

Will Vietnam Respond to the Joint Allegation Letter (JAL) (VNM 5.2022)?

On October 18, 2022, six special rapporteurs (**José Francisco Cali Tzay**, *Special Rapporteur on the rights of Indigenous Peoples*; **Alexandra Xanthaki**, *Special Rapporteur in the field of cultural rights*; **Farida Shaheed**, *Special Rapporteur on the right to education*; **Tlaleng Mofokeng**, *Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*; **Mary Lawlor**, *Special Rapporteur on the situation of human rights defenders*; **Nazila Ghanea**, *Special Rapporteur on freedom of religion or belief*) and **Mumba Malila**, *Vice-Chair of the Working Group on Arbitrary Detention*, sent a Joint Allegation Letter (JAL) to the government of Vietnam concerning about the continuing human rights violations against the Khmer-Krom in the Mekong Delta.

The JAL addresses "*information received [by Special Procedures] concerning the alleged failure of the Socialist Republic of Viet Nam to recognize the right to self-determination of the Khmer Krom Indigenous Peoples who live mainly in the Mekong Delta region, in the South-West of Viet Nam, as well as the alleged violation of their rights to freedom of expression, association, health, food, water, housing, a safe, clean, healthy and sustainable environment, freedom of religion or belief, as well as their linguistic and cultural rights.*"

Vietnam has yet to respond after 60 days. The JAL was published on the OCHCR website at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27586>

As a member state of the United Nations, Vietnam ratified seven of nine Treaties with United Nations to uphold its promise to respect and promote human rights. Ironically, Vietnam has a dismal rights record because of implementing oppression policies to silence the activists and tactically using assimilation strategies to eliminate the identity of the Indigenous Peoples within its border.

To polish its regime due to its alarming human rights record, Vietnam ran a campaign to gain a seat on the Human Rights Council for the 2023-2025 term. On Tuesday, October 11, 2022, Vietnam was elected by members of the U.N. General Assembly in New York to a three-year term on the council. The result was disappointing to many human rights advocacy groups. Sebastian Strangio, a Southeast Asia editor at The Diplomat, wrote an article: "Vietnam Wins Seat on U.N. Human Rights Council - That such a rights-abusing state could win election to the body speaks to structural problems in the current international human rights regime.":

<https://thediplomat.com/2022/10/vietnam-wins-seat-on-un-human-rights-council/>

It had not been a month after Vietnam won a seat on the HRC yet; on December 2, 2022, in a Press Statement about Religious Freedom Designations, Antony J. Blinken, Secretary of State of the United States, designated Vietnam on the "Special Watch List for engaging in or tolerating severe violations of religious freedom."

<https://www.state.gov/religious-freedom-designations-2/>

Since Vietnam has been silent to ignore to respond to the JAL, starting January 1, 2023, as a member of HRC, could Vietnam continue to ignore responding if the issues in the JAL to bring up at the HRC meeting as mentioned in the JAL? *"We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting website. They will also subsequently be made available in the usual report to be presented to the Human Rights Council. "*