



Hawai'i Institute for Human Rights

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Shadow report submitted to the United Nations Human Rights Committee regarding Viet Nam's Fourth Periodic Report (CCPR/C/VNM/4) under the International Covenant on Civil and Political Rights, for consideration during the 144th Session of the Committee.

Introduction

Hawai'i Institute for Human Rights (HIHR) is a people centered coordination movement around the planet for promotion and protection of human rights, especially ensuring Indigenous Peoples Rights in every region of the world. HIHR reflects on the historical injustices of colonialism and challenges current injustices developing from globalization. HIHR works with communities for environmental and human rights exposing the true costs of corporate profits. HIHR empowers and informs peoples in the art of protest and organizing. HIHR produces investigative papers that educate the public and strengthens networks of resistance for nonviolent direct action.

HIHR serves as a regional coordinator in Asia-Pacific in a network of resistance to colonialism. HIHR documents violations provides assistance and advice to other NGOs. HIHR applies resources to achieve the full implementation of the international and regional human rights law. HIHR also explores assistance efforts in defense of human rights before the UN international and regional human rights commissions, committees and courts.

HIHR activities focus on action-research, training in human rights and legal literacy, information sharing and networking. HIHR aims to end discrimination against women, indigenous peoples and other vulnerable peoples through empowerment programs linked to action-research at the grassroots level with tools and strategies to challenge and nonviolently confront structures of inequality. HIHR carries out research, disseminating the gathered information in various forms by utilizing research results to enact policy and social changes. HIHR produces training programs, resource materials and publications.

HIHR creates a civil society educated in the value and vision of human rights. Everyday people can be effective and passionate advocates for their cause and larger positive social change. The international movement for culture of peace and nonviolence notes that peace is in our hands. HIHR pledges to respect all life and nature, share with others, listen to understand and empathize with everyone, preserve our planet and rediscover solidarity.

For the 144th Session of the United Nations Human Rights Committee, HIHR submits a stakeholder submission rooted in conversation and consultation with human and earth rights defenders inside Vietnam. HIHR will focus on the rights enshrined in the International Covenant on Civil and Political Rights (ICCPR) articles outlining important issues, providing questions and concluding recommendations to ensure a robust and rich dialogue to improve realization of rights.

Indigenous Peoples rights are central to measure the state of human rights in Vietnam. It is imperative for the UN Human Rights Committee to concentrate on Indigenous Rights in the actual review of Vietnam and call on the government to respect all rights beginning with the right of self-determination including of self-identification and the principle of free, prior and informed consent referenced in the UN Declaration on the Rights of Indigenous Peoples which is interconnected with the rights in the ICCPR.

This report highlights the systemic rights violations Indigenous Peoples encounter daily just living as Indigenous Peoples from the Mekong Delta in the south to Central Highlands. Indigenous Peoples from Khmer Krom to Montagnards, the persecution of one practicing their culture and prosecution

against worship of one belief system demand Vietnam must change immediately and respect Indigenous Rights.

While there are many national laws and decrees issued, the laws are merely promises on paper with little actual impact in daily lives of people. During the interaction with the Vietnam delegation please ensure all questions and recommendations focus on actual implementation and not only citing of specific legislation but improve actual lives.

ICCPR Implementation

Article 1: Right to Self-Determination

In the name of national unity, Indigenous Peoples Rights are denied claiming Indigenous Peoples are actually ethnic groups denying their existence since time immemorial on the ancestral lands. Indigenous peoples like the Khmers Kampuchea Krom practice distinct language, culture, religion and have an unique history and relationship to the land. The consistent denial by Vietnam of Indigenous Peoples to be able to express their Indigenous Peoples values and share their voice in national affairs is a denial of Article 1 for self-determination.

Indigenous Peoples exercising their cultural, religious and linguistic rights have resulted in imprisonment and even worse. s Mrs. Dinh Thi Huynh, Mr. Danh Minh Quang, Mr. To Hoang Chuong, and Mr. Thach Cuong, have faced arbitrary arrest and imprisonment for merely advocating for their indigenous rights. In 2024, these activists were sentenced to two to four years in prison after being detained for six months and tried in closed-door hearings for distributing only documents that Vietnam has agreed to uphold after adopting and ratification including the UNDRIP.

Questions:

Please cite and share specific measures Vietnam taking to ensure Khmer Krom peoples fully exercise their right to self-determination including cultural linguistic, and religious autonomy free from constant government interference and denial of basic dignity?

Please provide specific dates to recognize Khmer Krom as Indigenous Peoples before the next UN Permanent Forum on Indigenous Issues 25th session in 2026 or before the 20th anniversary of the UN DRIP in 2027

Recommendation:

Vietnam must unequivocally recognize the Indigenous Peoples of Vietnam at the 144th Session of the UN Human Rights Committee and began genuine dialogue in good faith to respect the rights of Indigenous Peoples under the ICCPR articles and the UN Declaration on the Rights of Indigenous Peoples.

Indigenous Peoples Prisoners of Conscience must immediately be released and must be respected in their ancestral lands to practice their unique culture in all its forms.

Article 2: Ensure rights without discrimination

While the government claims to uphold non-discrimination under paragraph 23 of its ICCPR report, its regular actions reflect systemic racism and denial of fundamental dignity in many aspects of Indigenous Peoples daily life. From basic national holidays to specific cultural, religious and linguistic government programs, Indigenous Peoples face discrimination and denial of their fundamental freedoms in the name of national unity.

One example is the state's control over religious practices. Vietnam enforces the forced alignment of Khmer-Krom Buddhist monks with the Vietnam Buddhist Sangha (VBS), an institution under government control. This interference undermines the Khmer-Krom's right to religious freedom and prevents them from practicing their faith autonomously, further infringing upon their cultural identity and indigenous rights.

Also, Khmer Krom people desiring to practice their cultural holidays are forced to honor the nationally determined dates even though the Khmer Krom culture recognizes other days that are not respected nationally and are not observed. Therefore, Khmer Krom can't return home to their homelands to be with family and community.

Indigenous peoples exercise their right to equality and non-discrimination face severe reprisals. Khmer Krom advocates doing nothing but living their lives according to Indigenous values face state sanction and constant intimidation. Triu Sieu, in Binh Duong province has his home unlawfully searched and even personal belongings seized. If that wasn't enough, the police pressure his landlord to evict his entire family. The constant abuse and actions against human rights defenders creates a culture of fear and denies the rights under the ICCPR.

Questions:

Will Vietnam assist Indigenous Peoples being discriminated against and abused by police as well as release Indigenous Peoples behind bars serving time for defending recognized human rights?

Recommendations:

From employment to exercising one's religion provide specific steps the state will take to address systemic discrimination faced from employment to education and specific spiritual rights enshrined in the ICCPR and UNDRIP.

Please provide specific measures to guarantee the ICCPR is respected by Vietnam authorities so Khmer Krom can practice Theravada Buddhism without government control forcing state controlled religious worship

Article 3: Ensure equal rights of men & women

Indigenous women face double discrimination as women in Vietnam society and as Indigenous Peoples on own ancestral lands not recognizing centuries of Indigenous methods of agriculture and cultural practices to guarantee perpetual protection of own homelands from exploitation by corporations and state development campaigns.

There are many examples of human rights violations women face daily for just being Indigenous Peoples in Vietnam. One example was none other than International Women's Day on March 8. In 2023, Khmer-Krom women in Tra Vinh province organized an event to celebrate the day and highlight their challenges, including double discrimination based on gender and indigenous status. Instead of assisting Indigenous Khmer Krom women to exercise their rights under the ICCPR, this event was disrupted by Vietnam authorities, and shortly afterward, Mrs. Dinh Thi Huynh and Chau Thi Thien, both of whom participated in the event, were summoned by the police in Soc Trang province. Two years later in 2025, the Khmer-Krom women in Tra Vinh province had to organize the International Women's Day at a Khmer-Krom temple because the Viet Nameese authorities tried to block them from organizing this crucial event. Even though the event was celebrated at the temple, the Vietnamese authorities sent nonuniform police to interrupt the event. The Khmer-Krom women exercised their rights in the face of government repression.

Question

Will Vietnam immediately implement the recommendations of the UN CEDAW recent recommendations between August 9 Indigenous Peoples Day and United Nations International Day of Peace September 21?

Recommendations:

Women's rights must be respected, protected and fulfilled. Indigenous women must be released from prison and also ensure Khmer Krom women aren't harassed and intimidated for merely exercising their basic rights for gender justice and participation in public life.

Vietnam government must ensure all international human rights recognized dates be respected and protected in Vietnam allowing Indigenous Peoples to participate with the global community to promote and protect human rights. Beginning with International Women's Day and International Indigenous Peoples Day, all Indigenous Peoples must be able to speak and stand up for their rights.

Article 6: Right to life

The right to life is crucial for Indigenous cultures to be able to live their life to the fullest. However, Indigenous Peoples aren't able to even be able to practice own culture due to repressive actions and also larger issues facing Indigenous Peoples including the climate emergency. Meanwhile, as emerging environmental catastrophe looms, Vietnam continues to practice horrible human rights violations even including harsh, lengthy legal sentences and also pursuit of the death penalty.

Indigenous Peoples are constantly arrested and face actions against including arrest and prolonged detention leading to loss of life. Also due to the climate crisis impacting Indigenous Peoples disproportionately, Khmer Krom in the Mekong Delta face multiple impacts due to environmental destruction and the climate crisis. Indigenous Peoples understand the right to a clean, healthy and sustainable environment are at the forefront of the right to life. Indigenous peoples honoring the rights of nature and providing basic nutrition and life affirming natural resources are constantly denied the

spectrum of rights from harvesting their ancestral rice fields to enabling Indigenous cultural resilience against climate change.

Indigenous Peoples are denied full spectrum of rights from right to public information and participation in decision-making processes in all aspects of life. There are many denials of rights in all phases of honoring their ancestral rice farming practices and living in harmony with nature. From Indigenous Peoples challenging pesticides and fertilizers and also degraded farming cycles that don't respect spiritual and religious practices that connect Indigenous peoples to their homelands in the Mekong Delta.

Indigenous Peoples are constantly challenged and confronted by the state. Indigenous Peoples are charged under entire range of vague laws with violent practices and sentences. Indigenous Peoples including the spiritual leaders face threats and intimidation for doing nothing more than honoring one's religion by teaching and practicing Theravada Buddhism and sharing information about international human rights law. Venerable Thach Chanh Da Ra, a prominent Khmer-Krom monk, was arrested without due process on November 22, 2023, along with Mr. Kim Khiem, after being accused of "abusing democratic freedoms." His disappearance

for several hours during his arrest and the subsequent false charges exemplify the challenges Khmer Krom systematically face daily. Also more recently, on March 27, 2025, Mr. Thach Xuan Dong was arrested alongside Mr. Thach Nga on charges of "abusing democratic freedoms." This arrest directly resulted from his advocacy for Indigenous Peoples Rights, including distribution of official UN documents like the UNDRIP.

Questions:

Will Vietnam include Indigenous Peoples in the public policy formation related to own ancestral traditional lands to defend against environmental degradation to demand climate justice?

Will Vietnam recognize Indigenous land rights to territories and natural resources as enshrined in the ICCPR and UN DRIP as well as the UN Framework Convention on Climate Change Nationally Determined Contributions reports?

Will Vietnam release all Indigenous Prisoner of Conscience so the people can fully exercise their right to life free from persecution?

Recommendations:

Vietnam must provide land back so Khmer Krom farmers can practice their traditional sustainable farming model to provide food for own families instead of exporting abroad after destruction with pesticides poisoning the land.

Vietnam must share global funds and aid provided under the UN 2030 Agenda and the UN Paris Agreement to assist Indigenous Peoples to provide support for Indigenous models of adaptation to protect own homelands.

Vietnam must end all denial of the right to life including the death penalty practice. Vietnam must ratify the ICCPR Optional Protocol.

Article 7: Right to be free from torture and other cruel, inhuman or degrading treatment

The Indigenous Peoples face torture constantly. Article 7 is classic example of national laws and Vietnam actions not amounting to even basic respect for rights. Vietnam noted publishing a Convention Against Torture booklet. However, too many Indigenous People face torture and cruel, inhuman and degrading treatment daily.

Questions:

Will Vietnam provide training and technical assistance to its police officers in communities where Indigenous Peoples live regarding the UN Convention Against Torture, the ICCPR and the UN DRIP to ensure all rights are respected, protected and realized?

Will Vietnam followup on cases of torture and immediately address the human rights violations providing compensation and reparations to Indigenous Peoples?

Recommendations:

Vietnam must immediately create Indigenous models of community policing embracing cultural practices that honor the traditional leadership of Indigenous Peoples.

Indigenous Peoples must be free to provide proof of violence by authorities and not fear reprisals.

Article 12: Right to Liberty and Freedom of Movement

Indigenous Peoples must be allowed to participate in the United Nations human rights mechanism. Indigenous Peoples must be able to attend the UN Human Rights Treaty Body Reviews including the UN Human Rights Committee. Also, Indigenous Peoples at the United Nations Permanent Forum on Indigenous Issues and the UN Expert Mechanism on the Rights of Indigenous Peoples must be allowed to attend and participate under the agenda items.

Questions:

Will Vietnam ensure Indigenous Peoples able to chose own Indigenous traditional leaders to participate in regular UN human rights reviews?

Will Vietnam enact measures to not arbitrarily rustic travel abroad to participate at the United Nations?

Recommendations:

Indigenous Peoples participate in the United Nations commemoration of days at home and human rights reviews at the UN in Geneva without reprisal.

Articles 14 & 15: Right to Equality Before the Law, Presumption of Innocence, Fair Trial

Khmer Krom monks and activists have been systematically denied their basic right to a fair trial and legal defense. In addition, the absence of court orders for their detention and the failure to provide legal counsel for Khmer Krom detainees are part of a broader pattern of repression against individuals exercising their right to freedom of religion and cultural identity. The Vietnamese authorities continue to ignore international standards for due process and accountability in their treatment of Khmer Krom activists.

Questions:

Please provide the specific steps Vietnam will immediately implement to change course regarding arbitrary detention in all aspects of life, Khmer Krom face due to exercising their basic human rights?

Recommendations:

All Buddhist monks and advocates must be provided legal representation throughout the entire legal proceedings.

Article 18: Freedom of Thought, Conscience, and Religion

The Law on Belief and Religion (LBR) imposes stringent controls over religious organizations, forcing all religious groups to register with the government and operate under state-controlled entities. This system denies Khmer Krom Buddhist monks and communities the right to practice their faith independently, forcing them to adhere to the Viet Nam Buddhist Sangha (VBS), a government controlled organization.

Vietnamese government forces the Khmer Krom to practice under the Viet Nam Buddhist Sangha, severely restricting their religious autonomy. Khmer Krom monks who refuse to join the VBS face threats, intimidation, and even expulsion from the monkhood. The government has imposed the VBS's Mahayana practices on Khmer Krom monks, even forcing them to bow to Vietnamese monks in the VBS hierarchy, regardless of their seniority. This forced integration into the VBS undermines the independent practice of Theravada Buddhism, which is central to the Khmer Krom people's identity and culture. The VBS's control extends to other aspects of religious life, such as the appointment of temple leadership, the use of the Khmer language in temples, and the imposition of political indoctrination on Khmer Krom monks. These actions directly violate their religious freedom and cultural autonomy.

Questions:

Will Vietnam adopt new national laws upholding Article 18 securing the right to freedom of religion?

Will Vietnam immediately end all practices under the LBR?

Recommendations:

Vietnam must release all Khmer Krom monks unlawfully detained and sentenced for practicing own Indigenous religion.

Article 19 Freedom of opinion and expression and Article 21 Right to peaceful assembly

Khmer Krom activists like Dinh Thi Huynh, Danh Minh Quang, To Hoang Chuong, and Thach Cuong advocated for their indigenous rights by distributing UN documents such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) or by organizing peaceful events like International Women's Day, they were arrested and sentenced to prison terms ranging from 2 to 4 years under the vague accusation of "abusing democratic freedoms". These charges have been routinely used to suppress freedom of opinion and organizing for peaceful assembly.

Questions:

Please provide specific steps to guarantee the freedoms of opinion and peaceful assembly advocating for rights enshrined in the ICCPR and UN DRIP?

Recommendations:

All Indigenous activists must have their sentences reduced and immediately released

Article 25: Right to participate in public affairs, to vote and to be elected and access to public service

Vietnam is a one party regime under the full control of Communist Party that doesn't allow for any political participation for Indigenous Peoples. The electoral process is not free or fair. There is no ability for Indigenous Peoples to seek to serve their Indigenous communities. The Indigenous Peoples have no choice in their elections. The elected officials do not serve the Indigenous Peoples only representing the national aspirations and ignoring Indigenous Peoples priorities.

Questions:

Will Vietnam allow for Indigenous Peoples to serve their own districts?

Will Vietnam allow for exercise of autonomy and allow for Indigenous Peoples to serve in municipalities and create human rights cities following the Indigenous values and vision for own territories?

Recommendations:

Indigenous Peoples seek serving in local and national elections allowing for genuine representation in all levels of governance.

Article 27: Right for Members of Ethnic, Religious, or Linguistic Minorities to Enjoy their Culture, Practice their Religion, and Use Their Language

Khmer Krom peoples desire to learn their own mother tongue and have it included in national policies and practices. However, Indigenous Peoples are constantly marginalized just for speaking their own language during the UNESCO Decade of Indigenous Language.

The Khmer Krom language, religion, and culture are consistently suppressed through government policies that aim to undermine their identity and assimilate them into the dominant Vietnamese culture. The Khmer-Krom language is not freely taught in public schools or used in public life. Many Khmer Krom youths can no longer read or write in Khmer fluently. This undermines their cultural identity, making passing on their traditions and language to future generations more difficult.

Khmer Krom monks, such as Venerable Thach Chanh Da Ra, Venerable Duong Khai, Venerable Thach Quy Lay, Venerable Kim Sa Ruong, Venerable Thach Chop, have faced arrest and imprisonment simply for trying to teach the Khmer language, advocate for religious freedom and indigenous rights in their temples, further highlighting the government's efforts to suppress Khmer-Krom cultural and linguistic rights.

When family members visit Khmer-Krom Buddhist monks or activists in prison, they are unjustly prohibited from speaking their native Khmer language. Instead, the Vietnamese authorities force them to use colonial language of Vietnamese effectively denying them the fundamental right to communicate in their own language.

Recommendation:

Indigenous Peoples languages must be respected, protected and fulfilled in creative and dynamic programs including in traditional education and also community programs at Khmer Krom temples.

Conclusion

The immediate recommendations from the UN Human Rights Committee must be distributed in Indigenous Peoples languages.

The government must also share the UN DRIP in all Indigenous languages and commemorate from August 9 through September 13 honoring Indigenous Peoples Day and adoption of UNDRIP by the UN General Assembly.

Indigenous Peoples must be allowed to practice their Indigenous language and unique cultures daily without harassment and violations of human rights.