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No.

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## **Appeal to European Parliament Sub Committee on Human Rights**

### **Vietnam**

25 August 2008

**BACKGROUND:** *The Khmer-Krom people are the Indigenous Peoples of the Mekong Delta of southern Vietnam (Kampuchea Krom). On 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 millions of the Khmer-Krom people who remain deeply attached to their culture, religion, customs, traditions and ancestral lands. Living under the control of the Vietnamese Communist (VC) government, the indigenous Khmer-Krom peoples have suffered tremendous human rights violations, confiscation of ancestral lands, and economic and social deprivations. The Indigenous Khmer-Krom peoples are not allowed to learn their own language and history in public schools or to freely practice their Theravada Buddhism without the interference of the VC government.*

On behalf of the Khmer Krom people living in the Mekong Delta of Vietnam, we would like to say thank you for giving us the opportunity to speak on their behalf. We are here today because our people are not allowed or given the opportunity to travel or participate in conference such as this one.

A report released by United State Commission International Religious Freedom (USCIRF) on 8 Jul, 2008 describes that "many of Vietnam's religious communities continue to face serious problems, the pace of reforms is uneven, and people continue to be detained and imprisoned for reasons related to their exercise or advocacy of freedom of religion or belief. The Commission again called this year for Vietnam to be re-designated a CPC."

Since 2007, there has been an alarming increase in religious freedom violations committed by the Vietnam communist government against Khmer Krom Buddhist monks in Khleang (renamed Soc Trang). More than a dozen monks have been defrocked for participating in a peaceful demonstration demanding religious freedom and five are currently serving 2-4 years prison sentence.

In recent months, Khmer Krom farmers are feeling the blunt of Vietnam's anger towards their protests for the return of their ancestral homelands. Vietnamese authorities are resorting to the use of violence to suppress peaceful protests by these

land activists. Electric baton and sticks are used to beat protestors, forcing them to head back to their homeland.

Below is a summary of the recent human rights violation committed by the Vietnamese communist government towards the indigenous Khmer Krom people.

### **Religious Violations**

On June 30, 2007, Venerable Tim Sakhorn was arrested, defrocked and deported by Cambodia authorities to Vietnam. On November 8, 2007, a criminal court in An Giang province sentenced Venerable Tim Sakhorn to one year imprisonment under Article 87 of Vietnam's penal code on the charges of "Undermining National Unity".

On June 28, 2008, Venerable Tim Sakhorn was seen leaving prison in the company of Vietnamese authorities.

New information has revealed that Venerable Tim Sakhorn is currently living with his uncle under the tight surveillance of two Vietnamese officers. The officers are residing at the same place as Venerable Tim Sakhorn and are monitoring his movement 24 hours a day, 7 days a week.

According to the sentence by the Vietnam Court on November 8, 2007, Venerable Tim Sakhorn should have been given the option to return to Cambodia to unite with his family, especially to see his aged and ailing father. This has not happen and is an example of how Vietnamese laws only work for that in power and not for the powerless.

### **Land Rights Violations**

According to Radio Free Asia (RFA) broadcasted in Khmer (5:30 PM on 14 December 2007) and in Vietnamese (6:30AM on 15 December/2007), hundreds of the indigenous Khmer-Krom farmers gathered in front of the **National Assembly of the Socialist Republic of Vietnam** office located at **210 Vo Thi Sau, Phuong 7, Quan 3, TP HCM** to demand the Vietnamese authorities return their confiscated farmlands.

Some of the farmers have claimed that they have filed complaints for decades and to this day have received no compensation or satisfactory results from the Vietnamese officials. The Khmer-Krom farmers have been sleeping on the streets in front of the National Assembly. For many of the protestors, it was a long way for them to travel from their villages to Prey Nokor (Ho Chi Minh City) because the Vietnamese authorities tried to stop them from filing the complaints at the office of the National Assembly. Once again the VC government promised to solve the land confiscated issues and sent the Khmer-Krom farmers back to their villages.

**On 9 January 2008**, approximately 40 Khmer-Krom famers in Soc Trang province headed towards "Ban Dan Toc Mien Nui" in Can Tho City and about 200 Khmer-Krom Famers in An Cu village, Tinh Bien district, An Giang province headed to Long Xuyen city in An Giang province to peacefully demand for the return their farmlands.

One of the farmers from Soc Trang province, Mr. Thach Ran, was summoned by Can Tho authorities to the police station for interrogation. Sources revealed that Vietnamese authorities were threatening him to stop demanding his confiscated farmlands. If not, he would be disappeared from this earth.

In An Giang province, at least 20 people were injured when the police used their electric baton to hit the unarmed Khmer-Krom farmers, forcing them to go back to their hometown.

Amongst seriously injured included: Mrs. Neang De (52 years old), Mr. Chau Ruon (35, years old), Mr. Chau Phum (65 years old), Mr. Chau Cung (35 years old), Mrs Neang Savung (25 years old) Mrs. Neang Ron (56 years old), Mrs. Neang Socphan (50 years old), Mrs. Neang Duong (45 years old), Mrs. Neang Phe (62 years old), Mrs. Neang Pha (45 years old), Mrs. Neang Ni (35 years old), Neang Den (42 years old), Neang Dinh (55 years old). Mrs Neang Ni's head was bleeding after being hit by an electric baton.

### **House Burns and Crops Confiscated as Land Issues Becomes Out of Control**

**On 30<sup>th</sup> January 2008**, approximately 15 police officers surrounded Mrs. Ly Thi Huong's house and began beating Mr. Ly Suon. He was hospitalised with severe head injuries. The following day, more than 30 police officers returned to Mr. Ly Suon's house and collect their ripe harvest without permission from the family.

In the evening of **24<sup>th</sup> February 2008**, the Vietnamese authorities struck again, this time bring chaos and destruction to the Ly family. At 6pm, Vietnamese authorities armed with guns, knives, big sticks and small petrol tanks set alit Mrs. Ly Thi Huong's house. There were 4 occupants in the house when they deliberately set fire including Mrs. Ly Thi Huong, her mother Thi Kinh Son (born in 1937), her brothers, Mr. Ly Duon (born in 1962) and Mr. Ly Suon. The four escaped the burning house, shocked and burnt to some degree only to be met with a wall of armed authorities intend on harming them further with the knives.

Forced to watch their house burning down to ashes, the authorities proceeded to arrest Mrs. Ly Kim Huong, Mr. Ly Duon and Mr. Ly Suon and placed them in the My Xueyn District jail. The following day, Mrs. Ly Thi Huong and Mr. Ly Duon was released. Mr. Ly Suon remains detained by the Vietnamese authorities and we fear, will face more untold horror and terrifying torture tactics.

On **29<sup>th</sup> February 2008**, over 60 Vietnamese authorities headed to Mrs. Ly Thi Huong's home and collected the ripe rice harvest as if it belonged to the State all along.

### **Vietnam Uses Electric Baton against Elderly Khmer Krom Protestors**

Since the Vietnamese New year, 7 February 2008, approximately 29 Khmer-Krom farmers had gathered in front of a local authority's building of An Hao village, Tinh Bien district, An Giang province, to peacefully request for actions be done for the return of their farmlands but were met with flat refusal by Vietnamese authorities.

At 8:00PM, on 26 February 2008 (Asian-Pacific time), the Vietnamese police used electric batons to hit them, rendering half a dozen unconscious and proceeded to

drag them into the car to send them back to home. According to the Khmer-Krom victims, the police were either from the Tinh Bien district police department or An Giang province.

At least 6 people were injured when the Vietnamese polices used their batons to hit the defenceless Khmer-Krom farmers forcing them to go back to their hometown. Amongst the seriously injured were elderly women and included: Mrs. Neang Don (55 years old), Mrs. Neang Don (52 years old), Mrs Neang Ky (60 years old) Mrs. Neang Hung (55 years old), Mrs. Neang Khum (58 years old) and Mrs. Neang Sambath (50 years old).

**On 28 February 2008**, Radio Free Asia (in the Khmer program) reported that approximately 80 people in An Giang province conducted a peaceful demonstration in front of the building of local authority of Chau Lang village to demand return their ancestral farmlands after many times that the Vietnam authorities promised to return back their farmlands. According to the interview of RFA with a Khmer-Krom man who was afraid to let RFA knows his name said the VC government lied to the Khmer-Krom farmers so many times about returning back their farmlands. The VC government stopped them from filing the complaint and threatened them by using the Vietnamese police, armed forces and two tanks to disperse the peaceful demonstration of the unarmed Khmer-Krom farmers.

### **Vietnam threatens to arrest Khmer Krom in Cambodia**

According to a report by Radio Free Asia in the Vietnamese program on Monday 16th June 2008, Vietnamese authorities in Vietnam were threatening to arrest one Khmer Krom man and one Khmer Krom Buddhist monk currently residing in Cambodia.

Mr. Chau Ni and Venerable Thach Binh have been accused of inciting the recent land protests by Khmer Krom farmers in Swai Ton (renamed Tri Ton) and Kro Bao (renamed Tinh Bien) districts.

### **Vietnam Authority Forbids Khmer Krom to Watch Satellite TV**

On 6 August 2008, the Vietnamese authorities from Swai Ton (renamed Tri Ton) District have taken steps to take down satellite disks from the few Khmer Krom families who have access to one.

It appears that such action has only been targeted towards the Khmer Krom people.

As you can see from the above report, Vietnamese authorities are now resorting to the use of violence to stop Khmer Krom people from conducting further protest and "disturbing society." We are fearful for the lives of both Khmer Krom farmers and Buddhist monks in Cambodia and Vietnam.

We urgently ask for your intervention to condemn Vietnam and reaffirm to the country that the use of violence violates core human rights treaties and international laws that Vietnam has ratified, especially since Vietnam has signed the recent adoption of the UN Declaration on the Rights of Indigenous Peoples on 13 September 2007.

## **Right to Equal Education limited**

The gap of education between the majority people (Vietnamese) and the minority people, the Khmer Krom, is large, especially in higher education. There is millions of Khmer Krom in Kampuchea Krom, but very few Khmer Krom people hold Masters Degree or Ph.D.

Outside efforts to support the Khmer Krom advancement of their education is blocked because the government of Vietnam ties these efforts to political motives.

## **Khmer Krom Women Face Double Discrimination**

Khmer Krom women are also at risk and face double discrimination in Vietnam. First they are discriminated because they are female and because they are Khmer Krom. Women participating at peaceful protests have been beaten with electric baton and interrogated for watching human rights related activities. 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.

In this regards, we would like to urgently appeal for your assistance to:

- Remind Vietnam to obey its own national law by removing the Vietnamese officers who have been employed to intimidate and monitor Venerable Tim Sakhorn 24 hours a day, seven days a week and return Venerable Tim Sakhorn to Cambodia without conditions.
- Urge Vietnam to release the five defrocked Khmer-Krom Buddhist monks unconditionally.
- Help Indigenous Khmer-Krom Peoples to exercise their rights by allowing them to form an independent Theravada religious organization without interference of the VC government, as stated in Article 12 of the Declaration on the Rights of the Indigenous Peoples, "*Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.*"
- Urge Vietnam to respect the human rights of the Khmer-Krom people, especially the right to own their ancestral lands, as stated in Article 26 of the Declaration on the Rights of the Indigenous Peoples "*Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.*"
- Call on Vietnam to begin a result-based dialogue, without preconditions, directly with the KKF to address the legitimate grievances of the Khmer-Krom

people and provide for a long-term solution that respects the human right and dignity of every Khmer-Krom.