

8 July 2019

Minister Sar Kheng  
Ministry of Interior  
275 Preah Norodom Blvd. Chamkarmon  
Phnom Penh, 12301, Cambodia

*cc Minister of Foreign Affairs  
Minister of Justice  
UNHCR Regional Office  
UN OHCHR Cambodia*

**Open Letter to Minister Sar Kheng: Immediate and On-Going Protection Needed for Montagnards  
in Cambodia**

Dear Minister Sar Kheng,

I am writing to you from the Asia Pacific Refugee Rights Network (APRRN), a network of 400 civil society organisations and individuals from 29 countries committed to advancing the rights of refugees across the Asia Pacific region. As a united network that is solely devoted to refugee protection, APRRN strongly urges the Cambodian Government to safeguard the rights of all refugees inside its borders. Importantly, these protections must also be extended to the long-persecuted Montagnard ethnic group, most who face severe persecution in their home country of Vietnam.

APRRN is particularly alarmed at recent reports of Montagnards being returned back to Vietnam from Cambodia, despite conditions inside Vietnam offering no semblance of stability and safety. Importantly, it must be acknowledged that there is a long history of repeated deportations of Montagnard asylum-seekers by Cambodian authorities over recent years. Such recurring deportations seriously call into question Cambodia's genuine commitment to respecting domestic and international law for the protection of refugees.

As recently as mid-June 2019, it was reported that Cambodian authorities returned four Montagnard asylum seekers to Vietnam. This action created significant anxiety and fear amongst others in the Montagnard community that they too could be forced to return. Any such return of the Montagnards to Vietnam would place this group of refugees in peril of severe violations of their fundamental human rights.

We note that Cambodia's Sub-Decree No. 224/2009 on *Procedure for Recognition as a Refugee or Providing Asylum Rights to Foreigners in the Kingdom of Cambodia*, stipulates that a refugee "shall not be expelled or returned in any manner whatsoever to the frontiers of territories where his or her life, freedom or rights would be threatened on account of his or her race, religion, nationality, membership of a social group or particular political opinion." Such actions to return Montagnard asylum seekers to Vietnam is in direct contravention of this article, fundamentally undermining what should be a law that works to provide protections to individuals most in need of support.

Moreover, we also reiterate the fact that Cambodia is party to both the 1951 Convention Relating to the Status of Refugees and the United Nations Convention Against Torture. Under both of these international treaties, Cambodia has clear legal obligations not to return individuals to countries where they may be at risk of persecution or torture. We encourage Cambodia to adhere to their obligations under these treaties.

The persecution of the Montagnards is well-documented, with countless reports available going back decades. In a 2011 report titled '*Montagnard Christians in Vietnam: A Case Study in Religious Repression*' and a follow-up report in 2014 titled '*Persecuting "Evil Way" Religion*', Human Rights Watch outlined the systematic persecution faced by the Montagnards. This included intimidation, beatings, arbitrary arrest, prolonged detention, and restrictions on practicing their religion. APRRN is concerned that any individuals that are compelled to return will suffer similar fates.

APRRN humbly requests the Ministry of the Interior to provide immediate protection to Montagnard asylum seekers and to all those seeking protections inside Cambodia's borders. As one of only two ASEAN countries to have signed the 1951 Refugee Convention, Cambodia should be setting a positive example for the rest of ASEAN.

We stand ready and available to assist at any time in support of the Montagnard populations or any other refugee groups in need inside Cambodia.

Yours sincerely,



Arash Bordbar

**Chair**

**Asia Pacific Refugee Rights Network**

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