MEET THE KHMER-KROM

Focus Points:
2019 Conference on the Khmer-Krom’s Right to Self-Determination
KKF’s Advocacy at the UNPFII and the ECOSOC Committee

Latest News:
April – June 2019

Interview:
Joshua Cooper, Executive Director of the Hawaii Institute for Human Rights
FOREWORD

Have you ever heard of the Khmer-Krom people living both in Vietnam and in various diasporas around the world?

Were you aware that the Vietnamese government has been enforcing assimilation policies in schools with the purpose of acculturating Khmer-Krom children?

Did you know that today many Buddhist monks are persecuted by the government of Vietnam for their religious beliefs?

As the world cannot keep overlooking the grave human rights abuses committed against minorities and indigenous peoples, the Unrepresented Nations and Peoples Organization (UNPO) has decided to launch a series of newsletters focusing on the Khmer-Krom. This campaign’s purpose is to raise awareness about the plight of the Khmer-Krom people, whilst taking a stand against all forms of exclusion.
2019 Conference on Khmer-Krom’s Right to Self-Determination

A Second Symposium on the Khmer-Krom’s Right to Self-Determination

On Saturday 1 June 2019, the Khmers Kampuchea-Krom Federation (KKF), the Hawaii Institute for Human Rights (HIHR) and the Unrepresented Nations and Peoples Organization (UNPO) held their Second Symposium on the Khmer-Krom’s Right to Self-Determination. The event, which took place at the Peace Palace in the Hague, commemorated the forced merger of Cochinchina with Annam and Tonkin to form the State of Vietnam, without the Khmer-Krom’s consent.

As the KKF has supported self-determination in a worldwide context through its actions with UNPO and its members, representatives and individuals from a broad spectrum were invited to talk about their specific self-determination efforts.

Advocating for Human Rights

After introductory speeches were held, the first panel focused on the struggle of the Khmer-Krom in Vietnam and the multidimensional approach through which this can be addressed. Although it was highlighted that the situation for the Khmer-Krom in Vietnam has worsened, the strong resilience of the Khmer-Krom people living in Kampuchea-Krom was noted throughout this panel. As such, all speakers in this panel emphasized the importance of religious freedom worldwide and the continuing need to defend these rights.

The second panel, moderated by UNPO Secretary General Ralph Bunche, was comprised of leaders and activists from self-determination movements from West-Papua, Catalonia and Assyria. All three gave vivid details of both the personal challenges they are confronted with as activists and the broader challenge their communities faced, while sharing strategies and anecdotes to learn from these experiences.

Finally, during the afternoon session UNPO Secretary General Ralph Bunche delivered a speech in which he addressed the most important lessons derived from the morning session. First of all, the Secretary General highlighted the importance of testifying in the public sphere by sharing personal stories, as these are the stories that people listen to. Second, Mr. Bunche addressed the significant effects of demonstrations, petitions and other means to mobilise and raise a voice. Third, the Secretary General emphasized that support and solidarity with people from different backgrounds is critical to build a unified movement.

Ultimately, the conference indicated that considerable action is still required if the right to self-determination is to be respected on a global scale. At the same time, the incredible willpower and strong resilience of individuals and communities resonated through the various speeches and stories of the conference’s participants, signalling their continuing determination to fight for their respective causes.
The Khmers Kampuchea-Krom Federation (KKF) attended the eighteenth session of the United Nations Permanent Forum on Indigenous Issues (UNPFII), held between 22 April and 3 May 2019 in New York. The KKF has attended the UNPFII since 2004 in order to provide positive recommendations to the forum and to request Vietnam to recognize the Khmer-Krom as Indigenous Peoples, which Vietnam continues to contest. This has serious effects on the Khmer-Krom in Vietnam, which was addressed by KKF vice-president Moni Mau.

In a session on 26 May 2019, during which an interactive dialogue between UNPFII members and indigenous peoples was held, Mr. Mau made a statement in which he emphasised the language difficulties the Khmer-Krom are facing as the Vietnamese government does not allow the Khmer language to be taught properly in schools. Moreover, the KKF vice-president addressed the fact that due to government policies, much of the Khmer-Krom’s ancestral land and sacred sites have been confiscated. Consequently, this has alienated many Khmer-Krom from their culture and ancestral lands.

Next to representatives from the KKF itself, every year the KKF sends delegates of young Khmer-Krom individuals to take part in the UNPFII, which allows these Khmer-Krom youths to learn from NGOs and the UN system so they can continue the Khmer-Krom’s advocacy efforts in the future. This year, high-school student Emily Hang delivered a speech at the forum, in which she addressed the struggle of the Khmer-Krom youth to stay connected to their indigenous roots through their own language. As the Khmer language in Vietnam is still prohibited from being taught in public schools and is restricted within the villages that are predominantly Khmer-Krom, the youth delegate urged Vietnam to enact programs that promote learning in the Khmer-Krom language without fear for discrimination, as well as to have an open dialogue with the Khmer-Krom people to ensure the protection of their linguistic rights.
Blocking and Bullying of the KKF at the ECOSOC Committee

Consultative Status with ECOSOC

On 22 May 2012, the Economic and Social Council (ECOSOC) Committee on NGOs, which is composed of 19 UN Member States, voted to grant KKF Special Consultative Status with ECOSOC by a consensus decision of all its members. In response, the observer delegation of Vietnam delivered a statement, requesting the Member States within ECOSOC to overturn the decision of the NGO Committee, and subsequently launched a vehement campaign against the KKF. As a result, both in 2012 and 2016 the Member States of ECOSOC voted to revoke KKF’s consultative status.

KKF’s Applications Before the Committee

In May 2019, the KKF has applied before the ECOSOC Committee for the third time. On 20 May 2019, KKF vice-president Moni Mau participated in a Q&A session with the Committee. Although granted 10 minutes to answer questions, several UN Member States (China, Russia, Cuba, India, and Nicaragua) asked so many questions that Mr. Mau ran out of time, after which he was requested to answer all questions in writing.

The day after, on 21 May 2019, the Committee was set to review the KKF’s application. However, the Committee’s chairperson decided that the KKF’s application did not have to be reviewed as the KKF had been unable to answer the (unreasonable number of) questions from the previous day in writing. This means that the KKF’s application will be deferred to the next session, which will most likely be held in January 2020. Upon hearing this decision, Vietnam’s representative addressed the Committee, branding the KKF as a separatist group that is threatening Vietnam’s sovereignty and territorial integrity, therefore asking the Committee to reject the KKF’s application indefinitely.

In response to these claims, the U.S. representative stated that the KKF is “doing good work to promote religious freedom, and ethnic and linguistic rights of members of the Khmer community so that they can have the same opportunities in Vietnam as other Vietnamese citizens”, after which the ECOSOC Committee denied Vietnam’s request.

Compromised Space at the UN

Both the unreasonable number of questions during the Q&A session and Vietnam’s provoking statement during the KKF’s application review are two typical tactics to prevent representatives such as Mr. Mau from participating in UN mechanisms, which has been described in detail in UNPO’s recent report titled Compromised Space: Bullying and Blocking at the UN Human Rights Mechanisms.
29 April – 3 May 2019

KKF Leads Delegation to Washington D.C. to Advocate for Human Rights

During a visit to Washington during the last week of April 2019 to meet with US State Department officials and the US Commission on International Religious Freedom (USCIRF), Prak Sereivuth, president of the Khmer Kampuchea-Krom Federation (KKF), who led the delegation, stated that non-violent protest action was justified to highlight abuses against the Khmer Krom. "We do not want to endanger the lives of Khmer Krom people, we do through international diplomatic, international law with peaceful means," he said. Sereivuth called on Vietnam to end alleged persecution of Khmer Krom: "It depends on the Vietnam government. If the Vietnamese government wants to live with the Khmer Krom brothers, like every other nationality who comes to live in the United States and live in harmony, the Vietnamese government must give equal freedoms".

Next to this, the KKF president called upon the United Nations Refugee Agency to speed up the refugee claim cases of some 200 Khmer-Krom asylum seekers who have fled from Vietnam to Thailand, where they face numerous challenges, including living as undocumented immigrants while their applications are being processed, thereby risking refoulement to Vietnam.
INTERVIEW: JOSHUA COOPER, EXECUTIVE DIRECTOR OF THE HAWAII INSTITUTE FOR HUMAN RIGHTS

As the Second Symposium on the Khmer-Krom’s Right to Self-Determination is the main focus point of this newsletter, it is most consistent to conduct an interview with someone who has been closely involved in its organisation. Mr Joshua Cooper is the executive director of the Hawaii Institute for Human Rights (HIHR), one of the co-organizers of the Second Symposium. We asked him about developments since the First Symposium a decade ago and the significance and outcomes of this year’s Symposium, as well as his thoughts on the status and future of self-determination efforts under international law.

1 - Introduction: who are you and how are you working with the Khmer-Krom and their efforts for self-determination?

My name is Joshua Cooper. Next to Executive Director of the Hawaii Institute for Human Rights (HIHR) I am also a lecturer at the University of Hawaii and the dean of the Global Leadership Academy for Human Rights Advocacy. What we have been doing is combining academia with advocacy to be able to better promote and protect the human rights of Indigenous Peoples and directly impacted peoples around the planet. We [the HIHR] began focusing on self-determination looking here in Hawaii and then took it to the global level, from Hawaii to the Himalayas, where we focus on the people of Tibet.

The more we looked around the world, the more we saw that colonization had taken place everywhere, so it was important to work with the peoples who had been directly impacted to change their conditions so that they could be able to achieve self-determination. We began working with the Khmer-Krom based on projects we were doing with the United Nations in Geneva, looking at committees such as the Human Rights Committee, the Committee on Economic, Social and Cultural Rights (CESCR), but also the Committee for the Elimination of All Forms of Racial Discrimination (CERD).

For the Khmer-Krom people, we realized that there was a next wave of colonization that took place after the Europeans left, when countries mobilized to take the land of Indigenous Peoples who were then recolonized again. We focused on the Mekong Delta region, and that is when we began working with the Khmer-Krom.

2 - Ahead of this year’s Symposium, how has the situation for the Khmer-Krom and their self-determination efforts changed in the context of the First Symposium, a decade ago?

We actually were the architects of the First Symposium, a decade ago in The Hague, and the idea there was to make sure that the human rights movement for the Khmer-Krom people was put on the global map. For that conference we were able to make sure that the UN Special Rapporteur on the rights of Indigenous Peoples [Rodolfo Stavenhagen] was invited, working on the imminent issues related to Indigenous Peoples. That is how we have been involved since the beginning of the First Symposium. One development since the First Symposium that was successful was the review on women’s rights in Vietnam by the Committee on the Elimination of All Discrimination Against Women (CEDAW).
We coordinated an entire campaign to make sure that women’s rights, especially the double discrimination that Indigenous women face, were being highlighted during the review on Vietnam. I think one of the most important developments is that we were able to help Khmer-Krom people when their rights were violated. For instance, when monks are teaching the Khmer-Krom language and working in temples, when anything happens to them we are trying to free them from prison and then make sure that they are able to pursue their rights to practice their freedom of thought, conscience and religion, as well as their linguistic rights. We have been able to coordinate campaigns, so if there is a human rights violation, we are able to mobilize people around the planet to defend those human rights defenders in the Mekong Delta.

3 - How have you been involved in this year’s Second Symposium, and how did you experience this?

For the Second Symposium, the main thing we were focusing on was to take reflection of what happened since that first Symposium and how we have been able to advance Indigenous Peoples’ rights at the United Nations. As I was also one of the speakers, the main thing we looked at was reflecting on what had been accomplished since the adoption [in 2007] of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) that we worked on, providing the new UPR process as a mechanism to be able to keep track of how countries are living up to their human rights obligations. And then of course there is the Paris Agreement [2016], because we believe the right to self-determination will be impacted as we see climate change as an invisible way of colonisation that denies the right to self-determination. You can actually see an entire land being eroded or in some places swallowed up by the sea, so we think the Paris Agreement is crucial. The last one of course is the Sustainable Development Goals (SDGs), we think those are absolutely central. Another main thing we did this year was coordinating to make sure that we had Khmer-Krom participating from around the world to organise a campaign for follow-up after this conference.

You could see how it was a global conference with people from the diaspora all over the world. I think the Khmer-Krom people know their right to self-determination, which is one of the most important aspects. We have definitely identified a shift from older survivors of the genocide who have been able to transfer their knowledge and experience with advocacy in order to teach the youth of the next generation, so the movement is very much alive. This year at the United Nations Permanent Forum on Indigenous Issues (UNPFII) we had a high school student giving the opening statement and an intervention on the opening day. We also saw at the EMRIP session another girl who was just earning her college law degree in the Netherlands to also be able to speak for the Khmer-Krom people to discuss their right to self-determination.

The last aspect that we coordinated was to launch a documentary film, so we worked on filming at the event to then have interviews with people who have been involved in the struggle for self-determination.

4 - An important aspect of this Second Symposium was the attendance of representatives from other groups advocating for self-determination. How did this contribute to the Symposium?

What I think is important is that we highlighted self-determination globally, with a specific focus on the Asia-Pacific region. If you look at the situation that the Khmer-Krom face, it is in some respects very similar to the issues that the people of West-Papua face. The Khmer-Krom have their own culture, language, spiritual ways as they belong to Theravada Buddhism, and then you see a communist regime coming in denying their freedom of worship and their ability to teach their own language. So, in some respects this is very similar to the people of West-Papua, and in that common struggle we try to identify what are the best campaigns, also focusing on the ASEAN [Association of Southeast Asian Nations] region. For example, we are trying to mobilise around the 10th anniversary of the ASEAN Intergovernmental Commission on Human Rights, and make sure that the declaration is stronger, especially for Indigenous Peoples’ rights in the ASEAN region.
Another example is the Catalan people: when I have been teaching in Barcelona, I have been able to see the situation first-hand there and to see how they are able to coordinate their human rights campaign. Therefore, one unique angle is learning from each other, and I think Barcelona has a great human rights campaign where they are working to actually realise the SDGs at a local level, and I think that is something the Khmer-Krom can do: focusing when possible at the local level, village by village, province by province.

5- Have you identified any positive developments since the Second Symposium, and what are some features to keep looking at in the future?

Following the Second Symposium I think its greatest strength is two actions that have been taken: we were able to work with the Khmer-Krom in The Hague to participate directly in the preparation of the human rights dialogue between Australia and Vietnam that will take place later in August [2019], to give recommendations about how to realize human rights in Kampuchea-Krom. In this way, the Australian government can apply more moral and political pressure on Vietnam. The other aspect I think has been quite important was the Universal Periodic Review of Vietnam at the HRC, where we participated to give one of the 10 interventions.

In the near future, what will also be of importance is the preparation for the Climate Action Summit [September 2019], the Asia-Pacific Summit in Bangkok [November 2019], as well as the ASEAN Civil Society Conference/ASEAN Peoples Forum. We will be mobilizing with the Khmer-Krom in the Asia-Pacific region to attend the last two of these events. In the long-term, I think the main thing to look at are the UN Member States, who often care more about their national sovereignty than the right to self-determination of their indigenous peoples. We have to make sure that those two are balanced.

Most importantly, if we are able to guarantee the right to self-determination there will be fewer human rights violations. Moreover, it is the only way to achieve the 2030 [SDG] agenda because Indigenous Peoples are the ones who take care of the planet. If you look at the 17 global goals, they relate over 90 percent with international human rights, so we should guarantee good governance and human rights for all Indigenous Peoples.