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Report

“The situation of stateless Vietnamese families in communities in Prey Veng and Kampong Chhnang provinces: Access to school for children from poor Vietnamese families”

Field trip on 31 October and 01 November 2014

Report compiled by Ang Chanrith, Judith Kunze, Noun Sovanrith and Tuong Nang Tien and released in November 2014

A team of the ViDan Foundation and Minority Rights Organization (MIRO) visited two Vietnamese communities on 31 October and 01 November 2014, respectively. One community is located in Prey Veng province and the other in Kampong Chhnang province. The participants from the ViDan Foundation were President Nguyen CongBang and Tuong Nang Tien. From MIRO, Judith Kunze and Noun Sovanrith as well as former MIRO Director Ang Chanrith joined.

Aims of the visits

- 1- To assess the situation of Vietnamese communities who were either born in Cambodia or have been living here for 20 to 30 years, in particular regarding their living conditions and their legal identification documents;
- 2- To distribute school material and sweets for Vietnamese children in Prey Veng and rice and candies to poor families and children in Kampong Chhnang.

Support from ViDan Foundation and MIRO

In Praek Ksay Kor, the Vidan Foundation supports a Vietnamese teacher who has been teaching several generations of children since he came to Cambodia in the 1990s. 144 students of different age groups learn Vietnamese at this school currently, usually in the afternoon between 02 and 07 pm. The larger group of 107 has just started learning to read and write. The class room looks dilapidated with battered wooden benches huddled together. The rain pours in through numerous holes in the roof during rainy season. Only the front and one side of the class room have a wall, for the rest the sides are open and expose the children and teachers to the elements.

In Kampong Chhnang, a school attendance project funded by ViDan and implemented by MIRO allows Vietnamese, Khmer and Cham children to study in 1st and 2nd grade. In total, 95 children are enrolled, 61 study at 1st grade and another 34 study at 2nd grade. Both classes learn Khmer in the morning and in the afternoon, all Vietnamese and some Khmer children attend a Vietnamese language class with 47 Vietnamese children.

Vietnamese's living standard in Prey Veng and Kg. Chhnang provinces

The team visited Village 6, Praek Ksay Kor commune, Peam Ror district in Prey Veng and Kandal village, Phsar Chhnang commune/district in Kampong Chhnang province.

The two-day field trip revealed that Vietnamese who were either born in Cambodia and have lived here for many generations or have immigrated in the 1990s are extremely poor, have no proper jobs, face discrimination by the authorities, lack access to education (in Khmer language) and cannot benefit from social services.

Usually, members of the Vietnamese communities make a living as fishermen, small vendors or laborers and scrap collectors, etc. They live from hand to mouth and have not much capacity to draw the attention of the local authorities to their plight. While in Kampong Chhnang, the Vietnamese communities live in house boats on the water, the authorities have granted the Vietnamese in Prey Veng some land.

The group of Vietnamese long-term residents has no legal status in Cambodia and is denied civil and political rights as well as participation in social and economic development. As such, these people must be called stateless. Vietnamese statelessness is a very sensitive issue in Cambodia which is ignored by the authorities; dealing with it would mean touching upon the fact that the majority of the Khmer population bears strong racial biases against Vietnamese. During our field trips, we understood that the vast majority of Vietnamese have no legal identification such as birth certificate, family book, or identity card which are documents that gives evidence of Cambodian/Khmer citizenship. Most of them only hold immigration cards and resident cards. These documents show that they are legal immigrants, although they have either been born in Cambodia or have lived here for 30 years. They could have become Khmer citizens either under the Nationality or the Immigration Law, but the weak law enforcement as well as the very fact that they do not know or understand these laws, denies them this chance. Some of them told us that they are Khmer, and that Cambodia is their homeland and the land of their birth, but yet they must deal with unclear nationality or statelessness.

The Ministry of Interior is currently conducting a census of foreigners. In Praek Ksay Kor, villagers were told that they can now apply for naturalization through the Immigration Law. This will take them at least another four to seven years of statelessness. In fact, the lack of law enforcement and imprecision within the laws have been disadvantageous for the Vietnamese so far, and it is them who have to pay the price.

Also, the rights of the Vietnamese are ignored and they are hardly aware of the rights they are entitled to, in particular the right to education for their children. For example, they are not aware about the importance of education as a door to change their lives. Rather, the children stay at home to work – either fishing, rowing boats or collecting scrap for recycling – or take care of their younger siblings. This defines as exploitation of their labor force and violates the rights of the child as stipulated in the United Nations Convention on the Rights of the Child. They lack an understanding of the concept of human rights and they also lack the capacity and interest to deal with such issues.

One team member expressed his shock about seeing the living conditions and realizing the severe difficulties of the people. Living as an expat in the US, he was not aware of such abject squalor. He felt sad, dismal and sorrowful of his fellow Vietnamese people who live in

Cambodia without getting any supports from the government: “It looks like they live in another world.”

Distribution of rice, notebooks and sweets

With distributing rice and other items, Mr. Nguyen CongBang from ViDan Foundation wanted to take action against the prevalent poverty in the Vietnamese communities he had been informed about by MIRO and other NGOs in Cambodia. In Praek Ksay and Phsar Chhnang communes, he distributed:

- 550 note books and several hundreds of sweets were freely distributed to Vietnamese children who live and study in Praek Ksay Kor, in Prey Veng;
- Almost 1,300 kilograms of rice and over one hundred packets of sweets were freely distributed to poor Khmer and ethnic Vietnamese families, both the parents as well as the school children of Samaki Primary School in Kandal village (located in Kandal village, Phsar Chhnang commune and district, Kampong Chhnang province); and
- A small donation was handed to the teachers and community members in both locations.

People and children who received gifts were grateful to Mr. Nguyen and the ViDan Foundation, but also expressed their appreciation about the fact that the children can attend state school and Vietnamese language classes. Parents do expect their future perspective to improve when their children can learn and gain some knowledge. It will be easier for them to find jobs and they might also be better equipped to advocate with the government of Cambodia to issue identification papers for them so that they can become full Khmer citizens. They were also happy to receive some charity from generous people and organizations. “This gift might not be much, but is very meaningful for us”, children’s parents in Kampong Chhnang said.

Birth certificates

In Kampong Chhnang, the Khmer and Muslim Cham students are in the possession of a birth certificate, whereas the Vietnamese students hold a letter issued by the commune chief that confirms their birth and residence in this commune. In the case of Phsar Chhnang, this letter will allow them to proceed from primary school to university. The letter does not replace the birth certificate and cannot be used for the purpose of applying for identification papers. Children from other communities, as for instance in Praek Ksay Kor, have neither birth certificates nor does their commune chief issue such letters. Though they are admitted to primary school, they must leave school after 6th grade.

Recommendation, based on observations and feedback from parents

- Continue to support Vietnamese children to attend school, also with the aim to reach access to higher education;
- Provide life jackets to the Vietnamese children in Kandal, and support the expansion of the class room in Praek Ksay Kor;
- Raise the parents’ awareness of relevant national laws as well as human rights so that parents can advocate with government officials for identification papers and birth certificates;
- Urge the Cambodian government to support the improvement of their living condition and call for the government to protect the rights of Vietnamese in Cambodia.

Conclusion

Vietnamese who were born in Cambodia or immigrated here 20 to 30 years ago have neither got Vietnamese nor Khmer nationality and must therefore be considered as stateless. The Cambodian government denies them a nationality by not ensuring law enforcement and not applying the Law on Nationality. Stateless persons in Cambodia suffer numerous problems, such as a lack of livelihood opportunities, the inability to access the education system and protection from discriminatory or illegal treatment by police or authorities.

MIRO and ViDan Foundation believe that based on education for Vietnamese children, the legal, social and political integration of the Vietnamese families can improve considerably. Yet, it will take a long time to make an irreversible change for a better future. Thus, the support of MIRO and Vidan Foundation are well tailored to the needs of Vietnamese long-term residents in Cambodia.