



## **Khmers Kampuchea-Krom Federation**

Submission to the UN Office of the High Commissioner for Human Rights

Universal Periodic Review: Socialist Republic of Vietnam

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***Executive Summary:** Since Vietnam's first cycle was reviewed in 2009, the human rights violations against the Indigenous Khmer-Krom Peoples have not improved. This submission focuses on these most concerned issues that Khmers Kampuchea-Krom Federation (KKF) has comprehensively conducted research: Right to Preserve Khmer-Krom Identity and Culture, Religious Violations, Land Right Violations, Right to Education, Women Face Double Discrimination, and Right to Health.*

### **1. Right to Preserve Khmer-Krom Identity and Culture**

The Khmer-Krom people are the Indigenous Peoples of the Mekong Delta of southern Vietnam (Kampuchea Krom). Vietnam forbids the Indigenous Khmer-Krom Peoples to be referred to as "Khmer-Krom" and label them as "Dân Tộc Thiểu Số Khmer" (ethnic minority Khmer).

The false history of the Khmer-Krom is taught in public schools. The Vietnamese government does not allow Khmer-Krom to call their village, districts, and provinces by their Khmer language. The Khmer language is not allowed to be utilized in public documents, such as: forms, applications, in the areas where the Khmer-Krom are most populated.

From December 2-4, 2011, Vietnam organised the Fifth Festival Culture, Sport and Tourist for Khmer-Krom to perform in order to lure tourists into the region. Besides exploiting the culture of the Khmer-Krom for economic benefits, Vietnam forces Khmer-Krom to perform its culture and music that are not based on the Khmer-Krom culture. They have to sing songs in both Vietnamese and Khmer and the content of the songs are to show gratitude to the Vietnamese government and its communist party. This is clearly a sign of oppression toward a culture.

### **2. Religious Violations**

There are more than five hundred Khmer-Krom Buddhist temples and over ten thousand Khmer-Krom Buddhist monks practicing Theravada Buddhism in Kampuchea-Krom. Despite these large numbers, the Khmer-Krom people are not allowed to have an independent Buddhist association free from governmental interference. Vietnam has successfully forced most of the Khmer-Krom Buddhist monks 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).

Permission must first be granted by the Vietnamese authorities for all rituals to be practiced. The Khmer-Krom young men must request permission to be ordained as Buddhist monks. The Khmer-Krom monk students in the Pali school in Soc Trang province must report wherever they go. They are not allowed going for asking for alms, even though it is one of the traditional aspects of Buddhism.

The Vietnamese government has embedded their agents inside of Khmer-Krom temples to monitor and report all the activities of monks and followers. The purpose of this surveillance is to ensure that all Khmer-Krom temples are following the stringent orders that PUBA has ruled. These agents are monks, and high-ranking members of the temple, such as Abbots and Head Monks, most of them are forced to do so under duress. These operatives are pressured to accept these monitoring positions because of political pressure or financial gain. Whether or not employed under duress, they receive a monthly salary from the government; this act alone defies several of the most central Buddhist beliefs. Knowing that spies are constantly watching, the Khmer-Krom Buddhists now practice their religion in fear.

On May 14, 2013, The Patriotic United Buddhist Association (PUBA - Hội Đoàn Kết Sư Sãi Yêu Nước) which is a Buddhist organization controlled by the Vietnamese government issued an Announcement (Số: 01/TB-HĐKSSYN) to defrock three Khmer-Krom Buddhist monks who practice Theravada Buddhism:

1. Venerable Lieu Ny, born 1986, at Ta Set temple, Vinh Hai commune, Vinh Chau district, Soc Trang province;
2. Venerable Thach Thuol, born 1985, at Ta Set temple, Vinh Hai commune, Vinh Chau district, Soc Trang province;
3. Ven. Ly Chanh Da, born 1988, at Prey Chop Temple, Lai Hoa commune, Vinh Chau district, Soc Trang province.

On May 16, 2013, Venerable Ly Chanh Da was arrested, defrocked, detained and tortured. He was forced to confess his alleged crimes on the Vietnamese Television.

The latest information from the villagers of Ta Set commune has revealed that Venerable Thach Thuol and Lieu Ny and two other persons, Thach Phum Rich and Thach Tha have been apprehended by Vietnamese Authorities on the evening of 20 May 2013. Their where about location and condition are unknown at this point.

#### **4. Land Right Violations**

When the Khmer-Krom people have a dispute with Vietnamese citizens or the Vietnamese government, the Khmer-Krom victims have no right to file complaints to seek justice. When they stand up for their rights, they face imprisonment:

Mr. Huynh Ba, a Khmer-Krom land rights activist, led the Khmer-Krom farmers from Soc Trang province to demand returning their confiscated farmlands many time at the ethnic minority agency in Can Tho province. The ethnic minority agency has no power to resolve any issue and threatens the Khmer-Krom farmers to go back to their village or face arrest. Because Mr. Huynh Ba was the leader, he was arrested on May 30, 2009 and released on February 2011 without a free and fair trial. He had no lawyer or right to defend in front of the Vietnamese court. As of today, the confiscated farmlands of the Khmer-Krom farmers have not yet been returned. The Khmer-Krom farmers have nowhere to turn to for justice.

On April 22, 2010, Mrs. Tran Thi Chau was arrested and later sentenced by the Court of Tra Vinh for two and half years in prison. Mrs. Tran Thi Chau had a land-grab dispute with the local authorities at the Nhi Truong market in Nhi Truong village, Cau Ngang district, Tra Vinh province. The authorities arrested her on her way to a wedding and then accused her with the alleged crime of retaking her land.

On March 31, 2011, Mr. Chau Hen was sentenced for two years in prison by the Court of Tri Ton district, An Giang province. Mr. Chau Hen had organised peaceful demonstrations to demand the return of confiscated Khmer-Krom farmlands in the Tri Ton district in 2007 and 2008. Because he led the demonstrations, he was accused of public disturbance and suffered unjust imprisonment.

On International Women's Day—March 8, 2012, Mrs. Neang Sen, a Khmer-Krom woman from An Giang province has expressed grave concerns over helpless and abject poverty due to loss of her ancestral land to the Vietnamese authorities' extortion scheme during the period 1979 to 1983, when Mrs. Neang Sen's families and the Khmer-Krom villagers were forced out to live in Hau Giang province instead. On their return to hometown few years later, Mrs. Neang Sen and others learned that their farmlands and properties have been confiscated by the Vietnamese authorities and Vietnamese newcomers and to this day their calls for return of their lands receive no response from the Vietnamese authorities. Not only their calls for justice have been ignored, but Mrs. Neang Sen and villagers have accused for disturbing public order and being discriminated as unruly and second-class citizens by the Vietnamese authorities.

## **5. Right to Equal Education**

The Khmer-Krom children are not able to learn the rights of the child, as stated in the Convention on the Rights of the Child, in their Khmer language. The Khmer-Krom children are not allowed to study their true history in their language.

There are no magazines or booklets in the Khmer language, for Khmer-Krom youth to express their opinions that are independently produced without the interference of the Vietnamese government. Khmer-Krom youth who are in high school have very limited access to public forums to express their opinion, especially on the internet.

The Khmer-Krom people are hard-working farmers but some of them do not have enough rice to eat due to the high expenses of farming. The Khmer-Krom people are the poorest people in the Mekong Delta region. The poverty of the Khmer-Krom affects the livelihoods of the Khmer-Krom youth and their future. In recent years, the percentages of Khmer-Krom students dropping out of school are alarming. 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.

There are millions of Khmer-Krom people in Kampuchea-Krom, but very few hold a Master Degree or Ph.D. Vietnam has sent thousands of Vietnamese students to study abroad, especially

in the United States, Canada, and Australia. But the Khmer-Krom students do not receive those benefits.

Khmer-Krom students receive no benefit from scholarships that are generously offered by international governments and organizations due to the repressive policies of the Vietnamese government. Outside efforts to support the Khmer-Krom advancement of education is blocked because the government of Vietnam ties these efforts to political motives.

## **5. Khmer-Krom Women Face Double Discrimination**

The Khmer-Krom women face many obstacles in all facets of the Vietnamese society. Institutionalized discrimination and lack of access to education keep Khmer Krom women in gendered roles with little opportunity to advance up the social and economic ladder.

The Khmer-Krom women participating in peaceful protests have been beaten with electric batons and interrogated for watching human rights related activities. In 2008, a young Khmer-Krom woman, Mrs. Neang Savong helped her father, Mr. Chau In, to lead the Khmer-Krom farmers to demand returning confiscated farmlands in An Giang province. She was beaten by Vietnamese police and became ill soon after. She was discriminated and ignored for her treatment at the Vietnamese hospital in Tri Ton district and Sai Gon city. Unfortunately, she passed away on Saturday, September 25, 2010.

The lack of job opportunities in the provincial region has the Khmer Krom girls forced to travel outside of their region and become victims of trafficking rings. A 20 year old Khmer-Krom woman, Mrs. Thach Thi Hong Ngoc left a poor village in Can Tho province to look for work in Saigon city. She fell into the arranged married trap to marry a Korean man, Jang Du Hyo, 47 years old, without knowing anything about him. She married him to get \$500 for her family and left to live with him in Korea. Unfortunately, on July 8, 2010, shortly after her arrival in Korea, she was killed by her Korean husband. The Vietnamese government media just reports that she was a Vietnamese girl, not a Khmer-Krom girl.

## **6. Right to Health Violence**

Vietnam has ratified three international conventions that explicitly guarantee the right to health: The International Covenant on Economic, Social and Cultural Rights, The Convention on the Elimination of all forms of Discrimination Against Women, and the Convention on the Rights of the Child. Most of the Khmer-Krom people do not know of the existence of those international conventions. They do not understand that the health problems they face are human rights violations.

Vietnam claims that it provides free healthcare services to the ethnic minority populations, but the free healthcare service is not really free as the government claims. In order to receive a free Health Insurance card, the Khmer-Krom must be from a Khmer-Krom family that is categorized as “Hộ Nghèo” which means a “household poverty”. When they are sick, they go to the hospital and are treated as “second-class citizens” because they only pay about 5% of the total

bills. Thus, despite the claim of free healthcare, they still face charges and discrimination. Some Khmer-Krom patients cannot even afford to pay that 5% and end up selling their farmlands or worthy belongings in order to get the treatment or receive the medication.

If the Khmer-Krom families are not categorized as a household of poverty, their family members have to buy insurance. The Khmer-Krom people are poorest people in the Mekong Delta region. They barely make enough money to have food for their family. Thus, most of them do not have insurance. When they are sick, they go to the local hospital in their village. Some diseases cannot be treated by the doctors at the local hospital and they are sent to the hospital in the City, but many Khmer-Krom patients cannot afford the treatments and die as a result.

## 7. Recommendations

KKF believes that the Indigenous Khmer-Krom people should not be punished for exercising the fundamental freedoms and human rights. In this regards, KKF urges Vietnam authorities to:

- *Respect the Khmer-Krom identity and culture. The Indigenous Khmer-Krom people should be allowed to refer to themselves as "Khmer-Krom". The Vietnamese government should stop using Khmer-Krom as puppet performers to entertain tourists for the Vietnamese government's benefit. Khmer-Krom history should be taught in public schools. The name of villages, districts and provinces where the Khmer-Krom people are living should converted back to their original Khmer names.*
- *Allow the Khmer-Krom to have basic freedoms so they are not living in fear. They should be allowed to freely defend themselves in front of the Vietnamese judicial system. The Vietnamese government should stop accusing Khmer-Krom people of "disturbing the Vietnamese society" using Article 87 of Vietnam's Penal Code to imprison them whenever they stand up for their fundamental rights.*
- *Stop persecuting Khmer-Krom Buddhist monks. Release Venerable Thach Thuol and Ven. Lieu Ny without any conditions. Allow Ven. Ly Chanh Da to re-ordain as Buddhist monk. Allow Khmer-Krom Buddhist monks to create an independent religious organization free from interference from the government. Allow Khmer-Krom to freely practice their Theravada Buddhism. They should not have to ask for permission to practice or even just to organize a simple Buddhist ritual.*
- *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 Kampuchea-Krom. All applications including forms, signs and legal documents should be written in both Khmer and Vietnamese.*
- *Implement policies and legislation to protect Khmer-Krom girls and provide active educational campaigns and informational sessions in both Vietnamese and Khmer so that they can be better informed of the danger of human trafficking.*
- *Strengthen the pro-poor health policies to ensure that all Khmer-Krom people have access to quality health services.*