

International Network for Diplomacy Indigenous Governance Engaging in Nonviolence Organizing for Understanding & Self-Determination (INDIGENOUS) is a monumental movement aspiring to change the centuries of making indigenous peoples invisible through colonization and to create a climate of inclusion in the family of nations in the 21st century. INDIGENOUS mobilizes for the realization of human rights of indigenous peoples in the seven recognized indigenous regions in the world through community driven campaigns of direct-action and diplomacy.

INDIGENOUS is committed to nonviolence with eternal vigilance for a planet of peace. INDIGENOUS embraces the responsibility of kindred stewardship for our earth nurtured for centuries in indigenous nations cosmologies. INDIGENOUS understands the interdependence of humanity and ecology to live in harmony. INDIGENOUS struggles for the full recognition of the right of self-determination inherent in traditional governance models existing since time immemorial. INDIGENOUS continues the coordinated campaigns for realization of individual and collective human right of indigenous peoples in every state through national, regional and international initiatives.

INDIGENOUS reflects diversity, dignity and diplomacy providing positive models of mobilization for the full recognition of indigenous rights. INDIGENOUS documents genuine histories of indigenous peoples shared through traditional storytelling and gross violations of indigenous peoples through human rights methodologies. INDIGENOUS determines the best strategies to secure self-determination in all its manifestations for indigenous nations through concerted campaigns with ally advocates. INDIGENOUS directs the accurate information into human rights regional mechanisms and United Nations charter and treaty bodies including specialized agencies, programs and funds to hold states accountable to state obligations under public international law.

INDIGENOUS guarantees the recognition of the inherent dignity in all peoples on the planet enshrined in the international law instruments from the Universal Declaration of Human Rights to the United Nations Declaration on the Rights of Indigenous Peoples.

We believe indigenous rights abuses anywhere impacts all indigenous peoples. The common history of deep connection with nature and the similar situation forced upon indigenous peoples in their homelands creates a shared sense of cultural survival that is the impetus for our international movement. We seek solutions rooted in the indigenous values reflected in the voices of our elders and believe our vision for the future will guarantee human rights, freedom and justice for everyone on planet earth.

Regarding human rights in Vietnam our report will focus on two indigenous peoples that have historically faced discrimination in their own homelands, Degar and Kampuchea Khmer Krom. Unfortunately, since the first UPR, we can't point out improvement.

Instead, the trend is tragic with a deterioration of rights being respected.

The most important right for Degar and Kampuchea Krom is the right of self-determination under Article 1 of the twin covenants and Article 3 of the UN Declaration on the Rights of Indigenous Peoples. One of the most significant principles is the right to self-identify. The Khmer Krom have asserted right to identify as indigenous peoples. However, Vietnam continues to deny their right to self-identification asserting they are not indigenous maintaining at every international meeting their status as one of the many minorities in Vietnam. At the national level, The Khmer Krom are labeled as "Dan Toc Thieu so Khmer (ethnic minority Khmer) instead of Khmer Krom.

Another example is the action taken by the government to deny the Kampuchea Khmer Krom from representing themselves at the United Nations. Vietnam actively campaigned to secure votes on ECOSOC utilizing a new procedure to deny NGO status to the Khmer Kampuchea-Krom Federation.

The main cultural transmitters in the Khmer Krom communities are the Buddhist monks and the temples serve as the heart of the community. There are 10,000 Buddhist monks and over 500 temples. Each young man desiring to become a monk must seek permission to be ordained. More important, there is an increasing number of cases where monks are ordered to be defrocked for exercising the most basic human rights. One example of the common practice by the authorities is Venerable Ly chant Da was arrested, detained and defrocked. The venerable was also tortured while in custody. Moreover, the violations of human rights continued as he was forced to apologize and confess to the alleged crimes on the national television.

While we were finalizing the report, we received firsthand information regarding the arrest and detention of two monks from Ta Set commune. Ven. Thach Thuol and Lieu Ny were apprehended by Vietnamese authorities.

The web of human rights violations regarding right to culture (UDHR Article 27) as well as freedom of thought, conscience and religion (UDHR Article 18) are violated too often. It is obvious also that there are multiple national policies and practices that violate the destruction of Khmer Krom culture (UN DRIP Article 8).

Land is sacred to indigenous peoples around the world. Land is also crucial for the sustainable development of a community and the right to food security. When Kampuchea Khmer Krom assert their right to land, they face severe human rights violations including many civil and political rights resulting in farmers serving multiple year sentences.

On two different occasions, Mr. Huynh Ba, led fellow farmers from Soc Trang province

for their confiscated farmlands. He was arrested on May 30, 2009 and held until February 2011 without a proper fair and public hearing. Also, the practice continued when Mr. Chau Hen organized a peaceful land regarding confiscated Khmer Krom farmlands in Tri Ton district. On March 31, 2011, he received a two year sentence under charges of public disturbances suffering unjust imprisonment today.

The human rights of indigenous women face double discrimination in Vietnam society. On International Women's Day 2012, in An Giang province, Mrs. Neang Sen, is accused for disturbing public order. Her work has continued since 1979 against the loss of her ancestral land and subsequent abject poverty. For her efforts to create justice, she was forced to migrate in Hau Giang province and recently returned to note the situation has deteriorated. Also, on Earth Day, April 22, 2010, on her way to a wedding, Mrs. Tran Thi Chau was arrested and sentence for two and a half years due to her land-grab dispute claim against the local authorities in Nhi Truong. Her charge was public disturbance and suffered unjust imprisonment.

While the current situation is dismal. The future could be in a more dire situation as the children's rights of Khmer Krom are not promoted or protected. There are many violations of the UN Convention on the Rights of the Child. First and foremost, Khmer Krom children are not able to learn in their mother tongue in schools of the state. There is no educational material in indigenous language of Khmer Krom. These state practices result in a higher rate of dropouts of Khmer youth from school. Another important tool of education is the internet. Yet, access to the internet is severely limited.

At the level of higher education, there are very few Khmer-Krom people able to earn higher professional degrees. We request disaggregated data on Khmer Krom students earning degrees.

All of these violations have resulted in a climate of fear and repression across the Mekong Delta.

The main concern we have is for the following questions to be answered regarding the human rights of indigenous peoples:

1. What legal and/or policy reforms have undertaken to implement UNDRIP at the national level?
2. To what extent has your government established a clear legal framework through which indigenous people can claim their rights over their traditional lands and resources? Has your government has started a process of land demarcation and recognition which clearly provides legal rights to indigenous communities over their ancestral lands?

3. Is indigenous peoples' rights to free, prior and informed consent legally guaranteed at the national level?

4. Is there disaggregated data on indigenous peoples? Please share and if none please work in partnership with indigenous peoples to assure it is done properly

5. What are the plans for the implementation of the provisions of the declaration in a national law (if there is not already such a law).

6. Another issue is what legislation they have, or will put in place, legislation to ensure that multinational companies have policies in place, consistent with the UN DRIP standards, which seek to guarantee that their activities and investments do not contribute to discrimination and violation of Indigenous Peoples rights