



Khmers Kampuchea-Krom Federation (KKF) Recommendations in Connection with the International Convention on the Elimination of All Forms of Racial Discrimination

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 corrupted Chinese translation) empire. Throughout history, the identity and name of the Khmer-Krom people and their ancestral lands have been changed and/or referred 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.

1. Distribution of Identity Documentation - Article 5

Since the last decade, the Indigenous Khmer-Krom People in Kampuchea-Krom have continued to flee oppression in their homeland to seek refugee status in Cambodia. According to the Cambodian constitution, when Khmer-Krom cross the border from Vietnam they become Cambodian citizens however they do not enjoy equal rights because of the obstacles to obtaining official documentation. Khmer-Krom without identity papers are disadvantaged when it comes to finding regular employment, registering births and marriages and owning property.

The Cambodian government offers limited assistance to Khmer-Krom refugees in their application for legal documents, particularly Cambodian Identification Papers, and in many cases Cambodian citizens are not receptive to Khmer-Krom pleas for citizenship. For instance 24 Khmer-Krom who arrived in December 2009 are now living in legal limbo and do not have formal identity cards. While their application is pending, they are severely limited in exercising their rights in Cambodia; and yet they are not recognised as having refugee status.

In some cases, Khmer-Krom refugees have been able to obtain Cambodian Identification, often when Cambodian officers have required bribes in return, representing discrimination against those unable to afford to pay. In order to receive this identification, Khmer-Krom have to change their birthplace and their name so that their documentation no longer states they are from Kampuchea-Krom and officially no longer have a Khmer-Krom name.

- How does Cambodia intend to correct its official government practices in regard to issuing Cambodian citizenship to ensure that Khmer-Krom without identity documentation are not discriminated against when it comes to accessing their basic human rights?

- What steps is the Cambodian government taking to investigate allegations of corruption involving Cambodian officials who request bribes in return for official documentation to ensure equality in the determination of citizenship?

-Why are Khmer-Krom forced to change their identity in a process of assimilation?

-How does Cambodia intend to resolve the issue cited in CERD/C/KHM/Q/8-13/Add.1 that Khmer Krom are unaware about the process of applying for documentation? What advice and training can they offer?

2. Right to Peaceful Assembly – Article 5 and Right to Effective Protection – Article 6

On June 30, 2007, Venerable Tim Sakhorn who was an Abbot of North Phnom Denh temple in Phnom Denh Village, Takeo province, was arrested, defrocked and deported by Cambodia government for imprisonment in Vietnam in the same day. He was accused of “undermining the friendship between Cambodia and Vietnam.” He was imprisoned in Vietnam until June 28, 2008.

Khmer-Krom in Cambodia are particularly vulnerable to arrest and risk deportation to Kampuchea Krom at any time. On 27 February 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 mysterious circumstances. His body was buried in haste in the middle of the night by the Cambodian police. The police also forbid bringing his corpse for a Cambodian traditional funeral ceremony. Since then, the Cambodian police did not do any investigation to bring the perpetrators to justice.

On December 17, 2007, approximately 50 Khmer-Krom Buddhist monks in Phnom Penh marched peacefully to the Vietnamese Embassy to hand up a petition asking Vietnam to release their fellow Buddhist monks. The Vietnam Embassy refused to take the petition and ordered the Cambodian polices to disperse the monks. Electric batons were used by the Cambodian police against the defenceless Khmer-Krom monks rendering three monks unconscious. The monks that were knocked unconscious were Venerable Ly Vanny, Venerable Meng Savan Dararithy and Venerable Lam Keo Samnang. Fifteen other monks were wounded. Khmer Krom monks and activists have since stopped conducting public protests in Phnom Penh

- Can Cambodia explain why Venerable Tim Sakhorn was deported to Vietnam in June 2007 despite being considered a Cambodian citizen with Cambodian Identification? Not only are allegations erroneous but do not constitute grounds for deportation. How can guarantees be put in place to protect others in a similar situation?

- Will Cambodia explain the specific situation regarding the death of Venerable Eang Sok Thoeun?

- Can Cambodia explain the lack of protection for peaceful demonstrators and new policies and practices for future to prevent grave human rights violations?

3. Socio-Economic Rights – Article 5

Khmer-Krom encounter social and economic discrimination as they are often perceived as ethnic Vietnamese by Cambodians, further entrenched if they do not have the legal documentation to be able to work. There is a significant language barrier for Khmer-Krom coming from Vietnam who have difficulty understanding different words and tone in Cambodia. Khmer-Krom whose identity papers are pending have no access to public healthcare and Khmer-Krom children cannot attend public school if their parents lack legal documentation.

-Apart from the specified punishments, what positive steps does Cambodia take to combat widespread discrimination in the labour market and assist Khmer-Krom to overcome barriers to accessing public services?

-Will the government provide legal documents for Khmer-Krom refugees so they can be fully protected as Cambodian citizens and exercise the rights to access these public services?

-In the conclusion of the CERD meeting, how does Cambodia plan to make sure that people are aware of their human rights guaranteed under CERD? Please explain the steps to be taken in partnership with civil society to ensure country wide distribution of the CERD report and its recommendations.