



Khmers Kampuchea-Krom Federation

Submission to the UN Office of the High Commissioner for Human Rights
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1. Introduction

The Khmer-Krom people are the Indigenous Peoples of the Mekong Delta of southern Vietnam (Kampuchea-Krom). Kampuchea-Krom literally means “the lower land of Kampuchea.” “Krom” in Khmer also means “below” to indicate "Southern" part of Cambodia. Kampuchea-Krom was the southernmost territory of the Khmer Empire.

During the past decade, the Indigenous Khmer-Krom people in Kampuchea-Krom have continued to flee the oppression in their homeland to seek refugee status in Cambodia. Unfortunately, when arriving in Cambodia, they are not recognized by the UNHCR as refugees because the Cambodian government informed the UNHCR that the Khmer-Krom people are Cambodian. If that is the case, the Khmer-Krom should enjoy equal rights as Cambodian citizens when they arrive in Cambodia. In reality, the Khmer-Krom people do not receive any financial assistance or legal documents from the Cambodian government. The Khmer-Krom people who have crossed the border into Cambodia are therefore forced to live in stateless circumstances with neither the protection given to refugees, nor to Cambodian citizens.

This submission focuses on these most concerned issues that Khmers Kampuchea-Krom Federation (KKF) has comprehensively conducted research: Rights of Refugees, Freedom of Expression and Demonstration, Right to be protected as a Cambodian Citizen.

2. Rights of Refugees

In Vietnam, when the Khmer-Krom people stood up for their rights to demand free practice of their Theravada Buddhism, or to demand returning confiscated farm lands, they have been oppressed and imprisoned by the Vietnamese government. Those who made an attempt to cross the border and tried to obtain refugee status in Cambodia were met with more obstacles.

Upon their arrival, the Cambodian government, under the influence of the Hanoi Regime, rejected their claim as refugees. Instead, the Cambodian government employs a shameful tactic and declares that, **“According to Cambodia’s law, when Khmer Krom arrived at Cambodia, they automatically become a Cambodian citizen because Khmer Krom is Khmer.”**

While this may be seen as a patriotic claim, the Cambodian government does not provide any financial support or protection to the asylum seekers. The issue of a Cambodian identification card remains a difficult process for the Khmer-Krom to obtain. If they have money, the Khmer-Krom refugees may get Cambodian identification through bribing of corrupted Cambodian officers. Even if the Khmer-Krom refugees have money to bribe, they have to change their birthplace (no longer from Kampuchea-Krom) and their name (a non Khmer-Krom name) in order to receive the Cambodian identification.

Some of the Khmer-Krom refugees feel insecure in Cambodia because the Vietnamese government who has secret agents who could come to Cambodia and arrest them just like the case of Venerable Tim Sakhorn. They have to escape Cambodia to seek refugee status in Thailand. Unfortunately, some of them failed to receive refugee status and were arrested in Thailand and deported back to Cambodia. Because they lacked legal documents about their national status, the Khmer-Krom refugees were labelled as Cambodian citizens by the Cambodian police, so that the Khmer-Krom refugees would not be protected by UNHCR.

In February 2010, the police denied the request of the twenty four Khmer-Krom refugees who were deported from Thailand in December 2009. They were asked for legal documents in order to rent houses, access free public health care, or apply for jobs. Lacking of legal documents, Mrs. Kien Thi Xuan, one of the twenty four Khmer-Krom refugees, were sick and could not get treatment from the public hospital. She did not have money to seek private care and died on April 2010.

The Khmer-Krom refugees, who lacked legal documents, will have no rights to vote, to look for jobs, to send their children to public school, or to receiving healthcare assistance. The term “stateless peoples” accurately describes the situation of the Khmer-Krom refugees in Cambodia.

3. Freedom of Expression and Demonstration

The current Cambodia government is influenced by the Vietnamese government. Vietnam views the Khmer-Krom people living abroad as their enemy because they help to bring up the human rights violations committed by the Vietnamese government against the voiceless Khmer-Krom people in Vietnam. The Khmer-Krom organizations or media that help raise the Khmer-Krom issues are usually intimidated such as being threatened to be arrested.

On April 5, 2010, the security agents from the Ministry of Religion and other officials from other agencies of the Government of Cambodia in Phnom Penh Capital came to arrest Venerable Thach Preichea Koeun at Botum Vadey temple in Phnom Penh where he resided. The reason they came to arrest him was because the Venerable asked some young men to freely circulate Prey Nokor Newspaper on the streets of Phnom Penh. The Prey Nokor Newspaper publishes news relate to Khmer-Krom which the Vietnamese government does not condone.

Every year, the Khmer-Krom people living abroad organize a ceremony to commemorate June 4, which is the date their homeland was illegally transferred by the French colonizer to Vietnam on June 4, 1949, without the consent of the Khmer-Krom people. The Khmer-Krom people in Cambodia always have a difficult time getting permission from the Cambodian government. Instead of encouraging the Khmer-Krom people to remember this historical event, the Cambodian government uses all kind of tactics to delay issuing permits to prevent the Khmer-Krom from commemorating this day. If the Cambodian government decides to issue the permits, they create some conditions to limit the number of participants and the event is only allowed to be organized inside of the place that the government approves of.

The Khmer-Krom Buddhist monks were arrested in Kampuchea-Krom because they stood up and demanded for their rights to freely practice their Theravada Buddhism. In addition, the Khmer-Krom people in Cambodia requests for permission to organize peaceful demonstrations in front of the Vietnamese Embassy in Cambodia. The Cambodian government always denies

and threats to arrest people if they proceed to protest after being told to stop. If they are given permission, they have to follow strictly regulations that totally violate the rights to freely organize peaceful demonstration.

4. Right to be protected as Cambodian Citizen

The Cambodian government recognizes Khmer-Krom living in Cambodia as Cambodian citizen. But when the Khmer-Krom people face issues, the Cambodian government has no legal framework to protect and promote the rights of the Khmer-Krom people living in Cambodia.

The Cambodian government does not provide any support to Khmer-Krom as Cambodian Citizen

Most of the Khmer-Krom refugees escaped their beloved homeland and arrived in Cambodia without any of their belongings. If they are fortunate, they could obtain the Cambodian identification card to start their new lives in Cambodia. But if they have no money and do not receive any financial support, housing, and health care from the Cambodian government; they usually live in poverty in Cambodia. They cannot afford to send their children to school and many do not even finish high school, so the future of their children is jeopardized.

The Cambodian government does not find justice for Khmer-Krom victim, who they consider is Cambodian Citizen.

On February 27, 2007, after participating in a peaceful demonstration in front of the Vietnamese embassy in Phnom Penh, Venerable Eang Sok Thoeun was killed at Tronom Chroeng pagoda, Boeng Thom commune, Ang Snuol district, Kandal province. He was murdered under inconclusive circumstances. His body was buried in haste in the middle of the night by the Cambodian police. The police also forbade bringing his corpse for a traditional Cambodian funeral ceremony. Since then, the Cambodian police have not carried out any investigation to bring the perpetrators to justice.

Cambodian government does not protect the right to travel of the Khmer-Krom people who are Cambodian Citizen

On March 22, 2013, Mr. Son Subert, an adviser to the King of Cambodia, and his friends were stopped at the border and not allowed to enter Vietnam even they had Visa issued by the Vietnamese Embassy in Cambodia. Mr. Son Subert planned to travel to Vietnam and visit his relatives in Preah Trapeang (Tra Vinh) province.

On April 12, 2013, Mr. Ly Chhuon, an Editor-in-Chief of the Prey Nokor News magazine in Cambodia, his wife and his daughter left Phnom Penh, Cambodia, to visit his relatives in Kampuchea-Krom (Mekong Delta) during Cambodian New Year. His family wanted to celebrate Cambodian New Year with his relatives in his homeland. Unfortunately, the Vietnamese authority detained them for three days and then deported them back to Cambodia. While Mr. Ly Chhuon was being detained, the Cambodian government took no action to protect him.

Cambodian government uses Khmer-Krom as scapegoats

When the Cambodian government has issues with the opposite Party, it always uses Khmer-Krom people as scapegoats to raise the national security alarms or silent whoever wants to stand up to raise the human rights violations committed by the government.

In January 2010, a Khmer-Krom Buddhist monk, Venerable Liv Phally, aged 32, told Phnom Penh Post by phone to deny his involvement of distributing the leaflets that deride the January 7th anniversary commemorating the fall of the Khmer Rouge, "I am living in fear and am hiding because the accusation against me is serious and it is linked to Prime Minister Hun Sen. I don't even know the meaning of the leaflets."

In March 2013, the Cambodian authority cooperating with the Thai police arrested three Khmer-Krom men and three Khmer-Krom Buddhist monks in Thailand on a warrant based on suspicion of involvement in terrorism, distributing anti-government leaflets, and illegal establishment of an armed force. Half of them are Buddhist monks who practice peaceful Buddhism and never knew how to use weapon, but they were arrested, defrocked on the spot without trial which violates the rule of Buddhism. According to Phil Robertson, the deputy Asia director for Human Rights Watch, *"I suspect that the Cambodian government may have wanted some scapegoats to raise national security alarms in advance of the July elections."*

7. Recommendations

KKF is particularly concerned that Cambodia does not seriously address the human rights violations that is occurring within its borders, as well as in Vietnam against its own ethnic Khmer people. There is no feedback process or effort made by the Cambodian government to report the human rights violations to international organizations such as UNHCR and the UN. In this regard, KKF urges Cambodia authorities to:

- Recognize Khmer-Krom as refugees when they arrived at Cambodia because they flee from Vietnam seeking for refugee status. If Cambodia tactically considers Khmer-Krom refugees as Cambodia citizen, then the world will not know that Khmer-Krom escaped Vietnam because of the human rights violations committed by Vietnamese government. If Cambodian government truly considers Khmer-Krom living in Vietnam as Cambodian Citizen, then the Cambodian Citizen must work with Vietnamese government to provide Khmer-Krom special status to travel freely between Vietnam and Cambodia. Provide Khmer-Krom the Cambodian identification card and allow Khmer-Krom to have a right to vote in Cambodia.
- Implement initiative programs to help refugees fleeing the border rather than just status recognition to ensure that these refugees are given immediate aid and protection rather than left to fend for themselves. Provide assistants to help them start a new life in Cambodia.
- Conduct a thorough and independent investigation into the murder case of Ven. Eang Sok Thoeun and bring the perpetrators to justice.

- Respect the freedom of Expression and the basic right to conduct peaceful demonstration of the Khmer-Krom Buddhist monks who just demand to release their fellow Buddhist monks from prison in Vietnam.
- Protect the rights of Khmer-Krom as Cambodian Citizens that are enshrined in the Cambodian Laws and Constitution.