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**Briefing paper concerning the Tenth to Fourteenth Periodic Reports of
Vietnam (CERD/C/VNM/10-14) under the Convention on the
Elimination of All Forms of Racial Discrimination**

**For consideration at the 80th Session of the Committee on the Elimination
of Racial Discrimination (13 February – 9 March 2012)**

January 2012

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Overview

Kampuchea-Krom is the Khmer name for the Mekong Delta and surrounding region of the current state of Viet Nam. Kampuchea-Krom measures up to 67,700 square kilometres and is the traditional homeland of Khmer-Krom. The Indigenous Peoples of Kampuchea-Krom are the Khmer-Krom, the ancient descendants of the people of Nokor Phnom (or Funan in the Chinese translation) empire. Throughout history, the identity and name of the Khmer-Krom people and their ancestral lands have been changed and/or referred to differently by various colonizing forces. Under the colonization of France, Kampuchea-Krom was called Cochinchina. The terms Khmer, Khmer-Krom and Vietnamese of Khmer origin are used interchangeably when referring to the people of Funan.

On the June 4, 1949, Kampuchea-Krom was transferred to Vietnam by the French colonial government without the consent of the Indigenous Khmer-Krom Peoples. The land is still inhabited by approximately 7 million Khmer-Krom people who remain deeply attached to their culture, religion, customs, traditions, and ancestral lands even as they have been facing severe policies of assimilation and elimination from their ancestral land.

This briefing paper provides comments to the Tenth to Fourteenth Periodic Reports of Vietnam with key recommendations, as made by the Khmers Kampuchea-Krom Federation.

Article 1 of the Vietnam State Party Report CERD/C/VNM/10-14

1. Paragraph 33 of CERD/C/VNM/10-14 states that “The Constitution of Viet Nam affirms the equality among all Vietnamese citizens in all political, economic, cultural, social aspects... This principle is fully respected in the legal system of Viet Nam”. In reality, the Indigenous Peoples in Vietnam, especially the Khmer-Krom are treated as the second class in Vietnam. The Khmer-Krom people have no voice in the legal system of Vietnam:

On September 2, 2010, twenty-two Khmer-Krom rubber plantation workers in Tay Ninh province were off work on the **Vietnam’s National Day** holiday. They decided to explore a local market in the Vietnamese-populated town. Unfortunately, the Vietnamese locals attacked them because they are Khmer-Krom. Mr. Chau Net, who answered to the Vietnamese mob that he is Khmer-Krom, was murdered right away. Mr. Chau Net’s skull was sliced in half by an axe. He was then horrifically beheaded with a Samurai sword. Mr. Chau Phat and Chau Keo were severely injured. Other people managed to escape with minor injury. This is a serious crime against the innocent Khmer-Krom workers, but the Vietnamese authority has not taken any serious actions to arrest the killers to bring them to face justice. Mr. Chau Net’s parents were threatened by the government to stop filing complaints to find justice for their son.

2. Paragraph 37 of CERD/C/VNM/10-14 mentions having an agency to ensure that “the rights and interests of ethnic minorities as is guaranteed by the law.” In reality, Vietnam uses the so called “ethnic minority agency” (Ban Dân Tộc) to propagate the state’s policies and uses the indigenous peoples who work for that agency to oppress its own people if their people stood up for their rights:

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 times 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. 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.

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Recommendation to the Committee on the Elimination of Racial Discrimination:

The Vietnamese government should be urged to have a legal system that allows the Indigenous Peoples (Ethnic Minority as the Vietnamese government prefers to call) to have their voices heard. Vietnam should not use the ethnic minority agency as its puppet agency for the state to propagate and enforce its policies, using it to oppress the Indigenous Peoples.

Article 2 of the Vietnam State Party Report CERD/C/VNM/10-14

3. Paragraph 40 of CERD/C/VNM/10-14 states that "Ethnic groups have the right to use their own languages and writings to preserve their ethnic characteristic and to nurture their customs, traditions and cultures." In reality, the Indigenous Khmer-Krom Peoples are not allowed freely to learn and use their Khmer language.

The current teaching of the Khmer language in public schools attended by Khmer-Krom students is not a program that actually enables Khmer-Krom children to know their mother language. There are no Khmer programs in Primary Public School, where most of the Khmer-Krom children must leave school at the last class to help their parents either in the farm works or as an unskilled worker because of the conditions of poverty in which their families live. From some junior public high schools provide just two to three hours of unreliable programs per week for Khmer-Krom students to learn Khmer, which is not an adequate amount of time to learn any language. Therefore, most of the young Khmer-Krom now cannot read nor write their own language.

The Vietnamese government forbids the Khmer-Krom from bringing Khmer text books from Cambodia to Vietnam for the Khmer-Krom students to study. In recent years, Vietnam published the Khmer text books for Khmer-Krom students to study. The text books' contents contain propaganda to brainwash the Khmer-Krom students. The text books are written by the Vietnamese who do not know the Khmer language well. Thus, the text books have many grammatical errors and incorrect spelling. This is the reason why the Khmer-Krom students want to study the Khmer text books from Cambodia, which Vietnam does not allow.

Recommendation to the Committee on the Elimination of Racial Discrimination:

The Vietnamese government should be urged to allow the Khmer-Krom to freely study their language and history in a way that is independently structured by the Indigenous Khmer-Krom without interference from the government in public schools. The Khmer language needs to be recognized as one of the official languages in Kampuchea-Krom. All applications including forms, signs and legal documents should be written in both Khmer and Vietnamese.

Article 3 of the Vietnam State Party Report CERD/C/VNM/10-14

4. Paragraph 81 and 82 mentions Article 87 of Vietnam's Penal Code to prevent "ethnic hatred, discrimination or segregation" and states that those who violate this code would be "sentenced to 5 to 15 years of imprisonment." In reality, Vietnam uses that Penal code to oppress and arrest those who stand up for their rights or demand respect for the fundamental rights of people in Vietnam:

In June 2007, Vietnam ordered Cambodian authorities to arrest, defrock, and deport a Khmer-Krom Buddhist monk, Venerable Tim Sakhorn who was an Abbot of North Phnom Denh Temple in Phnom Denh village, Takeo Province, to Vietnam. Venerable Tim Sakhorn used to help the Khmer-Krom refugees who escaped Vietnam to Cambodia by allowing them to stay at his temple before going to seek refugee status in Phnom Penh. Venerable Tim Sakhorn helped to raise awareness of the human rights violations against the Khmer-Krom in Vietnam,

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among the Human Rights organizations in Cambodia. Vietnam was not happy about that and tried to arrest Venerable Tim Sakhorn. After arresting him without just cause and no evidence, Vietnam accused him of the crime of “Sabotaging the unification policy” under Article 87 of Vietnam’s Penal Code.

Recommendation to the Committee on the Elimination of Racial Discrimination:

The Vietnamese government should be urged to stop using Article 87 of Vietnam’s Penal Code to wrongfully imprison Khmer-Krom people who are merely standing up for their fundamental rights. The Vietnamese government tactically uses Article 87 to silence the Human Rights activists in Vietnam. It is not used to prevent discrimination as Vietnam has claimed.

Article 4 of the Vietnam State Party Report CERD/C/VNM/10-14

5. Paragraph 85 stated that “ethnic spoken and written languages, and identities shall be protected; the fine customs, practices, traditions and cultures of each ethnicity shall be promoted; all ethnicities shall respect each other’s customs, practices”. In reality, Vietnam tactically implements hidden policies to assimilate the Indigenous Khmer-Krom Peoples to forget their language, culture and identity:

Vietnamese government continues to erase the identity of Khmer-Krom people as Indigenous Peoples. 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).

Vietnam teaches false history of the Khmer-Krom in public school. Vietnam does not allow Khmer-Krom to call their village, districts, and provinces in their Khmer language.

From December 2-4, 2011, Vietnam organized the Fifth Festival Culture, Sport and Tourist for the Khmer-Krom to perform to lure tourists into the region. Besides exploiting the culture of the Khmer-Krom for economic benefit, Vietnam forces Khmer-Krom to perform its culture and music that are not based on the Khmer-Krom culture at all. They have to sing a song in both Vietnamese and Khmer and the content of the songs are to thank the Vietnamese government and its communist party. This is clearly a sign of oppression toward a culture. When the Khmer-Krom performed a cultural event about Sen Don-Ta Festival (Pay Respect to their ancestor), the Khmer-Krom performers had to put incense on the altar to pay respect to their ancestors. The Khmer-Krom audiences were shocked and very upset when the picture on the altar was the picture of Ho Chi Minh. It was insulting to the Khmer-Krom because Ho Chi Minh is not the Khmer-Krom’s ancestor. Even though they were not happy, they could not complain or seek any recourse because they live in fear. The Fifth Festival of Culture and Sport is nothing more than exploitation and a mockery toward the Khmer-Krom culture.

Recommendation to the Committee on the Elimination of Racial Discrimination:

The Vietnamese government should be urged 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.

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Article 5 of the Vietnam State Party Report CERD/C/VNM/10-14

6. Paragraph 88 mentions that “every citizen’s equality before the law” and are equals in “engaging in debates before the court”. In reality, when the Khmer-Krom human rights activists have faced trials in Vietnam, such as the cases of Mr. Huynh Ba and Venerable Tim Sakhorn mentioned above, they have not been allowed to have lawyers or even allowed to defend themselves. The Vietnamese judges have simply read the accusations and sentenced them to prison without allowing them to appeal for justice.

7. Paragraph 92 states that “The law strictly prohibits all forms of coercion, torture or violation of citizens’ honour and human dignity” and Paragraph 94 states that “Viet Nam prohibits unlawful use of force by law enforcement agencies against Citizens”. In reality, arrested Khmer-Krom human rights activists have been tortured while in prison:

Venerable Danh Tol, Ven. Kim Moul, Ven. Ly Hoang, Ven. Thach Thuong and Ven. Ly Suong were arrested, defrocked, and imprisoned in 2007 because they led a peaceful demonstration to demand the freedom to practice Theravada Buddhism. After being released in January 2009, the Vietnamese government denied their right to be re-ordained as Buddhist monks. After living in fear and oppression, they escaped Vietnam to seek refugee status in Thailand via Cambodia. They were granted asylum status to live in Sweden in September 2009. When they reached to the free world, they told their stories about how they were treated and tortured by the Vietnamese police and guards while in prison.

8. Paragraph 97 states that “ethnic minorities have been actively exercising their political rights by means of direct and indirect democracy” and participate in voting. In reality, Vietnam is a one-party communist state. Election in Vietnam is just for show. Most of the Khmer-Krom people do not show up to vote during election time. They know that it does not matter who they vote for. The result is up to the Vietnamese government.

9. Paragraph 99 states that “The number and qualifications of public servants belonging to ethnic minorities have been improved continuously.” In reality, Vietnam uses ethnic minorities who work for the government to help propagate its policies and uses them to oppress their own people:

In February 2009, when Venerable Kim Moul and Danh Tol were released from prison, they filed an appeal asking permission to re-ordain as Buddhist monks. Vietnamese authorities ordered the Khmer-Krom people who work for the government such as: Mr. Son Song Son, Mr. Thach Kim Sen, and Mr. Lam Ren to bring in Ven. Kim Moul and Danh Tol for prolonged intimidation and integration, depriving them of rest and food. The Khmer-Krom people who serve as “public servants” for the Vietnamese government are puppets who do whatever the government tells them to do. They are scared to speak up for their own people’s rights.

Vietnam invited UN Independent Expert on Minority Issues, Ms. Gay McDougall to visit Vietnam from July 5-15, 2010. According to an official report of Ms. McDougall’s trip to Vietnam published on January 21, 2011, the Vietnamese government arranged for her to visit and meet only the ethnic minorities who work for the government, “*during her visit, she was largely confined to meetings arranged by the Government, encountering obstacles that limited opportunities for unaccompanied meetings outside of the presence of Government officials. She therefore does not believe that she had full, free and unfettered access to all parties whom she wished to consult. This impeded her ability to obtain perspectives other than those in consonance with official Government positions*”

10. Paragraph 104 states that “The Constitution of Viet Nam stipulates that all citizens shall enjoy freedom of movement and residence within the country, to travel abroad and return to

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Viet Nam in accordance with the law.” In reality, the Khmer-Krom people have to ask for permission if they need to travel within Vietnam or abroad:

On October 29, 2011, Venerable Ly Le in Vinh Chau district, Soc Trang province, asked permission to travel to Cambodia, but the Vietnamese government refused, alleging the crime of being caught while talking online with the Khmer-Krom abroad on April 23, 2011.

Venerable Soeun Ty, a Khmer-Krom Buddhist monk, had left his family in Soc Trang province to live in Cambodia in 2003 and became a Cambodian citizen in 2004. On May 27, 2010, he went back to visit his parents. The Vietnamese police seized his Cambodian passport and subjected him to a full day of interrogation.

To closely monitor the Khmer-Krom visiting Vietnam from abroad, Vietnam requires the Khmer-Krom visitors to register with the local authority where they visit. The Vietnamese authority even sends police to “visit” the Khmer-Krom visitors making them feel uncomfortable and concerned for their safety. Those who do not register with the local authorities are fined. Mr. Tran Van Lyo, a Khmer-Krom from California was fined one million two hundred fifty thousand Dong (about 50 US dollar) on December 10, 2010 because he forgot to register with the local authority when he visited his hometown in Travinh province.

On November 8, 2011, while visiting Cambodia, Ms. Thach Bopha from the United States wanted to go to Vietnam to visit her relatives. She went to apply for a visa at the Vietnamese Embassy in Cambodia. She was totally shocked when a staff at the embassy told her that the embassy cannot issue visa for her because of her Khmer-Krom last name, **Thach**.

10. Paragraph 113 states that “Ethnic minorities have the right to ownership of lawful incomes, savings, housing, personal belonging”. In reality, when the Khmer-Krom 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:

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 organized 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.

11. Paragraph 114 states that Vietnam has a “consistent policy to respect and guarantee the right to freedom of belief and religion”. In reality, religious freedom in a communist country like Vietnam exists only on paper:

Prior to April 30, 1975, the Khmer-Krom people had their own Buddhist Associations without interference from the government. When the Vietnamese communists took over their homeland, the Vietnamese government dispersed the Khmer-Krom Theravada Buddhist Associations and forced Khmer-Krom Buddhist monks to join the Patriotic United Buddhist Association (Hội Đoàn Kết Sư Sãi Yêu Nước) under the umbrella of the Vietnam Buddhist Sangha (VBS - Giáo Hội Phật Giáo Việt Nam). The VBS is under the control of the Vietnam Fatherland Front Central Committee (FFCC - Mặt Trận Tổ Quốc Việt Nam) which is a committee of the Vietnamese Communist Party (VCP).

There are more than five hundred Khmer-Krom Buddhist temples and more than ten thousand Khmer-Krom Buddhist monks in Kampuchea-Krom. The Khmer-Krom people do not

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have an Independent Khmer-Krom Theravada Buddhist Association that is free from interference from the Vietnamese government. When the Khmer-Krom Buddhist monks peacefully stand up for their rights, they are accused of “Disturbing the Vietnamese Society” under Article 87 or “Involving with Anti-Vietnamese Government Activities” under Article 88 of Vietnam’s Penal Code.

Mr. Thach Sophon, a former Khmer-Krom Buddhist monk, defrocked on July 22, 2010, was arrested by the Vietnamese government on July 29, 2010, for the alleged crimes of sending Khmer-Krom Buddhist monks to study abroad without permission from the Vietnamese government, and for accessing “restricted information” via satellite to listen to the world news (Khmer-Krom news from abroad). He was released on September 27, 2010 and then remained under house-arrest for another nine months.

On December 11, 2011, Vietnamese authorities ordered a Khmer-Krom Buddhist monk, named Thach Hou, who is a member of the Congress of Vietnam and also the vice-president of the Patriotic United Buddhist Association of Soc Trang province, to defrock Venerable Ly Sol for allegedly trying to rape an elderly woman as old as his own grandmother at Tra Set temple in Tra Set commune, Vinh Hai village, Vinh Chau district, Soc Trang province, despite statements of the contrary of the Abbot and other Buddhist monks at Tra Set temple. Vietnamese authorities persecute the Buddhist monks at Tra Set temple because they will not agree to join the Patriotic United Buddhist Association. This is also the temple where Venerable Kim Moul used to stay before he was arrested in 2007.

The religious freedom of the Khmer-Krom in their homeland is under threat. The Vietnamese authorities have successfully forced most of the Khmer-Krom Buddhist monks to join the Patriotic United Buddhist Association. Buddhist monks who refuse to join face oppression from the Vietnamese authorities, just like the Khmer-Krom Buddhist monks at the Tra Set temple.

The Vietnamese government has embedded their agents inside of Khmer-Krom temples to monitor and report all the activities of our Buddhist monks and Buddhist followers. Some of our Buddhist monks (especially the Abbot of the temple) in each temple and Head monk of the provinces have been forced to work for the Vietnamese government as secret agents, receiving a monthly salary from the government. This is in complete opposition to the way we practice our religion. Our people now practice our religion in fear.

Vietnam allows the Khmer-Krom Buddhist monks to become its Congress members as the case of Venerable Thach Hou. In this way, the Vietnamese government can use the Khmer-Krom Buddhist monks who work for the government to oppress their own fellow Buddhist monks. Vietnam also uses those monks as representatives of the Khmer-Krom to propagate about the “religious freedom” that Vietnam currently has.

The Vietnamese government now even embeds its agents in most of the Khmer-Krom temples to monitor the activities of the Khmer-Krom Buddhist monks. Thus, Khmer-Krom Buddhist monks live in FEAR. They are scared to talk about their rights to freely practice Theravada Buddhism because they might be arrested. Permission must first be granted by the Vietnamese authorities for all Khmer-Krom rituals to be practiced. The Khmer-Krom men even have to ask for permission to be ordained as Buddhist monks.

The Khmer-Krom monk students in the Pali school in Soc Trang province are being monitored heavily. They must report wherever they go. They are not allowed going for almsing, even though it is one of the ways that the Khmer-Krom Buddhist monks practice Theravada Buddhism. The Vietnamese government is scared that, when going for almsing, the Khmer-Krom monk students will have a chance to make contact with the Khmer-Krom Buddhist followers and talk about religious freedom. Moreover, all the foreigners who come to this school are monitored heavily. In September 2010, a Buddhist delegation from Thailand was not allowed to visit this school.

12. Paragraph 120 mentions having a “Khmer Theravada Academy with over 1,000 monks in

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training.” In reality, there is no such Khmer Theravada Academy. There are only Pali schools taught by volunteer Khmer-Krom teachers. One of the teachers at Tra Vinh province told Voice of Kampuchea-Krom (VOKK) Internet Radio in the United States on January 8, 2012, that Vietnamese authorities kept promising to pay them salaries but never did. Vietnam does not provide salaries to Khmer-Krom teachers and imposes a teaching curriculum for the Khmer-Krom to follow.

13. Paragraph 122 states that “Viet Nam respects and guarantees freedom of expression, the press and information for the people”. In reality, all the media in Vietnam is controlled by the government to propagate the state’s policies. There is no independent newspaper, magazine or television. The Vietnamese government even blocks the Khmers Kampuchea-Krom Federation Website (<http://www.khmerkrom.org> or <http://www.khmerkrom.net>) in Vietnam.

On January 8, 2012, A Khmer-Krom man (who has asked to remain unnamed for fear of his own safety) in Tra Vinh province told VOKK that the Vietnamese authorities ordered him to take down his Satellite dish because he watches television program broadcasts from Cambodia. He refused to take it down because he just wants to watch cultural programs from Cambodia. He's urged the international community and the Khmer-Krom in Vietnam to protect the basic right to receive information.

14. Paragraph 127 states that “all citizens, including those belonging to ethnic minorities, have the right to establish and participate in associations”. In reality, there are no independent non-governmental organizations in Vietnam. There are thousands of Khmer-Krom youths and students in Kampuchea-Krom, but they are not allowed to form an independent Khmer-Krom Youth Association.

15. Paragraph 138 states that “People belonging to ethnic minorities enjoy the right to health, healthcare, social security and other public services”. In reality, the Khmer-Krom people have faced many issues regarding the right to health:

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.

Since 2003, the blindness issues of the Khmer-Krom in Soc Trang and Bac Lieu provinces are still prevalent. There are thousands of Khmer-Krom people who are affected by blindness of either the left or right eye, and in some case both eyes. The main problems that cause the blindness are from contaminated drinking water from their surroundings which are largely polluted by pesticides, herbicides and fertilizers. This problem has been reported to the Vietnamese government, but the Vietnamese government has taken no actions about it because the victims are primarily Khmer-Krom.

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 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

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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.

16. Paragraph 150 states that “The protection of spoken and written languages of ethnic minorities is one of the priorities in the State’s education policy.” In reality, the public education system does not reflect the Khmer-Krom's needs due to the lack of consultation with Khmer-Krom locals:

The current program for Khmer language classes in public schools is ineffective in teaching Khmer-Krom children their native language. Some of the public schools just provide two to three hours per week for Khmer-Krom students to learn their language. Therefore, most of the Khmer-Krom now cannot read or write their own language.

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.

The education gap between the majority and the indigenous minority, especially the Khmer-Krom, is very large, especially in higher education. There are millions of Khmer-Krom people in Kampuchea-Krom, but very few hold a Master’s Degree or Ph.D.

Outside efforts to support the Khmer-Krom advancement of education are blocked because the government of Vietnam ties these efforts with political motives.

17. Paragraph 160 states that “Viet Nam guarantees all rights of women, including those belonging to ethnic minorities, as they participate in activities of the State and society.” In reality, 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 baton 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 got sick after that. 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 meant Khmer Krom girls have been 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.

18. Paragraph 162 states that “The Vietnamese Government provides special support for ethnic minority children to exercise their rights, particularly the right to education.” In reality, the Khmer-Krom children are not aware of their fundamental rights:

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 even have

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enough rice to eat because the expenses of farming are too high. 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.

Recommendation to the Committee on the Elimination of Racial Discrimination:

The Vietnamese government should be urged to:

- 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.
- Ratify the Convention Against Torture so Vietnamese police do not use torture against prisoners. Mr. Chau Hen used to be a healthy person. After being arrested and imprisoned, he has been tortured and has not been allowed to speak to his wife when she visits. We urge Vietnam to release Mr. Chau Hen and Mrs. Tran Thi Chau without conditions.
- Provide a political environment to allow the people in Vietnam to freely exercise their rights to vote for the people and party that they want without interference from the government.
- Stop using Khmer-Krom officers who work for the government to oppress their own people. The Khmer-Krom officers should represent the Khmer-Krom to raise their voice and protect their rights.
- Allow Khmer-Krom to travel abroad freely and stop monitoring and sending police to intimidate Khmer-Krom who come from abroad to visit their relatives in Vietnam.
- 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. Remind Vietnam that religious freedom is a right, not a privilege granted by government.
- Allow Khmer-Krom to have freedom of press, freedom of expression, and freedom of belief. Also allow the freedom to organize the associations that are already stated in the Universal Declaration of Human Rights, (and even in Vietnam’s constitution).
- Strengthen the pro-poor health policies to ensure that all Khmer-Krom people have access to quality health services.
- 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.
- 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.
- Establish an Independent International Human Rights Institution that would work with the State party. Through this institution, the Indigenous Peoples, especially the Khmer-Krom, would be able to address their concerns and needs. The institution would also serve as an ideal place for the wide dissemination of the steps that have been taken to ensure de jure and de facto equality of Indigenous Peoples, as well as the further steps that are required.