



Khmers Kampuchea-Krom Federation

Submission to the UN Office of the High Commissioner for Human Rights
The 3rd Cycle Review of the Universal Periodic Review of the
Socialist Republic of Viet Nam
32nd Session (Jan-Feb, 2019)

***Executive Summary:** Since Viet Nam's second cycle reviewed in 2014, Viet Nam has not implemented the recommendations to protect and promote the fundamental rights for the Khmer-Krom. The human rights violations against the Khmer-Krom keep continuing to happen. This submission focuses on the most concerned issues that Khmers Kampuchea-Krom Federation (KKF) has comprehensively conducted researches and also provided recommendations regarding: Right to Preserve Khmer-Krom's Identity, language, and Culture; Right to Freedom of Speech; Right to freedom of Religion and Belief; Right to Equal Education; Right to Health*

Right to Preserve Khmer-Krom's Identity, Langue, and Culture

As the indigenous peoples of the Mekong Delta, the Khmer-Krom people have lived on their ancestral lands for thousand years. The current government of Viet Nam has denied the Khmer-Krom people's identity as the indigenous peoples. Viet Nam does not allow the Khmer-Krom people to be referred to as "Khmer-Krom" and label them as "Dân Tộc Thiểu Số Khmer" (ethnic minority Khmer). It has been more than a decade that the indigenous peoples in Viet Nam keep urging the government of Viet Nam to implement the policy to start recognizing the indigenous peoples in Viet Nam. Unfortunately, the government of Viet Nam keeps ignoring even Viet Nam signed to adopt the United Nations Declaration on the Rights of the Indigenous Peoples (UN DRIP) in 2007.

In recent years, Viet Nam starts allowing the Khmer-Krom student to learn the Khmer language in couple hours per week in public school where the Khmer-Krom student are most populated, especially in the Khmer-Krom boarding schools. However, learning a language from two to three hours a week does not help the Khmer-Krom to know their Khmer mother tongue language fluently. Many Khmer-Krom youths now cannot read and write Khmer. The Khmer-Krom Buddhist monks have tried to open the Khmer classes in their temples and have faced oppression from the local governments because the government wants to control what is being taught at the temple. Venerable Thach Thuol has been defrocked, arrested, and sentenced to 6 years in prison since 2013 because he just wanted to teach the Khmer language in his temple freely.

Two famous traditional sports in the Mekong Delta are boat racing in Khleang province (renamed to Soc Trang) and Ox (Bull) racing in Moth Chrouk province (renamed to Chau Doc). The Khmer-Krom had organized the Boat racing and Ox racing themselves during their cultural festivals for hundred years. Unfortunately, the government of Viet Nam has exploited the boat racing and ox racing festivals to attract tourists to make lots of profits from providing the tourist services and advertisements. The Khmer-Krom people do not gain a penny from those profits, except the winning teams may get some awards. These traditional sports should be preserved and used at the cultural festivals for the Khmer-Krom to enjoy, instead of changing the traditional ways that these sports have been performed to commercialize and attract tourists.

The Khmer-Krom farmers in Mekong Delta have raised serious concerns about the Khmer-Krom youths start dropping out of schools and going to big cities to look for works. They cannot stay back in their villages working as farmers because the expenses of farming are too high. They cannot make profits after each harvest season. Lacking education and vocational skills, the Khmer-Krom can only get low paid jobs working as servants in the Vietnamese families or as factory workers in/near Prey Nokor (renamed to Sai Gon or Ho Chi Minh) city. During their traditional holidays, such as Khmer New Year or the festival of Bonn Pjum Ben (or also known as Bonn Don-Ta), the Khmer-Krom workers are not allowed to take days off to celebrate their cultural festivals even these businesses are operating on their ancestral lands.

Right to Freedom of Speech

Living in a one-party Communist state, the Khmer-Krom people have been facing restriction in freedom of expression. Viet Nam has more than 700 media organizations, but those organizations are affiliating with the government. There are millions of the Khmer-Krom people living in Mekong Delta, but they do not have a single independent media. Some television programs are broadcasting in the Khmer language, but the content of those programs are being used as the propaganda to promote the policies of the government instead of allowing the Khmer-Krom to express their opinion or raising their concerns freely.

The Khmer language is not used properly in the broadcasting programs. It is indirectly to educate the Khmer-Krom youths to learn to speak Khmer language mixing with Vietnamese words. The names of the Khmer-Krom's villages, districts and provinces are not allowed to be called in Khmer name, but Vietnamese name in the media.

In May 2017, the Khmer-Krom youths living in the Preah Trapeang province (renamed to Tra Vinh) was summoned by the Vietnamese police to interrogate them because they wore the T-shirt that has a logo designed by the Khmer-Krom youths abroad. The Vietnamese authority did not want the Khmer-Krom youths to wear that T-shirt, because it just has this slogan: "Revitalization of our Khmer-Krom Identity through the implementation of UNDRIP"

On 28th November 2014, a Khmer-Krom symbolic gate leading the entrance to the Preah Trapeang province was demolished without consent or consultation with the Khmer-Krom people. After the Khmer-Krom using the social media to condemn what the Vietnamese government had done to their cultural heritage, the local authority verbally promised that they would build a new one bigger and better with the new design of the Khmer architecture. As of today, there is no action by the government to rebuild the gate yet. In June 2017, when a Khmer-Krom youth posted on her Facebook page a question publicly asking why this symbolic gate is not rebuilt yet? The Vietnamese police saw her post and summoned her for interrogation and ordered her to stop questioning about this issue publicly on the Internet. This incident clearly shows that Viet Nam is monitoring the Internet heavily to silence the social media users. Seriously concern about monitoring the Internet, the National Assembly of Viet Nam passed a cybersecurity law on June 12, 2018, to control how the people in Viet Nam to use the Internet.

Right to freedom of Religion and Belief

The Khmer-Krom people have centered their community on a strong belief in Buddhism for thousand years. Some of the Khmer-Krom temples had been built more than one thousand years ago. For example, Sampua-Ransi (Som Bua) temple was built in 373 in Preah Trapeang province, and Kouk-Treng temple was built in 400 in Moth Chrouk province. Before 1975, Khmer-Krom people used to have independent Buddhist associations. When the north communist government took over Mekong Delta on April 30, 1975, the Khmer-Krom Buddhist associations were disbanded, forcing the Khmer-Krom Buddhist monks from these organizations to join the Patriotic United Buddhist Association (PUBA - Hội Đoàn Kết Sư Sãi Yêu Nước) under the umbrella of the Vietnam Buddhist Sangha (VBS - Giáo Hội Phật Giáo Việt Nam). The VBS, in turn, is strongly tied to the Vietnam Fatherland Front Central Committee (FFCC - Mặt Trận Tổ Quốc Việt Nam), a committee of the Vietnamese Communist Party (VCP). This relationship between the VCP and the current Buddhist association has led to a repression of the Khmer-Krom through the very same religion that once was the foundation of the community. The Khmer-Krom temples are under strict control of the VCP, which exercises its powers through religious, political, and even military means.

On November 18, 2016, the 14th National Assembly passed a so-called “Law on Belief and Religion”. This law sparks the concerns for the people in Viet Nam because it requires all religious groups to register with the authorities and report on their activities. Moreover, the authorities claimed that they have the rights to approve or refuse requests. This new law clearly shows that it does not help to promote the religious freedom in Viet Nam, but tightening up and controlling how the people in Viet Nam practice their religion.

On May 21, 2017, Venerable Lieu Ny, a former abbot of the Ta Set temple in Soc Trang province, was released after serving four years in prison. While being imprisoned, Ven. Lieu Ny received sad news that his father passed away. He was not allowed to attending his father’s funeral. He prayed to his father’s soul that when he is released, he will re-ordain to pay respect to his father.

On July 3, 2017, Ven. Lieu Ny wrote a letter to the Vietnamese local authority of the Vinh Hai village asking for permission to re-ordain as a Buddhist monk. The authority did not respond to his request. Ven. Lieu Ny could not wait because he had to ordain as a Buddhist monk before the Buddhist three month retreat season starts. Thus, on July 8, 2017, Ven. Lieu Ny’s family and Buddhist monks and Buddhist followers of the Ta Set temple organized the re-ordain ceremony for Ven. Lieu Ny. During the ceremony, the Vietnamese authority came to disrupt the ceremony. After disrupting the re-ordain ceremony successfully, the local authority also threatened to arrest anyone who would help to re-ordain Ven. Lieu Ny again.

Right to Equal Education

Most of the Khmer-Krom children living in rural areas do not have access to the quality education. Before they start attending kindergarten, they speak only Khmer language. When they start school, they have to learn Vietnamese in public school. Because Viet Nam does not have bilingual education in Mekong Delta, the Khmer-Krom children start struggling with their education at the early age. On the other hand, when the Khmer-Krom children can read and

write Vietnamese, they do not have a proper curriculum to learn the Khmer language which leads to most of the Khmer-Krom children now become illiterate their mother tongue language.

Viet Nam provides boarding schools in some areas in Mekong Delta to help the Khmer-Krom families who cannot afford to travel to a village that has a high school. Even the quality education of the boarding school is not compatible with the Vietnamese public high school, but at least, it provides an opportunity for Khmer-Krom children to pursue their education in high school. Due to the corruption of the local authorities and the administrative officers in these boarding schools, there are many Vietnamese students attending boarding schools and left out the Khmer-Krom students. It reduces the opportunity for the Khmer-Krom students to pursue their education to high school and later to vocational school or universities. Even it is a known issue throughout Mekong Delta, but the Khmer-Krom has nowhere to file complaints because there is no legal system to guarantee that the Khmer-Krom who filed a complaint would not be punished for reporting this type of corruption.

The Khmer-Krom students who are not qualified to attend the boarding schools mostly do not finish high. They have to help their parents on the farm or look for employment to help their families make ends meet. Without education, the future of Khmer-Krom youth is bleak.

Viet Nam has sent thousands of Vietnamese students to study abroad, especially in the United States, Canada, Australia, and European countries, but the Khmer-Krom students do not receive those benefits.

Right to Health

Viet Nam has not implemented any new health care policies to help the Khmer-Krom in Mekong Delta since its second cycle UPR. The life expectancy of the Khmer-Krom farmers reduces alarming due to living in the unhealthy environment.

Traditionally, the Khmer-Krom farmers only produced rice once a year and had enough rice to eat and also made some profits. Viet Nam wants to have lots of rice to export, so the Khmer-Krom farmers have been forced to produce rice three times per year. To produce rice in a short period, the Khmer-Krom farmers have to borrow money from the local Vietnamese banks or Vietnamese private loaners to buy fertilizers to make rice to grow faster and also using pesticides, herbicides to preventing insects destroying rice. Spending their daily life surrounding by chemicals, the Khmer-Krom farmers' health has been seriously impacted. Thus, the Khmer-Krom farmers start having all kind of diseases because the foods they eat and the water they drink is not sanitized.

When the Khmer-Krom people are sick, the free healthcare system that Viet Nam provides does not help to save the Khmer-Krom's lives. If they cannot afford to seek treatment in private hospitals, they have to face the suffering until they die.

Recommendations

KKF believes that the Khmer-Krom, the indigenous peoples of Mekong Delta, should not be punished for exercising their fundamental rights and should be enjoyed the fundamental freedoms that have been enshrined in the international human rights law and treaties that Viet Nam ratified. In this regards, KKF urges the government of Viet Nam to:

Implement a procedure to establish a legal document to start recognizing the Indigenous Peoples in Vietnam. By recognizing the Indigenous Peoples, it shows the commitment of Vietnam to resolve the differences between the government and the Indigenous Peoples and establish better policies to help the Indigenous Peoples to enjoy their fundamental rights as enshrined in the UNDRIP.

Allow Khmer-Krom history and culture to be taught freely in public schools. The name of villages, districts, and provinces where the Khmer-Krom people are living should be converted back to their original Khmer names. The Khmer-Krom traditional sports should be preserved instead of commercializes to attract tourists and making profits for the government, not for the Khmer-Krom.

Allow the Khmer-Krom to practice their Theravada Buddhism peacefully without fear as Vietnam signed its obligation to support it in the following articles: Article 12 of UNDRIP, Article 18 of UDHR and Article 18 of ICCPR. Vietnamese authority should not use police force to threaten and disrupt the ceremony of a Khmer-Krom who want to ordain as the Buddhist monk, just like the case of Ven. Lieu Ly. Religious freedom is a right, not a privilege granted by the government just as the new religious law that Viet Nam just passed in 2016. Ven. Thach Thuol should be released from prison without any condition.

Allow the Khmer-Krom children to freely study their native language in public schools starting from kindergarten. The Khmer language should be recognized as an official language in Mekong Delta. All applications including forms, signs and legal documents should be written in both Khmer and Vietnamese where the Khmer-Krom people are populated.

Revise the cybersecurity law to complying with the international laws so that the people in Viet Nam, including the Khmer-Krom, could enjoy the Internet Freedom.

Provide quality education in boarding schools and ensure that the Khmer-Krom students have priority to study in those boarding schools instead of the children of corrupted Vietnamese local officers.

Provide free and fair healthcare system to help the Khmer-Krom patients to receive treatments when they are sick and not die just because they don't have money to pay for treatment.

Establish an independent international human rights institution to provide a platform for the indigenous peoples, especially the Khmer-Krom, to raise their concerns and ensure that their fundamental rights are protected and promoted.