

10th Session of Expert Mechanism on the Rights of Indigenous Peoples
Item 6: Ten years of the implementation of the United Nations Declaration on the Rights of Indigenous Peoples: good practices and lessons learned
Khmers Kampuchea-Krom Federation
Speaker: Conduct Hang

Madam/Mr. Chairperson, distinguished members of the Expert Mechanisms on the Rights of Indigenous Peoples, thank you for allowing me to address the forum on this agenda on the 10th year implementation of UNDRIP. I speak on behalf of the indigenous Khmer-Krom people of the Mekong Delta represented by the Khmers Kampuchea Krom Federation.

For my people and many other indigenous communities, especially in the Asian region, "10 years of implementation of UNDRIP" for us has been "10 years of fighting to be recognized" by our member states and thus protected by the UNDRIP. Because despite its adoption, in our country, the UNDRIP is neither a valued nor respected document. It is not even allowed to be distributed.

Its mere invocation by indigenous people can get us in trouble. Since May, the government has summoned and interrogated several youths for wearing a t-shirt promoting the UNDRIP designed by our own KKF youths. The main reason that the Vietnamese authority do not want the Khmer-Krom youths to wear that T-shirt is because of the wordings and message on it: "Khmer-Krom" and "Revitalization of our Khmer-Krom Identity through the implementation of UNDRIP". These youths today face arrests if they continue to wear that T-shirt or share their experience via social media. They were told that Vietnamese law must precede any international documents - even though within the country's own constitution under Article 25, free speech and access to information is not a crime and "shall be provided by law." The threats essentially makes UNDRIP a dead document within Vietnam. It cannot be shared, speak of, or used as an aspirational document to guide indigenous people's development.

More must be done by the UN to persuade Member States to follow through with the UNDRIP implementation and ensure that all indigenous communities are included and not left behind, not only in the implementation of UNDRIP but also of the Sustainable Development Goals (SDGs).

KKF appeals for the following changes and recommendations:

- All governments, including Vietnam, allow indigenous people to freely form their own association and to freely choose their representatives so they can participate in important studies or national conferences to ensure their voices and concerns may be heard. Goal 10 of the SDG to reduce inequalities cannot be achieved without participations of the currently marginalized people.
- For governments such as Vietnam to decriminalized indigenous identity in all forms of expression i.e arts, literatures, designs, musics, and performances. Under Article 8, 9 of the UNDRIP, indigenous people have the right not be assimilated, or have their culture destroyed. They a right to belong to and be identified by their indigenous community. Threatening IP for wearing a t-shirt that identifies them by their indigenous names for example stands in contradiction to these articles.
- Article 29 of UNDRIP for indigenous people to protect their environment requires that they also become primary participants and partners in SDG goal 13 in combating climate change. Thus we call on UN agencies such as UNDP that leads these processes and studies within Member countries to develop consultation process and include indigenous people in all national conferences and studies concerning their environments, impacts on livelihoods, and the preparations for the consequences of climate change.
- To include Indigenous People on all UN agencies and government workshops on climate change and SDG implementation. The National Action Plan for achieving Sustainable Development

Goals workshop by Vietnam and UNDP for example, should include Khmer-Krom people's representative and indigenous people's voices.

- Ending poverty and achieving food security of SDG 1 and 2 are inextricably linked to UNDRIP Articles 20, 21, 24 on the right to health, subsistence and economic well-being. Therefore we ask that Food & Agriculture Organization of the U.N's strategies and assistance directly includes data, input, and participation from indigenous peoples. Disruptions in food security has the most severe impact on indigenous communities, for example, the El Nino pattern of 2016 saw the worst drought and lowest Mekong Water level in Vietnam since 1926 that resulted even greater salinization of agricultural land which is the main source of the Khmer-Krom's livelihood. Khmer-Krom are among the poorest in Vietnam but they are also the main source of Vietnam's rice exports machine.
- On protection of Cultural Rights under Article 31 of the UNDRIP, we ask for the assistance of UNESCO to work closely with indigenous communities when dealing with sites that are part of our cultural heritage. Specifically in Vietnam, to help to protect and to preserve many ancient Khmer-Krom Buddhist Temples in the Mekong Delta as the world heritages, some of which dated back to more than ten centuries old. The literatures must ensure that that indigenous viewpoints and origin are represented for those sites.

Finally I take this opportunity to ask Vietnam and the U.N to help secure the release and freedom of my fellow Buddhist monk, the Venerable Thach Thoul, who had been jailed since 2012. His jail is violation of Vietnam government's own constitution to protect human rights of its citizens under Article 3, and Article 25 for right to free speech when he was accused of sending information about human rights abuse oversea. His jail also highlights the double standard and discrimination that Khmer-Krom clergyman suffered under the Vietnamese law.

Madam/Mr. Chair, before we can fully celebrate the implementation of UNDRIP, it must first be recognized. In moving forward, we must be mindful that we shall not leave those most vulnerable that we aspire to protect behind and forgotten.

Thank you for listening to me today, may the teaching our Teacher Buddha bless you all.