictly prohibits any form of interference in court trials, judges, or juries.

At the trial, the defendants all admitted to their illegal actions. Judges and jury members independently and comprehensively reviewed the evidence in the case, applying humanitarian and lenient policies of the Vietnamese State, which led to reduced criminal responsibility for the defendants due to circumstances such as being ethnic minorities living in economically challenged areas, being influenced by others at the time of the offense, and showing remorse (as indicated in the judgment). Although the crimes committed were especially serious and organized, disregarding others’ lives, health, and property, and were contrary to social morals and law, none of the defendants were sentenced to death.

## **3. Regarding requests for information on media and social media censorship related to the 11 June 2023 incident and the January 2024 trial**

Viet Nam’s consistent policy is to encourage freedom of the press and media. The Constitution and the 2016 Press Law clearly state that journalists operate within the legal framework and are protected by the State; no organization or individual can restrict or obstruct journalistic activities. The law also protects freedom of speech and expression, and the State has a duty to facilitate these rights for citizens, both offline and online. However, media and expression activities must respect public interests, national security, public order, social ethics, and not infringe upon the rights and legitimate interests of others. To protect human rights and community interests, Viet Nam applies legal measures to prevent, stop, and address violations

that damage individuals' and organizations' rights, including preventing misinformation, defamation, hate speech, and activities that destabilize the economy, politics, or national security. These regulations comply with international human rights treaties to which Viet Nam is a party.

Related to the terrorist attack and the trial, numerous false and misleading information about the incident circulated on social media, along with comments inciting ethnic conflicts, discrimination, exploiting the private lives of victims or suspects, in violation of Vietnamese law and community standards. Therefore, reviewing, blocking, and removing such content and administratively penalizing violators is legally justified.

Domestic news agencies provided truthful and objective reports on the trial's outcome, with no censorship or restrictions placed on their publications.

#### **4. Regarding requests for information on terrorism charges and the “Montagnards for Justice” (MSFJ) organization**

##### **Terrorism charges**

Viet Nam enacted the Anti-Terrorism Law in 2013, amended in 2022, which clearly defines acts of terrorism and terrorism financing. During the law's development, Viet Nam consulted international practices and incorporated relevant international human rights and counter-terrorism treaties to which Viet Nam is a party. The 2015 Penal Code (amended in 2017) defines terrorism-related crimes, including “terrorism against the people's administration” (Article 113), “terrorism” (Article 299), and “terrorism financing” (Article 300).

Specifically, the 2013 Anti-Terrorism Law defines acts of terrorism as one or more of the following actions by organizations or individuals with the aim of opposing the people's administration, coercing the people's administration, foreign organizations, international organizations, hindering the international relations of the Socialist Republic of Viet Nam, or creating panic among the public. These actions include: (i) Violating the life, health, or personal freedom of others, or threatening to do so, or intimidating others; (ii) Seizing, damaging, destroying, or threatening to destroy property; attacking, harming, obstructing, or disrupting the activities of computer networks, telecommunications networks, internet networks, or digital devices of agencies, organizations, or individuals; (iii) Instructing on how to make, produce, use, or actually making, producing, storing, transporting, or trading in weapons, explosives, radioactive substances, toxic substances, flammable substances, and other tools or means for conducting the acts specified in points (i)

and (ii); (iv) Propagating, recruiting, inciting, coercing, hiring, or facilitating and assisting in carrying out the above actions; (v) Establishing, joining organizations, recruiting, training, or instructing individuals to perform the above actions; (vi) Any other acts considered as terrorism as defined in international treaties on counter-terrorism to which Viet Nam is a party. Terrorism financing is the act of mobilizing, providing money, or assets in any form to support terrorist organizations or individuals.

### **“Montagnards for Justice” organization**

Based on the 20 January 2024 criminal judgment of the Dak Lak Provincial Court and Decree No. 122/2013/ND-CP of the Government, which stipulates measures such as freezing, seizing, and handling money and assets related to terrorism, as well as establishing lists of organizations and individuals involved in terrorism or terrorism financing. The Ministry of Public Security on 6 March 2024, publicly declared the “Montagnards for Justice” (MSFJ) and “Montagnard Support Group” (MSGI) to be terrorist organizations. The notice specified that MSFJ engages in propaganda, recruitment, assigning tasks, training methods of operation, financing, and directing the purchase of weapons and equipment to conduct terrorist attacks, kill officials and civilians, and damage state and public property to establish an independent “state” in the Central Highlands. Accordingly, Y Quynh Bdap, during the establishment and operation of MSFJ, directly recruited [REDACTED] into the domestic terrorist group, coordinated with key leaders of the domestic terrorist group, introduced himself as the commander of the MSFJ terrorist organization fighting for the “Degar State” in Viet Nam, and promised to provide funds, weapons, and training. He directly commanded the “Degar Soldiers” group to attack the People’s Committee offices in Ea Tiêu and Ea Ktur communes, Cu Kuin District, Dak Lak Province. The designation of MSFJ as a terrorist organization is based on the ruling by the Dak Lak Provincial Court and is not based on ethnic or religious discrimination.

Viet Nam promotes a policy of national harmony and reconciliation, strictly prohibiting all forms of discrimination. The government rejects concerns that designating MSFJ as a terrorist organization is part of a discriminatory agenda against Montagnard people or linked to their historical connections with the French and U.S. militaries. These accusations exploit historical and wartime factors to stir ethnic conflict and discrimination, disrespecting the ethnic minority community in Viet Nam and promoting hate speech and hate crimes.

## **5. Regarding requests for information on public assistance in locating suspects**

Viet Nam considers mobilizing public support in maintaining public order, preventing crime, and raising awareness among the population a vital state policy that aligns with legal provisions and contributes to effective crime prevention, thus improving the quality of life for residents. Public assistance primarily involves providing crime-related information, encouraging families and relatives to persuade offenders to surrender for leniency, and helping retrieve evidence discarded by suspects during escapes.

In the 11 June 2023 terrorist incident, authorities called on and received support from the public to (i) receive information about the number of suspects, their movements, and weapons (knives, guns, explosives); (ii) obtain footage from residents' cameras to aid identification and planning; (iii) encourage suspects in hiding to turn themselves in for leniency; and (iv) provide food and water to police on duty. Public support significantly aided authorities in capturing suspects and securing critical evidence.

## **6. Regarding allegations of Viet Nam “arresting and forcibly repatriating Vietnamese refugees in Thailand,” including Y Quynh Bdap**

The Vietnamese government facilitates the legal emigration of its citizens for living, studying, and working abroad while fulfilling its duty to protect Vietnamese citizens overseas. However, some individuals have emigrated and reside illegally abroad for economic reasons via non-regular channels, sometimes fabricating political asylum claims, which undermines their rights and complicates Viet Nam's consular protection efforts.

Currently, a number of ethnic Vietnamese, including ethnic minorities from the Central Highlands, are residing illegally in Thailand. Most of these individuals, motivated by economic aspirations and a desire for resettlement in third countries, illegally crossed the Viet Nam-Cambodia border to enter Thailand. Their living conditions are challenging, and many who obtained refugee status over ten years ago have not been resettled in third countries. Many have requested assistance from Vietnamese authorities to return home voluntarily. Since early 2024, more than 100 ethnic minorities from the Central Highlands have returned voluntarily, receiving land, employment, and community reintegration support from local authorities.

To protect the rights and interests of its citizens abroad, Viet Nam proposed that Thailand prioritize implementing a “National Screening Mechanism for

Refugees,” with a view to resettling those who qualify in third countries and repatriating those who do not meet the criteria to Viet Nam. The Vietnamese government is committed to supporting repatriated individuals in resettling or assisting them in legally emigrating if they wish to move abroad. Vietnamese authorities are working with Thailand to develop specific plans to assist those who wish to return home.

## **7. Regarding the case of Y Quynh Bdap**

**Y Quynh Bdap** is a key figure accused of inciting, recruiting, and directing domestic suspects in planning, arming, and executing the 11 June 2023, terrorist attack in Dak Lak Province, which resulted in severe consequences. Based on the investigation, on 14 August 2023, the Dak Lak Provincial Security Investigation Agency issued an arrest warrant (No. 12/QĐTN-ANĐT) for Y Quynh Bdap, and on 20 January 2024, the Dak Lak People’s Court tried him in absentia, sentencing him to 10 years in prison for “terrorism” under Article 299 of the Penal Code. Viet Nam’s consistent stance on Y Quynh Bdap is extradition to Viet Nam to serve his sentence, ensuring justice for victims and national security for Viet Nam and Thailand. Y Quynh Bdap also violated Thai law by entering the country illegally. This decision aligns with the United Nations Global Counter-Terrorism Strategy (adopted on 22 June 2023), which emphasizes counter-terrorism as a state responsibility; no state or international organization should support or harbor terrorists.

Based on Viet Nam’s request, on June 11, 2024, Thai Royal Police arrested Y Quynh Bdap for illegal immigration and terrorism. The criminal judgment from January 20, 2024, has been submitted to Thailand’s Criminal Court for extradition proceedings. Viet Nam commits to ensuring Y Quynh Bdap’s rights during extradition, complying with Vietnamese law and international treaties that Viet Nam is a party to, with an absolute prohibition on torture or inhumane treatment. On 30 September 2024, Thailand’s Criminal Court ruled in favor of extraditing Y Quynh Bdap to Viet Nam.

## **III. Regarding allegations of other issues**

### **1. Allegations of discrimination against indigenous and Montagnard people, violating the rights of ethnic minorities**

Viet Nam rejects the baseless allegations of discrimination, mistreatment, and human rights violations against ethnic minorities. These claims rely on incomplete, untruthful, and biased information about Viet Nam’s policies on human rights protection and promotion, particularly the rights of ethnic minorities.

Viet Nam's consistent policy is to ensure equality, solidarity, and mutual support among all ethnic groups for progress. All ethnic groups, regardless of majority or minority status, development level, or population size, are equal in rights and obligations across all fields of social life, guaranteed by the Constitution and law. Ethnic minorities enjoy full human and civil rights, as well as additional rights for preserving traditional cultural values, languages, scripts, and customs.

In Viet Nam, 54 ethnic groups live equally, harmoniously, and in solidarity, helping each other develop without exclusive territories for any group. All Vietnamese citizens identify with one of the 54 ethnic groups, with the freedom to choose their ethnic identity. Viet Nam does not use the term "indigenous people," as it is inconsistent with the formation and development characteristics of ethnic groups in Viet Nam. Instead, it uses "ethnic minority" or "very small ethnic group" to refer to groups with smaller populations than the Kinh majority (comprising over 86% of the population). Viet Nam opposes the term "Montagnard" for any ethnic group in Viet Nam, as it was used in the past derogatorily by colonialists, ignoring the individuality of each group's culture, customs, and identity. Viet Nam firmly opposes this term's usage in all UN official documents and communications from Special Procedures and requests respect for the dignity and diversity of ethnic minority communities and the identity of the Vietnamese people.

Viet Nam's efforts and achievements in guaranteeing the rights of ethnic minorities are detailed in its 5th National Report on CERD Implementation and the 4th UPR National Report. Furthermore, statistics show that the provinces with the lowest per capita income are in the northern mountainous region (e.g., Hà Giang, Cao Bằng, Bắc Kạn, Điện Biên, Lai Châu, Sơn La provinces), not in the Central Highlands, as alleged. The Central Highlands region has seen positive economic growth, with its economic scale (Gross Regional Domestic Product - GRDP) in 2023 accounting for 4.01% of the national GDP. The per capita GRDP in 2023 increased by 15.7% compared to 2022, and the total registered Foreign Direct Investment (FDI) capital reached 1.912 trillion VND, up 11.9% from 2022. Currently, around 373 communes in the Central Highlands have been recognized as meeting new rural development standards. In 2024, it is estimated that the region's multidimensional poverty rate will decrease by 3-4% compared to 2023.

Viet Nam strictly prohibits any acts of discrimination, racial or religious discrimination, incitement of hatred among ethnic or religious groups, incitement of secession, autonomy, or division of national unity, which threaten Viet Nam's sovereignty and territorial integrity. Individuals or organizations violating these laws are held accountable. This principle is enshrined in the 2013 Constitution and

numerous other legal documents, including the Penal Code, Criminal Procedure Code, and the Law on Belief and Religion.

## **2. Allegations of torture during the detention of Y Bum Bya and his unexplained death**

**Y Bum Bya**, born in 1975, residing in Ko Tam Hamlet, Ea Tu Commune, Buôn Ma Thuột City, once joined an extremist organization established abroad that violated Vietnamese law, inciting ethnic conflict and separatist autonomy within ethnic minority communities, posing a threat to peace, security, and stability in Viet Nam. Following local officials' guidance and education, Y Bum Bya voluntarily renounced the extremist organization, engaging in production activities, stabilizing his life, and actively participating in community activities.

On 8 March 2024, Y Bum Bya was found deceased from suicide at Ko Tam Cemetery. The authorities conducted a thorough investigation and on-site examination, concluding that there were no signs of violence or unlawful acts. His family requested that the body be returned for funeral arrangements according to traditional customs, and there have been no complaints or accusations related to his death.

Viet Nam denies false allegations that Y Bum Bya was tortured. Certain extremist groups have exploited Y Bum Bya's death to spread misinformation, accusing Vietnamese authorities without basis. His family members also refute these false allegations.

## **3. Allegations of “Criminalization of Religious Leaders” and “Violations of Montagnard Freedom of Religion and Belief”**

Viet Nam rejects accusations that it criminalizes religious leaders such as Nay Y Blang and Y Krec Bya. On 26 January 2024, the People's Court of Phú Yên Province held a first-instance trial for Nay Y Blang and sentenced him to four years and six months in prison for “abusing democratic freedoms to infringe upon the interests of the State, organizations, and individuals” under Article 331 of the Penal Code. On 28 March 2024, the People's Court of Dak Lak Province tried Y Krec Bya, sentencing him to 13 years in prison and five years of probation for “undermining national solidarity policies” under Article 116 of the Penal Code. The court thoroughly and objectively considered the specific criminal acts of Nay Y Blang and Y Krec Bya during the trial. Both cases involved individuals exploiting democratic freedoms to break the law, incite conflict, and sow division between ethnic and religious groups in Viet Nam.

Religions in Viet Nam coexist harmoniously and in solidarity with the nation. Viet Nam respects and facilitates the freedom of religion and belief for all citizens, including ethnic minorities, and emphasizes policies of unity and harmony among religions, ensuring equality without discrimination on religious grounds. Religious organizations are legally protected. In Viet Nam, there is no hindrance, threat, or harassment of religious groups or their adherents, nor are there cases of forced abandonment of religion. The government enables religious organizations to publish scriptures, and has authorized the publication of the Bible in 22 different ethnic minority languages, including Ba-Na, Ê-đê, and Gia-Rai.

Local authorities support the registration of religious gatherings for thousands of groups across various organizations, regardless of size, registration status, or official recognition as a religious organization. In the Central Highlands, where many ethnic minorities reside, about 30 Protestant organizations of various denominations operate (with 10 officially recognized as legal entities). There is no conflict or dispute among these organizations, and members can freely choose to follow or not follow a religion according to their personal beliefs. Religious organizations that exploit religion or belief to break the law are not recognized or permitted to register for congregational activities./.